

# 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: Cannabis Reclassification as a Dietary Supplement; End to Black Market Cannabis. Funding for Harm Reduction.**

**BALLOT SUMMARY: Allows the citizens of Florida, 21 years or older, to grow, possess, consume and sell cannabis and hemp. Cannabis is reclassified and regulated as a dietary supplement and a 10% tax be levied on organizations selling cannabis products. Proceeds of taxes are directed to education, mental health, and housing for homelessness. Inmates jailed solely for cannabis crimes are pardoned and released immediately. Applies only to Florida law. Does not authorize violations of Federal law.**

**ARTICLE AND SECTION BEING CREATED OR AMENDED: Article X, Section 30**

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

A. PUBLIC POLICY.

- (1) The simple possession and consumption of cannabis will not result in the arrest or incarceration for individuals of any age by state and local law enforcement. Local governments shall govern and regulate the penalty and/or treatment of one under 21 within the parameters of this Section.

State and local regulations consistent with the amendment shall apply. Florida residents 21+ years have the right to cultivate cannabis and hemp for self-use. Any violation of this section by state employees may result in civil penalties as determined by the Courts.

- (2) Individuals who wish to sell cannabis and do not incorporate as an organization must complete certification training as a State Certified Cannabis Merchant (CCM), as determined, certified, and regulated by the Department of Health (DOH). Individuals caught selling without a CCM certificate may face civil penalties determined and regulated by local governments.
- (3) Organizations have the right to cultivate and sell cannabis and hemp.
  - (a) The 10% tax will automatically adjust yearly with inflation and can only be lowered by the Legislature and never raised above 10%.
  - (b) Proceeds of any taxes or fees will be evenly distributed between public schools and state universities, hospitals, teacher salaries, mental health community centers, and housing for homeless programs.
  - (c) The DOH will regulate cannabis dispensing organizations which could include safety policies, inspections, and other regulations that are consistent with the amendment.
- (4) All persons with a criminal record from the Department of Corrections (DOC) that were convicted solely on cannabis offenses such as possession, distribution, and cultivation shall be pardoned for their offenses, be released from incarceration or involuntary treatment immediately, and have their sentence(s) expunged from state record. If voting and/or other state rights were removed during the course of a cannabis incarceration it shall be reinstated to the citizen notwithstanding federal law.
- (5) Personal cannabis use will not result in removal of one's child or parental rights from Child Protective Services (CPS), the Department of Children and Families (DCF), or any other state government agency.
- (6) Notwithstanding Federal Policy and Law, businesses and state government agencies that drug test for cannabis must in addition test for alcohol and nicotine in the same way.
  - (a) A positive cannabis, alcohol, or nicotine test will not result or contribute as a basis to not hire or fire any potential or current employee.
- (7) Any State laws or policies involving State asset forfeiture (Money, property, etc.) where elements of which are based solely on cannabis possession, cultivation, and/or sale of cannabis are considered by this section as constitutional.
  - (a) Violations of this section may result in civil litigation to public servants as determined by the Courts
- (8) Any paraphernalia used to ingest cannabis are legal for sale to those 21 years and older.

## B. DEFINITIONS

- (1) Cannabis is to be defined and regulated as an over the counter dietary herbal supplement.
  - (a) A dietary herbal supplement does not require FDA approval. Regulations consistent with the amendment will apply.
- (2) Education is defined as state universities, public schools, and public teacher/professor salaries
- (3) Housing for homeless is defined as a mental health agency or community center that uses money to purchase shelter with the purpose of aiding and housing any voluntary homeless citizen and provides them with help for employment, better health, and self-sustained living.

- (4) "Mental Health" is to mean local community mental health centers as defined by the Community Mental Health Act signed by John F. Kennedy (1963).
- (5) "Cannabis Products" include raw flower, edibles, oils, tinctures, or any substance that incorporates any compounds of cannabis and its cannabinoids.
- (6) "Cannabis" and "marijuana" are the same substance. "Hemp" is recognized as a different but related plant than "cannabis"

**C. LIMITATIONS.**

- (1) Nothing in this section limits local governments from purposing additional regulations or adjusting the 10% tax as long as it doesn't directly conflict with state regulations and this section's full text.
- (2) Nothing in this section allows the operation of a motored vehicle such as a boat, motorcycle, or aircraft while under the influence of cannabis.
- (3) Nothing in this section requires the violation of federal law or claims to give immunity under federal law.
- (4) Nothing in this section shall require or disallow any accommodation of any on-site medical use of cannabis in any place of education or employment, or of smoking cannabis in any public place.
- (5) Nothing in this section shall require or disallow any health insurance providers or Florida government agencies to reimburse any person for expenses related to the medical use of cannabis.
- (6) Cannabis advertising and marketing on television, radio, newspaper, and websites will be strictly regulated by the Florida Legislature.
- (7) Nothing in this amendment shall prevent local governments from legislating policies that may entail the banning of cannabis.
  - (a) Any County or City that completely bans cannabis supplements will not receive directly, or indirectly, proceeds from the 10% tax.

**D. LEGISLATION.** Nothing in this section shall limit the legislature from enacting laws consistent with this section or establishing public regulatory committees.

**E. 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 any court of competent jurisdiction other provisions shall continue to be in effect to the fullest extent possible.

\_\_\_\_\_  
**DATE OF SIGNATURE**

  X  \_\_\_\_\_  
**SIGNATURE OF REGISTERED VOTER**

Initiative petition sponsored by Florida Organization of Reform (F.O.R), P.O. Box #5302, Plant City, FL 33563  
***Please return all signed petitions to***  
**FOR, P.O. Box #5302 Plant City, FL 33563**

**If paid petition circulator is used:**  
**Circulator's name** \_\_\_\_\_  
**Circulator's address** \_\_\_\_\_  
 \_\_\_\_\_

For Official Use Only:
Serial Number: <u>  15-13  </u>
Date Approved: <u>  6/5/15  </u>