

## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida Association of Counties received on October 15, 2015.

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**From:** Lisa Hurley <lhurley@fl-counties.com>  
**Sent:** Thursday, October 15, 2015 1:56 PM  
**To:** McAlarney, Vesselka; Orlando Garcia; Susan Harbin  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian; Schenker, Pamela; Bell.Stephanie  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Vesselka:

Thank you and the members of the FIEC for thinking to include FAC in your analysis. With regard to the current proposed amendment, our response remains the same, that is, that we are unable to make a determination of the fiscal impact to counties at this time. Should this change, we will contact you immediately.

Respectfully,

**Lisa M. Hurley, Esq.**

Legislative Director

Florida Association of Counties

100 S. Monroe St • Tallahassee, FL 32301

Phone: (850) 487.0697 • Fax: (850) 488-7752

[Facebook.com/flcounties](https://www.facebook.com/flcounties) • Twitter: [@flcounties](https://twitter.com/flcounties) •

[www.fl-counties.com](http://www.fl-counties.com) • *All About Florida* •

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**From:** McAlarney, Vesselka [mailto:MCALARNEY.VESSELKA@leg.state.fl.us]

**Sent:** Wednesday, October 14, 2015 12:28 PM

**To:** Lisa Hurley; Orlando Garcia; Susan Harbin

**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian; Schenker, Pamela; Bell.Stephanie

**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

To: Florida Association of Counties

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled "**Use of Marijuana for Debilitating Medical Conditions**" serial number 15-01. A description of the process is included at the end of this email for your reference.

A FIEC was held for a [similar amendment](#) in 2013. Your agency participated in the 2013 FIEC and we included the information provided immediately below to represent your agency's position at that time. The principals have requested that you review this statement to see if it is an accurate representation of the new amendment, assuming it were to pass. They would like to include it in the Financial Information Statement. Please feel free to modify it as needed and return it to me as soon as possible, copying the four principals:

- EDR - Amy Baker - [baker.amy@leg.state.fl.us](mailto:baker.amy@leg.state.fl.us)
- House - Don Langston - [don.langston@laspbs.state.fl.us](mailto:don.langston@laspbs.state.fl.us)
- Senate - Jose Diez-Arguelles - [jose.diez-arguelles@laspbs.state.fl.us](mailto:jose.diez-arguelles@laspbs.state.fl.us)
- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Association of Counties	10/29/2013	The Florida Association of Counties is unable to make a determination about the financial impact of the proposed amendment on local governments as per email.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

**To provide you with some background regarding the work of the Financial Impact Estimating Conference (FIEC):**

In 2004, a constitutional amendment passed that requires initiative petitions be filed with the Secretary of State by February 1<sup>st</sup> of each general election year in order to be eligible for ballot consideration. This has been interpreted to mean that all signatures have been certified by the local supervisors of election and that the other requirements for geographic distribution have been met. For 2016, the required number of valid signatures is 683,149.

Section 15.21, Florida Statutes, further requires the Secretary of State to “immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference” once the certified forms “equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art XI of the State Constitution.” For 2016, this means that there are at least 68,314 valid and qualifying signatures. Upon receipt, the Financial Impact Estimating Conference (FIEC) has 45 days to complete an analysis and financial impact statement to be placed on the ballot (s.100.371, Florida Statutes). In practice, the 45-day window has begun when the Legislative Office of Economic and Demographic Research (EDR) received the official transmittal letter.

Florida law requires that the FIEC consist of four principals: one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research (EDR); one person from the professional staff of the Senate; and one person from the professional staff of the House of Representatives. The law further states that “each principal shall have appropriate fiscal expertise in the subject matter of the initiative.” A separate FIEC with different principals (other than EDR) can be convened for each initiative.

Each FIEC is responsible for the development of two products: (1) a ballot impact statement of no more than 75 words to be included after the ballot summary; and, (2) a detailed financial information statement, including a summary of not more than 500 words. Each of the documents must solely relate to the estimated increase or decrease in revenues or costs to state or local governments. In remanding several ballot impact statements to FIEC for redrafting in 2004, the Supreme Court further clarified that the statements must reflect only the “probable financial impact” of the amendment.

Vesselka McAlarney  
Economist  
Florida Legislature, Office of Economic and Demographic Research  
111 West Madison Street, Suite 574  
Tallahassee, FL 32399-6588  
Direct: (850) 717-0461  
Office: (850) 487-1402  
Fax: (850) 922-6436  
E-mail: [McAlarney.Vesselka@leg.state.fl.us](mailto:McAlarney.Vesselka@leg.state.fl.us)

## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida Department of Agriculture received on October 16, 2015.

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**From:** Lovett, Grace <grace.lovett@freshfromflorida.com>  
**Sent:** Thursday, October 15, 2015 5:23 PM  
**To:** Bell.Stephanie  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian; Holley, Lorena; Joyner, Michael  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Stephanie—our team reviewed the 2016 proposed constitutional amendment and because it is nearly the same as the 2014 amendment, we are comfortable with the “result” dated 10/28/13 provided below also representing FDACS’ position on the 2016 proposed amendment.

Regards,  
Grace

**Grace P. Lovett**  
Director  
Office of Legislative Affairs  
Florida Department of Agriculture and Consumer Services

(850) 617-7700  
Grace.Lovett@FreshFromFlorida.com

The Capitol, PL-10  
400 South Monroe Street  
Tallahassee, Florida 32399-0800

[www.FreshFromFlorida.com](http://www.FreshFromFlorida.com)

Please note that Florida has a broad public records law (Chapter 119, F.S.). Most written communications to or from state employees are public records obtainable by the public upon request. Emails sent to me at this email address may be considered public and will only be withheld from disclosure if deemed confidential pursuant to the laws of the State of Florida.

