



Active Hemp Legislation in Florida

Overview

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Policy List Groups

This is the list of policy items that you have added to your Projects.

Legislation

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Legislation •  United States • Florida • Bill

 [FLSB 1368](#)

THC

↑ High Priority • Monitor

 THC, CBD & Cannabinoids Nationwide

Last Action: March 13, 2026 - Died in Regulated Industries

Failed • Regular Session 2026 • Introduced: January 07, 2026

Sponsors: **Darryl Ervin Rouson (D-FL)**

Source: <https://flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=83875> 

Committee Assignments:

Senate Rules Committee • Senate Appropriations Committee on Agriculture, Environment, and General Government • Senate Regulated Industries Committee

Summary

 **AI Overview**

AT A GLANCE

This bill establishes statewide rules for THC-infused beverages, prohibiting under-21 sales and possession and imposing misdemeanor penalties, and it imposes a 5-cent-per-milligram wholesale tax paid monthly to the Division.

FULL SUMMARY

The bill establishes a new regulatory framework for “THC-infused beverages” and adds transportation-related restrictions and age-based sales/possession restrictions. It amends Florida’s open-container traffic law to cover THC-infused beverages and prohibits consuming or possessing open containers of THC-infused beverages while operating a

vehicle, while riding as a passenger in such a vehicle, or while seated in/on a parked or stopped motor vehicle within a road in Florida, with violations treated as noncriminal traffic violations. It also authorizes counties or municipalities to impose more stringent local restrictions on possession of alcohol or THC-infused beverages in vehicles.

The bill also revises the statutory definition of "Food" in s. 500.03 to clarify that "food" includes consumable THC products but excludes "THC-infused beverages" (referencing the hemp extract definition by conforming cross-reference). It creates s. 581.218 establishing statewide restrictions on THC-infused beverages, defining "THC-infused beverage" as a soft drink/soda/juice/tea or other ingestible beverage containing low-THC cannabis (as defined in s. 381.986), and then imposing: (1) prohibitions on selling/giving/serving/allowing consumption by persons under 21, and on possession by persons under 21, with misdemeanor penalties (with enhanced penalties for repeat violations within specified time frames); (2) limits on retail sale locations (only premises licensed to sell alcoholic beverages under s. 565.02(1), and an additional ban on locating an establishment within 500 feet of a school or day care facility); (3) requirements that retail transactions occur face-to-face at a licensed retail location and prohibits direct delivery of THC-infused beverages to consumers; (4) a prohibition on THC-infused beverages containing alcoholic or intoxicating beverages as defined in s. 561.01(4) and (5); and (5) restrictions on retailers and distributors, including that distributors may distribute only if licensed under the Beverage Law and that distributors are barred from various promotional/financial and inventory practices (including consignment sales and shelf/space inducements). The bill further requires a tax paid by distributors at 5 cents per milligram of hemp-derived cannabinoid in each THC-infused beverage sold at wholesale in Florida, due monthly to the Division of Alcoholic Beverages and Tobacco, and sets rules for distributor credit to vendors.

s. 581.218 also requires manufactured/marketed/distributed/sold THC-infused beverages to comply with testing, purity, THC limit, packaging, and labeling requirements in s. 581.217. It provides civil penalties for violations of s. 581.218 (by a schedule escalating from \$1,000 for a first offense to \$5,000 for a second and \$10,000 for a third/subsequent offense), levied by the Division of Alcoholic Beverages and Tobacco. Finally, the bill reenacts s. 316.2069(5) to incorporate the updated reference to s. 316.1936 and sets an effective date of July 1, 2026.

FL HB 801

Sale of THC-infused Beverages

Last Action: March 13, 2026 - Died in Industries & Professional Activities Subcommittee

Failed • Regular Session 2026 • Introduced: December 17, 2025



Sponsors: **Robert A. Brackett (R-FL)**

Source: <https://flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=83438> 

Committee Assignments:

House Commerce Committee • House Industries & Professional Activities Subcommittee • House State Administration Budget Subcommittee

Bill Forecast

	Likely to reach floor vote 41%		Likely to reach floor vote 41%
In House	Likely to pass chamber N/A	In Senate	Likely to pass chamber N/A

Summary

AI Overview

The document adds a new subsection (14) to section 561.20 of the Florida Statutes, authorizing the Division of Alcoholic Beverages and Tobacco to issue a special license for the retail sale of THC-infused beverages. These beverages are defined as any drinks intended for human consumption containing hemp-derived delta-9-tetrahydrocannabinol or other intoxicating cannabinoids, regardless of alcohol content. The new provision stipulates that such beverages can only be sold by licensees holding the appropriate license or quota, and prohibits unlicensed sale, offer, possession, or distribution, with violations treated as unlicensed activity under the Beverage Law. The operative change is effective starting July 1, 2026.

