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1422 subdivisions, for a violation that would constitute a violation
1423 under Florida law.

1424 13. Violating a lawful order of the department or an agency
1425 of the state, or failing to comply with a lawfully issued
1426 subpoena of the department or an agency of the state.

1427 (g) The department may suspend, revoke, or refuse to renew
1428 a medical marijuana treatment center license if the medical
1429 marijuana treatment center commits any of the violations in
1430 paragraph (f).

1431 (h) The department may adopt rules pursuant to ss.
1432 120.536(1) and 120.54 to implement this subsection.

1433 (11) PREEMPTION.—Regulation of cultivation, processing, and
1434 delivery of marijuana by medical marijuana treatment centers is
1435 preempted to the state except as provided in this subsection.

1436 (a) A medical marijuana treatment center cultivating or
1437 processing facility may not be located within 500 feet of the
1438 real property that comprises a public or private elementary
1439 school, middle school, or secondary school.

1440 (b)1. A county or municipality may, by ordinance, ban
1441 medical marijuana treatment center dispensing facilities from
1442 being located within the boundaries of that county or
1443 municipality. A county or municipality that does not ban
1444 dispensing facilities under this subparagraph may not place
1445 specific limits, by ordinance, on the number of dispensing
1446 facilities that may locate within that county or municipality.

1447 2. A municipality may determine by ordinance the criteria
1448 for the location of, and other permitting requirements that do
1449 not conflict with state law or department rule for, medical
1450 marijuana treatment center dispensing facilities located within

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1451 the boundaries of that municipality. A county may determine by
1452 ordinance the criteria for the location of, and other permitting
1453 requirements that do not conflict with state law or department
1454 rule for, all such dispensing facilities located within the
1455 unincorporated areas of that county. Except as provided in
1456 paragraph (c), a county or municipality may not enact ordinances
1457 for permitting or for determining the location of dispensing
1458 facilities which are more restrictive than its ordinances
1459 permitting or determining the locations for pharmacies licensed
1460 under chapter 465. A municipality or county may not charge a
1461 medical marijuana treatment center a license or permit fee in an
1462 amount greater than the fee charged by such municipality or
1463 county to pharmacies. A dispensing facility location approved by
1464 a municipality or county pursuant to former s. 381.986(8)(b),
1465 Florida Statutes 2016, is not subject to the location
1466 requirements of this subsection.

1467 (c) A medical marijuana treatment center dispensing
1468 facility may not be located within 500 feet of the real property
1469 that comprises a public or private elementary school, middle
1470 school, or secondary school unless the county or municipality
1471 approves the location through a formal proceeding open to the
1472 public at which the county or municipality determines that the
1473 location promotes the public health, safety, and general welfare
1474 of the community.

1475 (d) This subsection does not prohibit any local
1476 jurisdiction from ensuring medical marijuana treatment center
1477 facilities comply with the Florida Building Code, the Florida
1478 Fire Prevention Code, or any local amendments to the Florida
1479 Building Code or the Florida Fire Prevention Code.