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**From:** Joyner, Michael  
**Sent:** Thursday, October 15, 2015 11:55 AM  
**To:** 'Bell.Stephanie'  
**Cc:** 'Baker, Amy'; 'Langston, Don'; 'Diez-Arguelles, Jose'; 'Weiss, Christian'; Holley, Lorena; Lovett, Grace  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Thank you Stephanie. We will review and provide feedback very soon. Mike

Lorena. Please review and comment directly to Stephanie. Thanks. Mike

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Bell.Stephanie [[Bell.Stephanie@leg.state.fl.us](mailto:bell.stephanie@leg.state.fl.us)]  
**Sent:** Wednesday, October 14, 2015 12:10 PM Eastern Standard Time  
**To:** Joyner, Michael  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian  
**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled ***“Use of Marijuana for Debilitating Medical Conditions”*** serial number 15-01. A description of the process is included at the end of this email for your reference.

A FIEC was held for a [similar amendment](#) in 2013. Your agency participated in the 2013 FIEC and we included the information provided immediately below to represent your agency’s position at that time. The principals have requested that you review this statement to see if it is an accurate representation of the new amendment, assuming it were to pass. They would like to include it in the Financial Information Statement. Please feel free to modify it as needed and return it to me as soon as possible, copying the four principals:

- EDR - Amy Baker - [baker.amy@leg.state.fl.us](mailto:baker.amy@leg.state.fl.us)
- House - Don Langston - [don.langston@laspbs.state.fl.us](mailto:don.langston@laspbs.state.fl.us)
- Senate - Jose Diez-Arguelles - [jose.diez-arguelles@laspbs.state.fl.us](mailto:jose.diez-arguelles@laspbs.state.fl.us)
- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Department of Agriculture and Consumer Services	10/28/2013	Would not result in a significant regulatory impact to the agency: oversight of the plants; nursery stock dealers’ license; commercial weights; agricultural inspection stations, etc. Fees would cover any additional costs.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

Stephanie Bell  
 Legislative Research Assistant  
 Office of Economic and Demographic Research  
 850-717-0458

**To provide you with some background regarding the work of the Financial Impact Estimating Conference (FIEC):**

In 2004, a constitutional amendment passed that requires initiative petitions be filed with the Secretary of State by February 1<sup>st</sup> of each general election year in order to be eligible for ballot consideration. This has been interpreted to mean that all signatures have been certified by the local supervisors of election and that the other requirements for geographic distribution have been met. For 2016, the required number of valid signatures is 683,149.

Section 15.21, Florida Statutes, further requires the Secretary of State to “immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference” once the certified forms “equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art XI of the State Constitution.” For 2016, this means that there are at least 68,314 valid and qualifying signatures. Upon receipt, the Financial Impact Estimating Conference (FIEC) has 45 days to complete an analysis and financial impact statement to be placed on the ballot (s.100.371, Florida Statutes). In practice, the 45-day window has begun when the Legislative Office of Economic and Demographic Research (EDR) received the official transmittal letter.

Florida law requires that the FIEC consist of four principals: one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research (EDR); one person from the professional staff of the Senate; and one person from the professional staff of the House of Representatives. The law further states that “each principal shall have appropriate fiscal expertise in the subject matter of the initiative.” A separate FIEC with different principals (other than EDR) can be convened for each initiative.

Each FIEC is responsible for the development of two products: (1) a ballot impact statement of no more than 75 words to be included after the ballot summary; and, (2) a detailed financial information statement, including a summary of not more than 500 words. Each of the documents must solely relate to the estimated increase or decrease in revenues or costs to state or local governments. In remanding several ballot impact statements to FIEC for redrafting in 2004, the Supreme Court further clarified that the statements must reflect only the “probable financial impact” of the amendment.

## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida Department of Business and Professional Regulation, Division of Drugs, Devices, and Cosmetics, received on October 18, 2015.



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**From:** Dixon, Reggie <Reggie.Dixon@myfloridalicense.com>  
**Sent:** Sunday, October 18, 2015 3:17 PM  
**To:** Bell.Stephanie  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian; Vaccaro, Tim; Miller, Matilde; Olson, Dan  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Dear Ms. Bell,

Thank you for the opportunity to review the proposed draft and to respond on behalf to the Department. The Department's response is below:

Whether medical marijuana is a "common household remedy" is currently unknown. "Common household remedy" is not defined in statute and DBPR has no authority to further define the term. Making the determination involves the forming of a technical assistance advisory committee which is outside of DBPR's purview. At this time marijuana is a schedule I controlled substance under both state and federal law, having no currently accepted medical use in treatment in the United States. DBPR has not been petitioned to include medical marijuana on the list of common household remedies. Additionally, no schedule I controlled substance is currently listed as a common household remedy. The form of the substance does not greatly matter, unless it is a food or has been processed. DOH is the agency delegated responsibility with implementing the proposed constitutional amendment. DBPR is not delegated any authority or responsibility regarding the implementation of the proposed constitutional amendment, but would serve as a resource to DOR and DOH as necessary.

This may be longer than anticipated, but it more accurately reflects the Department's position.

Respectfully,

Reginald D. Dixon  
Director  
Division of Drugs, Devices & Cosmetics

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**From:** Bell.Stephanie [mailto:bell.stephanie@leg.state.fl.us]  
**Sent:** Wednesday, October 14, 2015 12:11 PM  
**To:** Dixon, Reggie  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian  
**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled "*Use of Marijuana for Debilitating Medical Conditions*" serial number 15-01. A description of the process is included at the end of this email for your reference.

A FIEC was held for a [similar amendment](#) in 2013. Your agency participated in the 2013 FIEC and we included the information provided immediately below to represent your agency's position at that time. The principals have requested that you review this statement to see if it is an accurate representation of the new amendment, assuming it were to pass. They would like to include it in the Financial Information Statement. Please feel free to modify it as needed and return it to me as soon as possible, copying the four principals:

- EDR - Amy Baker - [baker.amy@leg.state.fl.us](mailto:baker.amy@leg.state.fl.us)
- House - Don Langston - [don.langston@laspbs.state.fl.us](mailto:don.langston@laspbs.state.fl.us)
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- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Department of Business and Professional Regulation (DBPR) Division of Drugs, Devices and Cosmetics	10/28/2013 10/31/2013	Whether medical marijuana is a 'common household remedy' is currently unknown. There may be costs associated with making this determination. The form of the substance does not greatly matter, unless it is a food or has been processed. DBPR would have little authority over related supplies or devices.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

Stephanie Bell  
Legislative Research Assistant  
Office of Economic and Demographic Research  
850-717-0458

**To provide you with some background regarding the work of the Financial Impact Estimating Conference (FIEC):**

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Section 15.21, Florida Statutes, further requires the Secretary of State to “immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference” once the certified forms “equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art XI of the State Constitution.” For 2016, this means that there are at least 68,314 valid and qualifying signatures. Upon receipt, the Financial Impact Estimating Conference (FIEC) has 45 days to complete an analysis and financial impact statement to be placed on the ballot (s.100.371, Florida Statutes). In practice, the 45-day window has begun when the Legislative Office of Economic and Demographic Research (EDR) received the official transmittal letter.

