

## Medical Marijuana Quick Reference

Violation	Reference	Charge	Penalty
Patient or caregiver grows marijuana or purchases, acquires, possesses, uses marijuana not from a treatment center	381.986(12)(d) 381.986(1)(j)1. 381.986(8)(j)	893.13	<b>F3</b>
Person or entity (not a treatment center) grows, processes, distributes, sells, dispenses marijuana	381.986(12)(j)	893.13	<b>F3</b>
Person has or uses any type or amount of marijuana inconsistent with physician certification	381.986(1)(j)3.	893.13	<b>F3</b>
Transfers marijuana to a person not authorized to have it.	381.986(1)(j)4.	893.13	<b>F3</b>
Uses or administers marijuana in the following locations: <ul style="list-style-type: none"> <li>• Public transportation, except for low-THC cannabis not smoking</li> <li>• Public place, except for low-THC cannabis not smoking</li> <li>• Place of employment, except when permitted by employer</li> <li>• At a preschool, primary school, or secondary school, except as provided in s. 1006.062</li> <li>• In a school bus, a vehicle, an aircraft, or a motorboat, except for low-THC cannabis not smoking</li> </ul>		381.986(12)(c)	<b>M1</b>
Manufactures, distributes, sells, or gives counterfeit marijuana or delivery device including a container, seal, or label (or possesses with the intent)		381.986(12)(k)	<b>F3</b>
Possesses or manufactures blank, forged, stolen, fictitious, fraudulent, counterfeit, use registry identification card		381.986(12)(l)	<b>F3</b>
Patient/Caregiver possessing marijuana or device fails to present use registry ID card upon officer request (unless you verify authorization through use registry)	381.986(12)(e)1. 381.986(12)(e)2.	381.986(12)(e)1	<b>M2</b>
Caregiver violates any requirements of 386.981 or any rule based on 386.981 M2 first offense; M1 for second or subsequent offense		381.986(12)(f)	<b>M2</b> first offense <b>M1</b> subsequent
Individual transporting marijuana or device fails to present transportation manifest upon officer request	381.986(8)(g)1.g.(II)	381.986(12)(h)	<b>M2</b>

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A person sells, manufactures, or delivers, or possesses with intent to sell, manufacture, or deliver...	893.13(1)(a)2.	<b>F3</b>
...in, on, or within 1,000 feet of: <ul style="list-style-type: none"> <li>• child care facility</li> <li>• public or private elementary, middle, or secondary school (6:00 a.m.- midnight)</li> <li>• state, county, municipal park, community center, or public recreational facility</li> <li>• public or private college, university, or other postsecondary educational institution</li> <li>• place for worship</li> <li>• convenience business</li> <li>• public housing facility</li> <li>• assisted living facility</li> </ul>	Enhancements:  893.13(1)	<b>F2</b>
A person purchases or possesses with intent to purchase	893.13(2)(a)2.	<b>F3</b>
A person 18 or older delivers controlled substance to a person under 18, uses or hires a person under 18 as an agent/employee to sell/deliver such a substance, or uses a person under 18 to assist in avoiding detection or apprehension for a violation of this chapter	893.13(4)(b)	<b>F2</b>
A person brings any controlled substance into the state	893.13(5)(b)	<b>F3</b>
A person has actual or constructive possession of a controlled substance	893.13(6)(a)	<b>F3</b>

**Note:** The reduced penalty for 20 grams or less of cannabis (see 893.13(3) and 893.13(6)(b)) does not apply to medical marijuana products that are derivative products using extracted resin. **All medical marijuana products are derivatives except marijuana in a form for smoking.**

Report Offences to DOH	Reference	DOH Action
Obtains a greater amount of marijuana than the physician certification authorizes	381.986(5)(c)2.	Suspend/Revoke
Falsifies, alters, or otherwise modifies a use registry ID card	381.986(5)(c)3.	Suspend/Revoke
Fails to timely notify DOH of any changes to qualified patient status	381.986(5)(c)4.	Suspend/Revoke
Violates any requirements of 381.986 or rule based on 381.986	381.986(5)(c)5.	Suspend/Revoke
Patient or caregiver charged with any violation of chapter 893	381.986(5)(d, e)	Suspend/Revoke

### Department of Health References:

Click on the Treatment Center to see products. Compare actual products to website photos to determine authenticity.

[Medical Marijuana Treatment Centers Dispensing Locations](#)

[OMMU Bi-Weekly Updates](#)