Legislation •  United States • Florida • Bill

FL SB 1270

Food and Hemp Products

 High Priority • Monitor

 Healthcare and Hemp/Cannabis

 Hemp

Last Action: March 13, 2026 - Died in Agriculture

Failed • Regular Session 2026 • Introduced: January 06, 2026

Sponsors: **Tracie Davis (D-FL)**

Source: <https://flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=83778> 

Committee Assignments:

Senate Appropriations Committee • Senate Agriculture Committee • Senate Appropriations Committee on Agriculture, Environment, and General Government

Summary

 AI Overview

AT A GLANCE

This bill requires permitted sellers of hemp extract to sell only batches meeting total delta-9-THC limits, certified by an independent laboratory, with compliant packaging and restricted retail placement.

FULL SUMMARY

The bill revises Florida's hemp and hemp-extract "state hemp program" rules in s. 581.217 by updating legislative findings and definitions, including defining "total delta-9-tetrahydrocannabinol concentration" as a calculated measure of delta-9-THC plus delta-9-THCA (with a specified coefficient). It revises the definition of "hemp extract" and limits the kinds of THC isomers/derivatives and synthetic products excluded from that definition, and it adds/updates definitions related to testing laboratories.

The bill establishes new compliance conditions for manufacturing, delivery, holding, offering for sale, distribution, and retail sale of hemp extract. Hemp extract may be sold/handled only if accompanied by an independent testing laboratory certificate of analysis and the batch meets total delta-9-THC concentration limits (with retail sales subject to the hemp-extract limits in the hemp extract definition section), is free of unsafe contaminants, and is processed in a permitted human health/food-safety-regulated facility. Products must include packaging/container requirements (including scannable code tied to the certificate of analysis, batch number, website access to batch information, expiration date, cannabinoid milligrams per serving, and a Poison Help line number) and must not be attractive to children; they must also comply with the federal Poison Prevention Packaging Act.

The bill prohibits unpermitted business sales, street sales, and festival sales of hemp extract, and prohibits businesses/food establishments that are permitted to sell hemp/hemp extract from possessing products that are attractive to children. It creates location and

advertising limits: permitted sellers may not be located within 500 feet of a school/daycare, a motor-fuel retail outlet, or another permitted hemp/hemp-extract retail facility; permitted sellers may not advertise in a manner visible from public places, may not use certain branding/advertising that is attractive to children or implies unsubstantiated health/medical benefits or medical affiliation, and advertising may not use the terms “THC,” “medical card,” or similar terms. The Department of Agriculture and Consumer Services must preapprove all such advertisements; permitted sellers must keep lab test results and supplier records for at least 3 years, have recall procedures for later-determined unsafe products, store products out of customer reach (restricted-access area or locked display), and comply with random, unannounced inspections by law enforcement and the department. Hemp and hemp extract intended for human ingestion/inhalation may not be sold to persons under 21; hemp/hemp extract may not be sold in a form for smoking. If a stop-sale order is issued for products found mislabeled or attractive to children, the department may not allow removal/use except for disposal until it determines compliance with state law.

For enforcement, the bill adds event-organizer restrictions (no promoting/advertising/facilitating certain events involving noncompliant or improperly permitted hemp-extract sales) and provides for administrative fines (Class IV category) for violations. It also requires the department to adopt rules, including for certification of independent testing laboratories. The bill includes a \$2 million nonrecurring appropriation for the 2026–2027 fiscal year to the Department of Law Enforcement for purchase of testing equipment needed to implement the act, and it takes effect July 1, 2026. Finally, it reenacts cross-referenced definitions in specified criminal/food-related statutes to incorporate the updated hemp definition from s. 581.217.

Legislation •  United States • Florida • Bill

FL HB 1003

Open Cannabis Containers in Motor Vehicles

Last Action: March 13, 2026 - Died in Health Professions & Programs Subcommittee

Failed • Regular Session 2026 • Introduced: January 05, 2026

Sponsors: **Dean Black (R-FL)**, **House Criminal Justice Subcommittee**

Co-sponsors: **Debra Tendrich (D-FL)**

Source: <https://flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=83636> 

Committee Assignments:

House Criminal Justice Subcommittee • House Health Professions & Programs Subcommittee
• House Judiciary Committee

Summary

AI Overview

AT A GLANCE

This bill makes it unlawful for any person to possess an “open cannabis container” in or on a Florida motor vehicle while operating it or seated in a vehicle on a “road,” with specified exemptions.

FULL SUMMARY

The bill creates a new Florida offense prohibiting possession of an “open cannabis container” in motor vehicles. It defines key terms (including “open cannabis container” as a marijuana-containing container from which a person can immediately consume, inhale, or smoke) and makes it unlawful for any person to possess such a container while operating a motor vehicle in Florida or while a passenger in/on a motor vehicle operating in Florida, and while seated in/on a vehicle that is parked or stopped within a “road.” It specifies when an open cannabis container is deemed to be in the operator’s possession (readily accessible to the operator in a seated position and not in the possession of a passenger) and when it is deemed to be in a passenger’s possession (in the passenger’s physical control), with exceptions for containers in locked glove compartments, locked trunks, or other locked nonpassenger areas (and for areas behind the last upright seat if the vehicle lacks a trunk).