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## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida League of Cities received on October 19, 2015.

Additional comments provided by phone on 10/19/2015, stating that the League of Cities is unable to quantify any potential impact to costs at this time.

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**From:** Ryan Padgett <RPadgett@flcities.com>  
**Sent:** Monday, October 19, 2015 10:24 AM  
**To:** McAlarney, Vesselka  
**Subject:** financial impact - marijuana

At this time, the Florida League of Cities does not have any input re: the financial impact of medicinal marijuana.

Ryan G. Padgett  
Assistant General Counsel  
Florida League of Cities  
Office: 850-701-3616  
Cell: 904-742-0360  
Fax: 850-222-3806  
**Web:** [www.floridaleagueofcities.com](http://www.floridaleagueofcities.com)



## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida Board of Pharmacy received on October 19, 2015.

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**From:** Dudley, Allison M <Allison.Dudley@flhealth.gov>  
**Sent:** Monday, October 19, 2015 11:11 AM  
**To:** Bell.Stephanie  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian; Runk, Paul; Paredes, Marco  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Dear Ms. Bell:

The response of the Board of Pharmacy has not changed and is as follows...

The Medical Marijuana Treatment Center would be a separate facility or entity and the certificate is not a prescription, so there would be no additional costs.

Allison M. Dudley, J.D.  
Executive Director | Board of Pharmacy  
Department of Health | Division of Medical Quality Assurance  
4052 Bald Cypress Way, Bin C-00 | Tallahassee, Florida 32399  
Phone: (850) 245-4197

Attention Health Care Practitioners: There have been changes to the license renewal process. To learn more visit [www.flhealthsource.com](http://www.flhealthsource.com). For questions, contact the Florida Department of Health toll-free at (855) 410-3344 or email us at [MQAReportCE@flhealth.gov](mailto:MQAReportCE@flhealth.gov)

Mission: To protect, promote and improve the health of all people in Florida through integrated state, county, and community efforts.

Vision: To be the Healthiest State in the Nation.

Purpose: To protect the public through health care licensure, enforcement and information.

Focus: To be the nation's leader in quality health care regulation.

Values: I.C.A.R.E. (Innovation, Collaboration, Accountability, Responsiveness, Excellence)

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from State officials regarding State business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

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**From:** Bell.Stephanie [mailto:[Bell.Stephanie@leg.state.fl.us](mailto:bell.stephanie@leg.state.fl.us)]  
**Sent:** Monday, October 19, 2015 10:22 AM  
**To:** Dudley, Allison M <Allison.Dudley@flhealth.gov>  
**Subject:** FW: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

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**From:** Bell.Stephanie  
**Sent:** Wednesday, October 14, 2015 12:12 PM  
**To:** 'MQA\_Pharmacy@doh.state.fl.us' <[MQA\\_Pharmacy@doh.state.fl.us](mailto:MQA_Pharmacy@doh.state.fl.us)>  
**Cc:** Baker, Amy <[BAKER.AMY@leg.state.fl.us](mailto:BAKER.AMY@leg.state.fl.us)>; Langston, Don <[Don.Langston@LASPBS.STATE.FL.US](mailto:Don.Langston@LASPBS.STATE.FL.US)>; Diez-Arguelles, Jose <[Jose.Diez-Arguelles@LASPBS.STATE.FL.US](mailto:Jose.Diez-Arguelles@LASPBS.STATE.FL.US)>; Weiss, Christian <[Christian.Weiss@LASPBS.STATE.FL.US](mailto:Christian.Weiss@LASPBS.STATE.FL.US)>  
**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled “*Use of Marijuana for Debilitating Medical Conditions*” serial number 15-01. A description of the process is included at the end of this email for your reference.

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- Senate - Jose Diez-Arguelles - [jose.diez-arguelles@laspbs.state.fl.us](mailto:jose.diez-arguelles@laspbs.state.fl.us)
- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Board of Pharmacy	10/28/2013	The dispensaries would be a separate facility or entity and the certificate is not a prescription, so there would be no additional costs.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

Stephanie Bell  
 Legislative Research Assistant  
 Office of Economic and Demographic Research  
 850-717-0458

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## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An e-mail from the Florida Department of Law Enforcement received on October 19, 2015.

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**From:** Baker, Amy  
**Sent:** Monday, October 19, 2015 12:05 PM  
**To:** McAlarney, Vesselka  
**Cc:** Schenker, Pamela  
**Subject:** FW: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

See below for FDLE...

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**From:** Draa, Ronald [mailto:RonaldDraa@fdle.state.fl.us]  
**Sent:** Monday, October 19, 2015 12:03 PM  
**To:** Bell.Stephanie <Bell.Stephanie@leg.state.fl.us>  
**Cc:** Baker, Amy <BAKER.AMY@leg.state.fl.us>; Langston, Don <Don.Langston@LASPBS.STATE.FL.US>; Diez-Arguelles, Jose <Jose.Diez-Arguelles@LASPBS.STATE.FL.US>; Weiss, Christian <Christian.Weiss@LASPBS.STATE.FL.US>  
**Subject:** RE: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Stephanie,

Per your request, please see a modified statement below.

Ron

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The Florida Department of Law Enforcement does not anticipate a fiscal impact as long as the criminal justice community does not have an expectation FDLE labs would determine whether cannabis found by officers is medical cannabis < 0.8 % THC and >10% CBD or recreational grade. Currently the laboratories identify the plant and whether THC is present. Current laboratory testing cannot determine the difference between medical grade and recreational cannabis. The implementation of a quantification procedure for THC and CBD based on previous workload for cannabis, could require more than 30 additional FTE chemistry positions statewide and appropriate space to house them. The estimated fiscal impact to fund 30 crime laboratory analyst positions is more than \$2.2 million.

