

FAC Policy Statement:

- **SUPPORT** Home Rule: maintaining local authority to determine land use, zoning, and other regulatory standards for marijuana cultivation, processing, and distribution.
- **SUPPORT** Recurring Revenue: A taxation or fee structure should be implemented with the state or independently to help counties recoup any and all costs in public services, including but not limited to law enforcement, and regulatory enforcement.
- **SUPPORT** legislation that provides a comprehensive health-based regulatory system where the DOH is responsible for licensing cultivation sites, dispensing facilities, and manufacturers of marijuana for medicinal purposes.

	SB 406 (Bradley)	SB 614 (Brandes)	SB 1388 (Artiles)	SB 1666 (Braynon)	SB 1758 (Grimsley)	HB 1397 (Rodrigues)
Local Regulation of Cultivation and Processing MMTCs	Preempted to state	Preempted to state. Specifies 1000 ft. setback requirement from schools, child care facilities, and substance abuse treatment facilities	Preempted to state	Preempted to state	Preempted to state	Preempted to state Specifies 500 ft. setback requirement from schools
Local Regulation of Retail/Dispensing MMTCs	Locals ordinances can specify location, number, and other permitting requirements for retail	DOH authorized to grant retail operating permits. Specifies 1000 ft. setback requirement from schools, child care facilities, and substance abuse treatment facilities. Limited to 1 per 25,000 residents in a county.	Locals ordinances can specify location, number, and other permitting requirements for retail	Locals ordinances can specify location, number, and other permitting requirements. Locals may impose restrictions on location of MMTCs provided that the ordinance does not unnecessarily interfere with the availability of marijuana to patients.	Locals ordinances can specify location, number, and other permitting requirements.	Locals ordinances can specify location, number, and other permitting requirements. Specifies 500 ft. setback requirement from schools, unless the local government approves the location. A local ordinance may not be less restrictive than the local government's ordinance determining location of entities

						licensed to sell alcoholic beverages.
Local Ban on Retail/Dispensing MMTCs	Not specified	Allowed	Not specified	Not specified	Locals may not ban dispensaries or adopt zoning or other ordinances that have the effect of banning dispensaries	Not specified
Local Regulation of Delivery	Not specified	Local government cannot prohibit delivery	Not specified	Not specified	Not specified	Preempted to state.
Local Inspections	DOH inspects for compliance with statute; local inspections not addressed	Inspections preempted to the state; however, this preemption does not include inspections for fire safety, building code compliance, or for law enforcement purposes	DOH inspects for compliance with statute; local inspections not addressed	DOH inspects for compliance with statute; local inspections not addressed	DOH inspects for compliance with statute; local inspections not addressed	DOH inspects for compliance with statute; local inspections not addressed
Taxation/Fees/Revenues	Not specified	Subject to sales tax; revenues placed in trust fund to fund research and development related to safety and efficacy of medical marijuana products. Local business taxes specifically allowed.	Not specified	Not specified	Not specified	Local government may not charge an MMTC a license or permit fee exceeding the amount charged to a pharmacy