The bill provides exemptions from the prohibition for certain riders/vehicles: passengers where the driver is providing contracted transportation with a valid commercial driver license with passenger endorsement; passengers on buses with a driver holding the same endorsement; passengers in self-contained motor homes longer than 21 feet; and riders in transportation network company vehicles. It also exempts enforcement of an existing statute (s. 316.302) and allows local governments to adopt ordinances imposing more stringent restrictions on open cannabis container possession in motor vehicles. Violations are categorized differently depending on role: an operator violation is a noncriminal moving traffic violation, and a passenger violation is a nonmoving traffic violation, both punishable under the traffic penalty framework in ch. 318.

For qualified patients or caregivers, the bill establishes a reporting and registry consequence pathway. When DHSMV reports a violation and its disposition to the Department of Health, the Department of Health must maintain records. For repeat violations, DHSMV’s notice triggers Department of Health actions tied to the number of offenses: upon a qualified patient or caregiver being cited for a third violation of the new open-container law (after admitting to or being found to have committed two prior violations), the Department of Health must immediately suspend the registration pending

final disposition if the third violation notice follows an admission/findings process; and if the Department receives notice that the person admitted to or was found to have committed a third violation (pursuant to ch. 318), the Department must immediately revoke the registration.

The bill amends s. 381.986 by redesignating an existing paragraph (h) as (i) and adding a new paragraph (h) to codify the third-violation suspension/revocation process specifically for citations under the new s. 316.19361. The provisions take effect July 1, 2026.

Legislation •  United States • Florida • Bill

FL SB 1056

Open Containers of Marijuana Products in Motor Vehicles

Last Action: March 13, 2026 - Died in Transportation

Failed • Regular Session 2026 • Introduced: January 05, 2026

Sponsors: **Jonathan Allen Martin (R-FL)**

Source: <https://flhouse.gov/Sections/Bills/billsdetail.aspx?BillId=83607> 

Committee Assignments:

Senate Rules Committee • Senate Appropriations Committee on Criminal and Civil Justice • Senate Transportation Committee

Summary

 **AI Overview**

AT A GLANCE

This bill makes it unlawful for any person to possess an open container of covered marijuana-related products in a vehicle while operating or riding in Florida.

FULL SUMMARY

The bill creates new Florida Statutes sections 316.19361 and 316.19362 addressing possession of open containers of marijuana-related products in motor vehicles. Section 316.19361 defines key terms by cross-referencing existing statutes (e.g., edibles, hemp, hemp extract, low-THC cannabis, marijuana) and defines "THC beverage" as a beverage infused with hemp, hemp extract, or low-THC cannabis.

It makes it unlawful for any person to possess an “open container” of edibles, hemp, hemp extract, low-THC cannabis, marijuana, or a THC beverage while: (1) operating a vehicle in Florida or (2) being a passenger in or on a vehicle being operated in Florida. It also prohibits such possession while seated in or on a motor vehicle that is parked or stopped within a road, with an exception for passengers in vehicles designed, maintained, and used primarily for compensated transportation of persons or in motor homes. The bill establishes evidentiary possession rules: an open container is considered in the operator’s possession if it is not in the passenger’s possession and is not located in a locked glove compartment, locked trunk, or other locked nonpassenger area; similarly, an open container is considered in the passenger’s possession if it is in the passenger’s physical control. The prohibition does not apply to certain passengers, including passengers in vehicles operated by a driver with a commercial driver license passenger endorsement under specified conditions, passengers on a bus with such a driver, and passengers in a self-contained motor home longer than 21 feet.

Violations are classified as noncriminal moving traffic violations for both operators and passengers, punishable under existing chapter 318 procedures. For operators, a first offense is a noncriminal moving traffic violation and, if the operator is a qualified patient, the patient’s identification card is suspended. A second offense increases penalties (imprisonment up to 90 days and/or a \$25–\$500 fine) and permanently revokes the identification card for qualified patients. A third or subsequent offense further increases penalties (imprisonment up to 6 months and/or a \$50–\$1,000 fine). For passengers, the bill provides noncriminal moving traffic violation penalties and specifies that qualified patients’ identification cards are suspended for a first offense and permanently revoked for a second offense.

A county or municipality may adopt ordinances imposing more stringent restrictions than the bill’s vehicle open-container limits, and the bill clarifies it does not prohibit enforcement of s. 316.302. Section 316.19362 states legislative intent that the “plain smell” of covered products constitutes probable cause for a vehicle search. The act takes effect July 1, 2026.