In addition, the department anticipates the increased availability of cannabis with higher THC concentrations would increase driving under the influence laboratory evidence submissions by law enforcement agencies. This would have a fiscal impact on the toxicology sections of the department's crime laboratories, in terms of additional staffing and instrumentation. However, this impact is undetermined at this time.

**Ronald E. Draa, Jr. | Director of External Affairs**  
**Florida Department of Law Enforcement**  
**850.410.7020 (Office)**  
**850.528.2755 (Cell)**

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**From:** Bell.Stephanie [mailto:Bell.Stephanie@leg.state.fl.us]  
**Sent:** Wednesday, October 14, 2015 12:09 PM  
**To:** Draa, Ronald  
**Cc:** Baker, Amy; Langston, Don; Diez-Arguelles, Jose; Weiss, Christian  
**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled "**Use of Marijuana for Debilitating Medical Conditions**" serial number 15-01. A description of the process is included at the end of this email for your reference.

A FIEC was held for a [similar amendment](#) in 2013. Your agency participated in the 2013 FIEC and we included the information provided immediately below to represent your agency’s position at that time. The principals have requested that you review this statement to see if it is an accurate representation of the new amendment, assuming it were to pass. They would like to include it in the Financial Information Statement. Please feel free to modify it as needed and return it to me as soon as possible, copying the four principals:

- EDR - Amy Baker - [baker.amy@leg.state.fl.us](mailto:baker.amy@leg.state.fl.us)
- House - Don Langston - [don.langston@laspbs.state.fl.us](mailto:don.langston@laspbs.state.fl.us)
- Senate - Jose Diez-Arguelles - [jose.diez-arguelles@laspbs.state.fl.us](mailto:jose.diez-arguelles@laspbs.state.fl.us)
- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Department of Law Enforcement	10/22/2013	Deferred to the Attorney General’s office, as per phone call with staff.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

Stephanie Bell  
 Legislative Research Assistant  
 Office of Economic and Demographic Research  
 850-717-0458

**To provide you with some background regarding the work of the Financial Impact Estimating Conference (FIEC):**

In 2004, a constitutional amendment passed that requires initiative petitions be filed with the Secretary of State by February 1<sup>st</sup> of each general election year in order to be eligible for ballot consideration. This has been interpreted to mean that all signatures have been certified by the local supervisors of election and that the other requirements for geographic distribution have been met. For 2016, the required number of valid signatures is 683,149.

Section 15.21, Florida Statutes, further requires the Secretary of State to “immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference” once the certified forms “equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art XI of the State Constitution.” For 2016, this means that there are at least 68,314 valid and qualifying signatures. Upon receipt, the Financial Impact Estimating Conference (FIEC) has 45 days to complete an analysis and financial impact statement to be placed on the ballot (s.100.371, Florida Statutes). In practice, the 45-day window has begun when the Legislative Office of Economic and Demographic Research (EDR) received the official transmittal letter.

Florida law requires that the FIEC consist of four principals: one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research (EDR); one person from the professional staff of the Senate; and one person from the professional staff of the House of Representatives. The law further states that “each principal shall have appropriate fiscal expertise in the subject matter of the initiative.” A separate FIEC with different principals (other than EDR) can be convened for each initiative.

Each FIEC is responsible for the development of two products: (1) a ballot impact statement of no more than 75 words to be included after the ballot summary; and, (2) a detailed financial information statement, including a summary of not more than 500 words. Each of the documents must solely relate to the estimated increase or decrease in revenues or costs to state or local governments. In remanding several ballot impact statements to FIEC for redrafting in 2004, the Supreme Court further clarified that the statements must reflect only the “probable financial impact” of the amendment.

## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

An email from the Florida Agency for Health Care Administration received on October 19, 2015.

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**From:** Weiss, Christian <Christian.Weiss@LASPBS.STATE.FL.US>  
**Sent:** Monday, October 19, 2015 3:50 PM  
**To:** Schenker, Pamela  
**Subject:** FW: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "Vickers, Mary Beth" <MaryBeth.Vickers@LASPBS.STATE.FL.US>  
**Date:** 10/19/2015 15:31 (GMT-05:00)  
**To:** "Weiss, Christian" <Christian.Weiss@LASPBS.STATE.FL.US>  
**Subject:** FW: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

Christian,

Included below is the response from AHCA. Looks like they are ok with the statement provided, with one minor change. Please let me know if you need anything else. Thank you.

Mary Beth

*Mary Beth Vickers, Policy Coordinator*

*Health & Human Services*

*Office of Policy & Budget*

*Executive Office of the Governor*

**T: 850-717-9511**

**Email: [Marybeth.vickers@laspbs.state.fl.us](mailto:Marybeth.vickers@laspbs.state.fl.us)**



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**From:** Spagnola, Joshua [mailto:Joshua.Spagnola@ahca.myflorida.com]  
**Sent:** Monday, October 19, 2015 3:29 PM  
**To:** Vickers, Mary Beth <MaryBeth.Vickers@LASPBS.STATE.FL.US>  
**Subject:** Fwd: Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

From our staff

We are OK with this statement with one minor change. We need to change “personal care givers” to “caregivers”.

Joshua Spagnola  
Legislative Affairs Director  
Agency for Health Care Administration  
C: (850) 321-9220  
W: (850) 412-3612

Begin forwarded message:

**From:** Bell.Stephanie <[Bell.Stephanie@leg.state.fl.us](mailto:bell.stephanie@leg.state.fl.us)>  
**Date:** October 14, 2015 at 12:13:31 PM EDT  
**To:** "[joshua.spagnola@ahca.myflorida.com](mailto:joshua.spagnola@ahca.myflorida.com)" <[joshua.spagnola@ahca.myflorida.com](mailto:joshua.spagnola@ahca.myflorida.com)>  
**Cc:** "Baker, Amy" <[BAKER.AMY@leg.state.fl.us](mailto:BAKER.AMY@leg.state.fl.us)>, "Langston, Don" <[Don.Langston@LASPBS.STATE.FL.US](mailto:Don.Langston@LASPBS.STATE.FL.US)>, "Diez-Arguelles, Jose" <[Jose.Diez-Arguelles@LASPBS.STATE.FL.US](mailto:Jose.Diez-Arguelles@LASPBS.STATE.FL.US)>, "Weiss, Christian" <[Christian.Weiss@LASPBS.STATE.FL.US](mailto:Christian.Weiss@LASPBS.STATE.FL.US)>  
**Subject:** Request Feedback for Financial Impact Estimating Conference entitled "Use of Marijuana for Debilitating Medical Conditions"

A Financial Impact Estimating Conference (FIEC) is meeting to adopt the constitutionally required materials related to the [proposed amendment](#) entitled “*Use of Marijuana for Debilitating Medical Conditions*” serial number 15-01. A description of the process is included at the end of this email for your reference.

A FIEC was held for a [similar amendment](#) in 2013. Your agency participated in the 2013 FIEC and we included the information provided immediately below to represent your agency’s position at that time. The principals have requested that you review this statement to see if it is an accurate representation of the new amendment, assuming it were to pass. They would like to include it in the Financial Information Statement. Please feel free to modify it as needed and return it to me as soon as possible, copying the four principals:

- EDR - Amy Baker - [baker.amy@leg.state.fl.us](mailto:baker.amy@leg.state.fl.us)
- House - Don Langston - [don.langston@laspbs.state.fl.us](mailto:don.langston@laspbs.state.fl.us)
- Senate - Jose Diez-Arguelles - [jose.diez-arguelles@laspbs.state.fl.us](mailto:jose.diez-arguelles@laspbs.state.fl.us)
- Governor - Christian Weiss - [christian.weiss@laspbs.state.fl.us](mailto:christian.weiss@laspbs.state.fl.us)

State / Local Agency	Date Info Provided	Result
Florida Agency for Health Care Administration	10/28/2013	Discussed the possible impact regarding “personal care givers”. The activity would fall into current regulatory oversight and would not significantly change regulatory duties. Health care clinics would only be impacted if the clinics accept 3 <sup>rd</sup> party reimbursement.

The FIEC's next meeting is scheduled for Monday, October 19th at 12:30 pm. Please let us know prior to then if the above information is okay as written or provide us with a revised statement regarding [15-01](#).

Thank you for your assistance and please contact us if you have any questions regarding this request.

Stephanie Bell  
Legislative Research Assistant  
Office of Economic and Demographic Research  
850-717-0458

**To provide you with some background regarding the work of the Financial Impact Estimating Conference (FIEC):**

In 2004, a constitutional amendment passed that requires initiative petitions be filed with the Secretary of State by February 1<sup>st</sup> of each general election year in order to be eligible for ballot consideration. This has been interpreted to mean that all signatures have been certified by the local supervisors of election and that the other requirements for geographic distribution have been met. For 2016, the required number of valid signatures is 683,149.

Section 15.21, Florida Statutes, further requires the Secretary of State to “immediately submit an initiative petition to the Attorney General and to the Financial Impact Estimating Conference” once the certified forms “equal...10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art XI of the State Constitution.” For 2016, this means that there are at least 68,314 valid and qualifying signatures. Upon receipt, the Financial Impact Estimating Conference (FIEC) has 45 days to complete an analysis and financial impact statement to be placed on the ballot (s.100.371, Florida Statutes). In practice, the 45-day window has begun when the Legislative Office of Economic and Demographic Research (EDR) received the official transmittal letter.

Florida law requires that the FIEC consist of four principals: one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research (EDR); one person from the professional staff of the Senate; and one person from the professional staff of the House of Representatives. The law further states that “each principal shall have appropriate fiscal expertise in the subject matter of the initiative.” A separate FIEC with different principals (other than EDR) can be convened for each initiative.

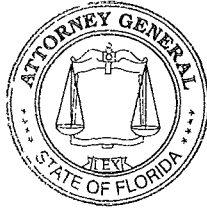
Each FIEC is responsible for the development of two products: (1) a ballot impact statement of no more than 75 words to be included after the ballot summary; and, (2) a detailed financial information statement, including a summary of not more than 500 words. Each of the documents must solely relate to the estimated increase or decrease in revenues or costs to state or local governments. In remanding several ballot impact statements to FIEC for redrafting in 2004, the Supreme Court further clarified that the statements must reflect only the “probable financial impact” of the amendment.



## Responses from State and Local Agencies

Based on the proposed Constitutional Amendment for the 2016 Ballot

A letter from the Florida Office of the Attorney General received on October 2, 2015.



## STATE OF FLORIDA

**PAM BONDI  
ATTORNEY GENERAL**

October 2, 2015

The Honorable Jorge Labarga  
Chief Justice, and Justices of  
The Supreme Court of Florida  
The Supreme Court Building  
Tallahassee, Florida 32399-1925

Dear Chief Justice Labarga and Justices:

In accordance with the provisions of Article IV, section 10, Florida Constitution, and section 16 061, Florida Statutes, it is the responsibility of the Attorney General to petition this Honorable Court for a written opinion as to the validity of an initiative petition circulated pursuant to Article XI, section 3, Florida Constitution.

On September 3, 2015, this office received a letter from the Secretary of State (a copy of which is attached) advising this office that the initiative petition entitled "Use of Marijuana for Debilitating Medical Conditions" had met the registration, submission, and signature criteria set forth in section 15 21, Florida Statutes.

The full text of the proposed amendment, which adds a new section 29 to Article X of the Florida Constitution, states:

**SECTION 29.— Medical marijuana production, possession and use**  
**(a) PUBLIC POLICY.**

(1) The medical use of marijuana by a qualifying patient or caregiver in compliance with this section is not subject to criminal or civil liability or sanctions under Florida law.

(2) A physician shall not be subject to criminal or civil liability or sanctions under Florida law solely for issuing a physician certification with reasonable care to a person diagnosed with a debilitating medical condition in compliance with this section.

(3) Actions and conduct by a Medical Marijuana Treatment Center registered with the Department, or its agents or employees, and in compliance with this section and Department regulations, shall not be subject to criminal or civil liability or sanctions under Florida law

(b) DEFINITIONS. For purposes of this section, the following words and terms shall have the following meanings:

(1) "Debilitating Medical Condition" means cancer, epilepsy, glaucoma, positive status for human immunodeficiency virus (HIV), *acquired immune deficiency syndrome (AIDS)*, *post-traumatic stress disorder (PTSD)*, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis, or other debilitating medical conditions of the same kind or class as or comparable to those enumerated, and for which a physician believes that the medical use of *marijuana would likely outweigh the potential health risks for a patient.*

(2) "Department" means the Department of Health or its successor agency.

(3) "Identification card" means a document issued by the Department that identifies a qualifying patient or a caregiver.

(4) "Marijuana" has the meaning given *cannabis* in Section 893.02(3), Florida Statutes (2014), and, in addition, "Low-THC cannabis" as defined in Section 381.986(1)(b), Florida Statutes (2014), shall also be included in the meaning of the term "marijuana."

(5) "Medical Marijuana Treatment Center" (MMTC) means an entity that *acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers* marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department.

(6) "Medical use" means the acquisition, possession, use, delivery, transfer, or administration of an amount of marijuana not in conflict with Department rules, or of related supplies by a qualifying patient or caregiver for use by the caregiver's designated qualifying patient for the treatment of a *debilitating medical condition.*

(7) "Caregiver" means a person who is at least twenty-one (21) years old who has agreed to assist with a qualifying patient's medical use of marijuana and has qualified for and obtained a caregiver identification card issued by the Department. The Department may limit the number of qualifying patients a caregiver may assist at one time and the number of caregivers that a qualifying patient may have at one time. Caregivers are prohibited from consuming marijuana obtained for medical use by the qualifying patient.

(8) "Physician" means a person who is licensed to practice medicine in Florida.

(9) "Physician certification" means a written document signed by a physician, stating that in the physician's professional opinion, the patient suffers from a debilitating medical condition, that the medical use of marijuana would likely outweigh the potential health risks for the patient, and for how long the physician recommends the medical use of marijuana for the patient. A physician certification may only be provided after the physician has conducted a physical examination and a full assessment of the medical history of the patient. In order for a physician certification to be issued to a minor, a parent or legal guardian of the minor must consent in writing.

(10) "Qualifying patient" means a person who has been diagnosed to have a debilitating medical condition, who has a physician certification and a valid qualifying patient identification card. If the Department does not begin issuing identification cards within nine (9) months after the effective date of this section, then a valid physician certification will serve as a patient identification card in order to allow a person to become a "qualifying patient" until the Department begins issuing identification cards.

(c) LIMITATIONS.

(1) Nothing in this section allows for a violation of any law other than for conduct in compliance with the provisions of this section.

(2) Nothing in this section shall affect or repeal laws relating to non-medical use, possession, production, or sale of marijuana.

(3) Nothing in this section authorizes the use of medical marijuana by anyone other than a qualifying patient.

(4) Nothing in this section shall permit the operation of any vehicle, aircraft, train or boat while under the influence of marijuana.

(5) Nothing in this section requires the violation of federal law or purports to give immunity under federal law.

(6) Nothing in this section shall require any accommodation of any on-site medical use of marijuana in any correctional institution or detention facility or place of education or employment, or of smoking medical marijuana in any public place

(7) Nothing in this section shall require any health insurance provider or any government agency or authority to reimburse any person for expenses related to the medical use of marijuana.

(8) Nothing in this section shall affect or repeal laws relating to negligence or professional malpractice on the part of a qualified patient, caregiver, physician, MMTC, or its agents or employees.

(d) DUTIES OF THE DEPARTMENT. The Department shall issue reasonable regulations necessary for the implementation and enforcement of this section. The purpose of the regulations is to ensure the availability and safe use of medical marijuana by qualifying patients. It is the duty of the Department to promulgate regulations in a timely fashion

(1) Implementing Regulations. In order to allow the Department sufficient time after passage of this section, the following regulations shall be promulgated no later than six (6) months after the effective date of this section:

a. Procedures for the issuance and annual renewal of qualifying patient identification cards to people with physician certifications and standards for renewal of such identification cards. Before issuing an identification card to a minor, the Department must receive written consent from the minor's parent or legal guardian, in addition to the physician certification.

b. Procedures establishing qualifications and standards for caregivers, including conducting appropriate background checks, and procedures for the issuance and annual renewal of caregiver identification cards.

c. Procedures for the registration of MMTCs that include procedures for the issuance, renewal, suspension and revocation of registration, and standards to ensure proper security, record keeping, testing, labeling, inspection, and safety.

d. A regulation that defines the amount of marijuana that could reasonably be presumed to be an adequate supply for qualifying patients' medical use, based on the best available evidence. This presumption as to quantity may be overcome with evidence of a particular qualifying patient's appropriate medical use.

(2) Identification cards and registrations. The Department shall begin issuing qualifying patient and caregiver identification cards, and registering MMTCs no later than nine (9) months after the effective date of this section.

(3) If the Department does not issue regulations, or if the Department does not begin issuing identification cards and registering MMTCs within the time limits set in this section, any Florida citizen shall

have standing to seek judicial relief to compel compliance with the Department's constitutional duties.

(4) The Department shall protect the confidentiality of all qualifying patients. All records containing the identity of qualifying patients shall be confidential and kept from public disclosure other than for valid medical or law enforcement purposes.

(e) LEGISLATION. Nothing in this section shall limit the legislature from enacting laws consistent with this section.

(f) SEVERABILITY. The provisions of this section are severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by a court of competent jurisdiction other provisions shall continue to be in effect to the fullest extent possible

The ballot title for the proposed amendment is: "Use of Marijuana for Debilitating Medical Conditions." The ballot summary for the proposed amendment states:

Allows medical use of marijuana for individuals with debilitating medical conditions as determined by a licensed Florida physician. Allows caregivers to assist patients' medical use of marijuana. The Department of Health shall register and regulate centers that produce and distribute marijuana for medical purposes and shall issue identification cards to patients and caregivers. Applies only to Florida law. Does not immunize violations of federal law or any non-medical use, possession or production of marijuana.

Pursuant to Rule 9.510(b), Florida Rules of Appellate Procedure, this petition provides the following information:

1. The name of the sponsor and address: The initiative petition is sponsored by People United for Medical Marijuana, Mr. John H. Morgan, Chairperson, 20 North Orange Avenue, Suite 1600, Orlando, FL 32801.
2. The name and address of the sponsor's attorney, if the sponsor is represented: Whether the sponsor is represented by an attorney is unknown.
3. A statement as to whether the sponsor has obtained the requisite number of signatures to have the initiative placed on the ballot: As of September 3, 2015, the sponsor had not obtained the requisite number of signatures to have the proposed amendment placed on the ballot.

4. The current status of the signature collection process: As of September 3, 2015, the Supervisors of Elections had certified a total of 82,986 valid petition signatures to the Division of Elections for this initiative petition. This number represents more than 10% of the total number of valid signatures needed from electors statewide and in at least one-fourth of the congressional districts in order to have the initiative placed on the 2016 general election ballot.

5. The date of the election during which the sponsor is planning to submit the proposed amendment. The initiative does not specify the date of the election. The earliest date this proposed amendment can be placed on the ballot is November 8, 2016, provided the sponsor successfully obtains the requisite number of valid signatures by February 1, 2016.

6. The last possible date that the ballot for the target election can be printed in order to be ready for the election: The last possible date that the ballot for the target election can be printed in order to be ready for the election is unknown

7. A statement identifying the date by which the Financial Impact Statement will be filed, if the Financial Impact Statement is not filed concurrently with the request: The Secretary of State has advised this office that he forwarded a letter to the Financial Impact Estimating Conference in the care of the coordinator on September 3, 2015.

8. The names and complete mailing addresses of all of the parties who are to be served: The names and complete mailing addresses of all of the parties who are to be served are unknown at this time. Section 16.061(2), Florida Statutes, requires that a copy of the petition be provided to the Secretary of State and to the principal officer of the sponsor:

Mr. Ken Detzner  
Secretary of State  
Florida Department of State  
R.A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Mr. John H. Morgan, Chairperson  
People United for Medical  
Marijuana  
20 North Orange Avenue  
Suite 1600  
Orlando, Florida 32801

The Honorable Jorge Labarga  
Chief Justice, and Justices of  
The Supreme Court of Florida  
Page Seven

While not required by law, this office provides copies of the petition to:

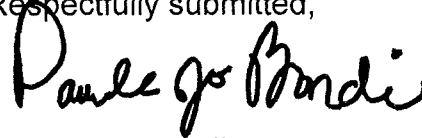
The Honorable Rick Scott  
Governor, State of Florida  
The Capitol  
400 South Monroe Street  
Tallahassee, Florida 32399-0001

The Honorable Andy Gardiner  
President, Florida Senate  
Senate Office Building  
Room 312  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

The Honorable Steve Crisafulli  
Speaker, Florida House of Representatives  
Room 420 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399-1300

In accordance with the provisions of Article IV, section 10, Florida Constitution, I respectfully request this Honorable Court's opinion as to whether the proposed amendment complies with the single-subject requirement of Article XI, section 3, Florida Constitution, and whether the ballot title and summary of the proposed constitutional amendment comply with section 101.161(1), Florida Statutes, setting forth substantive and technical requirements for the ballot title and summary.

Respectfully submitted,



Pamela Jo Bondi  
Attorney General





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

September 3, 2015

The Honorable Pam Bondi  
Attorney General  
Department of Legal Affairs  
PL-01 The Capitol  
Tallahassee, Florida 32399-1050

Dear Attorney General Bondi:

Section 15.21, Florida Statutes, provides that the Secretary of State shall submit an initiative petition to the Attorney General when a sponsoring political committee has met the registration, petition form submission and signature criteria set forth in that section.

The criteria in section 15.21, Florida Statutes, has been met for the initiative petition titled *Use of Marijuana for Debilitating Medical Conditions*, Serial Number 15-01. Therefore, I am submitting the proposed constitutional amendment petition form, along with a status update for the initiative petition, and a chart that provides a statewide signature count and count by congressional districts.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Detzner".

Ken Detzner  
Secretary of State

KD/am

pc: John Morgan, Chairperson  
People United for Medical Marijuana



## CONSTITUTIONAL AMENDMENT PETITION FORM

**Note:**

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.
- Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775 08, Florida Statutes, to knowingly sign more than one petition for an issue. [Section 104.185, Florida Statutes]
- If all requested information on this form is not completed, the form will not be valid.

Your name \_\_\_\_\_  
Please Print Name as it appears on your Voter Information Card

Your address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_ County \_\_\_\_\_

Please change my legal residence address on my voter registration record to the above residence address (check box, if applicable).

Voter Registration Number \_\_\_\_\_ **or** Date of Birth \_\_\_\_\_

I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election:

**BALLOT TITLE:** Use of Marijuana for Debilitating Medical Conditions

**BALLOT SUMMARY:** Allows medical use of marijuana for individuals with debilitating medical conditions as determined by a licensed Florida physician. Allows caregivers to assist patients' medical use of marijuana. The Department of Health shall register and regulate centers that produce and distribute marijuana for medical purposes and shall issue identification cards to patients and caregivers. Applies only to Florida law. Does not immunize violations of federal law or any non-medical use, possession or production of marijuana

**ARTICLE AND SECTION BEING CREATED OR AMENDED:** Article X, Section 29

**FULL TEXT OF THE PROPOSED CONSTITUTIONAL AMENDMENT:**

**ARTICLE X, SECTION 29.— Medical marijuana production, possession and use.**

(a) PUBLIC POLICY

(1) The medical use of marijuana by a qualifying patient or caregiver in compliance with this section is not subject to criminal or civil liability or sanctions under Florida law

(2) A physician shall not be subject to criminal or civil liability or sanctions under Florida law solely for issuing a physician certification with reasonable care to a person diagnosed with a debilitating medical condition in compliance with this section

(3) Actions and conduct by a Medical Marijuana Treatment Center registered with the Department, or its agents or employees, and in compliance with this section and Department regulations, shall not be subject to criminal or civil liability or sanctions under Florida law.

(b) DEFINITIONS. For purposes of this section, the following words and terms shall have the following meanings:

(1) "Debilitating Medical Condition" means cancer, epilepsy, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), post-traumatic stress disorder (PTSD), amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis, or other debilitating medical conditions of the same kind or class as or comparable to those enumerated, and for which a physician believes that the medical use of marijuana would likely outweigh the potential health risks for a patient

(2) "Department" means the Department of Health or its successor agency.

(3) "Identification card" means a document issued by the Department that identifies a qualifying patient or a caregiver

(4) "Marijuana" has the meaning given cannabis in Section 893.02(3), Florida Statutes (2014), and, in addition, "Low-THC cannabis" as defined in Section 381.986(1)(b), Florida Statutes (2014), shall also be included in the meaning of the term "marijuana "

(5) "Medical Marijuana Treatment Center" (MMTC) means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Department.

(6) "Medical use" means the acquisition, possession, use, delivery, transfer, or administration of an amount of marijuana not in conflict with Department rules, or of related supplies by a qualifying patient or caregiver for use by the caregiver's designated qualifying patient for the treatment of a debilitating medical condition

(7) "Caregiver" means a person who is at least twenty-one (21) years old who has agreed to assist with a qualifying patient's medical use of marijuana and has qualified for and obtained a caregiver identification card issued by the Department. The Department may limit the number of qualifying patients a caregiver may assist at one time and the number of caregivers that a qualifying patient may have at one time. Caregivers are prohibited from consuming marijuana obtained for medical use by the qualifying patient

(8) "Physician" means a person who is licensed to practice medicine in Florida

(Continues on next page)

**Attachment for Initiative Petition  
Use of Marijuana for Debilitating Medical Conditions  
Serial Number 15-01**

1. **Name and address of the sponsor of the initiative petition:**  
John Morgan, Chairperson  
People United for Medical Marijuana  
20 North Orange Avenue, Suite 1600  
Orlando, FL 32801
2. **Name and address of the sponsor's attorney, if the sponsor is represented:**  
Unknown
3. **A statement as to whether the sponsor has obtained the requisite number of signatures on the initiative petition to have the proposed amendment put on the ballot:** As of September 3, 2015, the sponsor has not obtained the requisite number of signatures to have the proposed amendment placed on the ballot. A total of 683,149 valid signatures are required for placement on the 2016 general election ballot.
4. **If the sponsor has not obtained the requisite number of signatures on the initiative petition to have the proposed amendment put on the ballot, the current status of the signature-collection process:** As of September 3, 2015, the Supervisors of Elections have certified a total of 82,986 valid petition signatures to the Division of Elections for this initiative petition. This number represents more than 10% of the total number of valid signatures needed from electors statewide and in at least one-fourth of the congressional districts in order to have the initiative placed on the 2016 general election ballot.
5. **The date of the election during which the sponsor is planning to submit the proposed amendment to the voters:** Unknown. The earliest date of election that this proposed amendment can be placed on the ballot is November 8, 2016, provided the sponsor successfully obtains the requisite number of valid signatures by February 1, 2016.
6. **The last possible date that the ballot for the target election can be printed in order to be ready for the election:** Unknown
7. **A statement identifying the date by which the Financial Impact Statement will be filed, if the Financial Impact Statement is not filed concurrently with the request:** The Secretary of State forwarded a letter to the Financial Impact Estimating Conference in the care of the coordinator on September 3, 2015.
8. **The names and complete mailing addresses of all of the parties who are to be served:** This information is unknown at this time.

FLORIDA DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

**SUMMARY OF PETITION SIGNATURES**

Political Committee: **People United for Medical Marijuana**

Amendment Title: **Use of Marijuana for Debilitating Medical Conditions**

Congressional District	Voting Electors in 2012 Presidential Election	For Review 10% of 8% Required By Section 15 21 Florida Statutes	For Ballot 8% Required By Article XI, Section 3 Florida Constitution	Signatures Certified	
FIRST	356,435	2,851	28,515	0	
SECOND	343,558	2,748	27,485	1,468	
THIRD	329,165	2,633	26,333	741	
FOURTH	351,564	2,813	28,125	4,567	***
FIFTH	279,598	2,237	22,368	5,795	***
SIXTH	363,402	2,907	29,072	3,389	***
SEVENTH	333,990	2,672	26,719	3,166	***
EIGHTH	365,738	2,926	29,259	5,212	***
NINTH	277,101	2,217	22,168	2,438	***
TENTH	329,366	2,635	26,349	2,488	
ELEVENTH	359,004	2,872	28,720	3,156	***
TWELFTH	345,407	2,763	27,633	3,512	***
THIRTEENTH	344,500	2,756	27,560	12,472	***
FOURTEENTH	295,917	2,367	23,673	7,740	***
FIFTEENTH	304,932	2,439	24,395	2,617	***
SIXTEENTH	360,734	2,886	28,859	1,679	
SEVENTEENTH	299,464	2,396	23,957	2,749	***
EIGHTEENTH	345,399	2,763	27,632	867	
NINETEENTH	323,317	2,587	25,865	2,203	
TWENTIETH	264,721	2,118	21,178	2,412	***
TWENTY-FIRST	326,392	2,611	26,111	1,668	
TWENTY-SECOND	329,816	2,639	26,385	2,969	***
TWENTY-THIRD	290,042	2,320	23,203	3,264	***
TWENTY-FOURTH	263,367	2,107	21,069	3,231	***
TWENTY-FIFTH	240,521	1,924	19,242	629	
TWENTY-SIXTH	268,898	2,151	21,512	1,324	
TWENTY-SEVENTH	247,023	1,976	19,762	1,230	
<b>TOTAL:</b>	<b>8,539,371</b>	<b>68,314</b>	<b>683,149</b>	<b>82,986</b>	

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been furnished this 2nd day of October, 2015, to the following:

### **By U.S. Mail**

Mr. John H. Morgan, Chairperson  
People United for Medical Marijuana  
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Orlando, Florida 32801

Financial Impact Estimating Conference  
ATTN: Amy Baker, Coordinator  
Office of Economic and Demographic Research  
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### **By Florida Courts E-Filing Portal**

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