



Mrs. Erica O'Connor

32 Years Old

Mother of 3 Children

Homeowner

Business Owner

Senior at Seminole State major Bachelor's

Business Information & Management
Systems (BIM)



2017-11-14 Public Hearing B2 and B3 Exhibit 01-Erica O'Connor



Florida State Constitutional Amendment 2

ARTICLE X, SECTION 29. Medical marijuana production, possession and use.

(a) PUBLIC POLICY.

- › (1) ... qualifying patient or personal caregiver is **not** subject to criminal or civil liability or **sanctions** under Florida law...
- › (2) ... physician licensed in Florida shall **not** be subject to criminal or civil liability or **sanctions** under Florida law...
- › (3) ... medical marijuana treatment center registered with the Department, or its employees ..., shall **not** be subject to criminal or civil liability or **sanctions** under Florida law ...

Merriam-Webster Dictionary

Sanction:

4. a : a consideration, principle, or influence (as of conscience) that impels to moral action or determines moral judgment
- b : a mechanism of social control for enforcing a society's standards
- c : explicit or official approval, permission, or ratification: approbation

NO SANCTIONS!!!

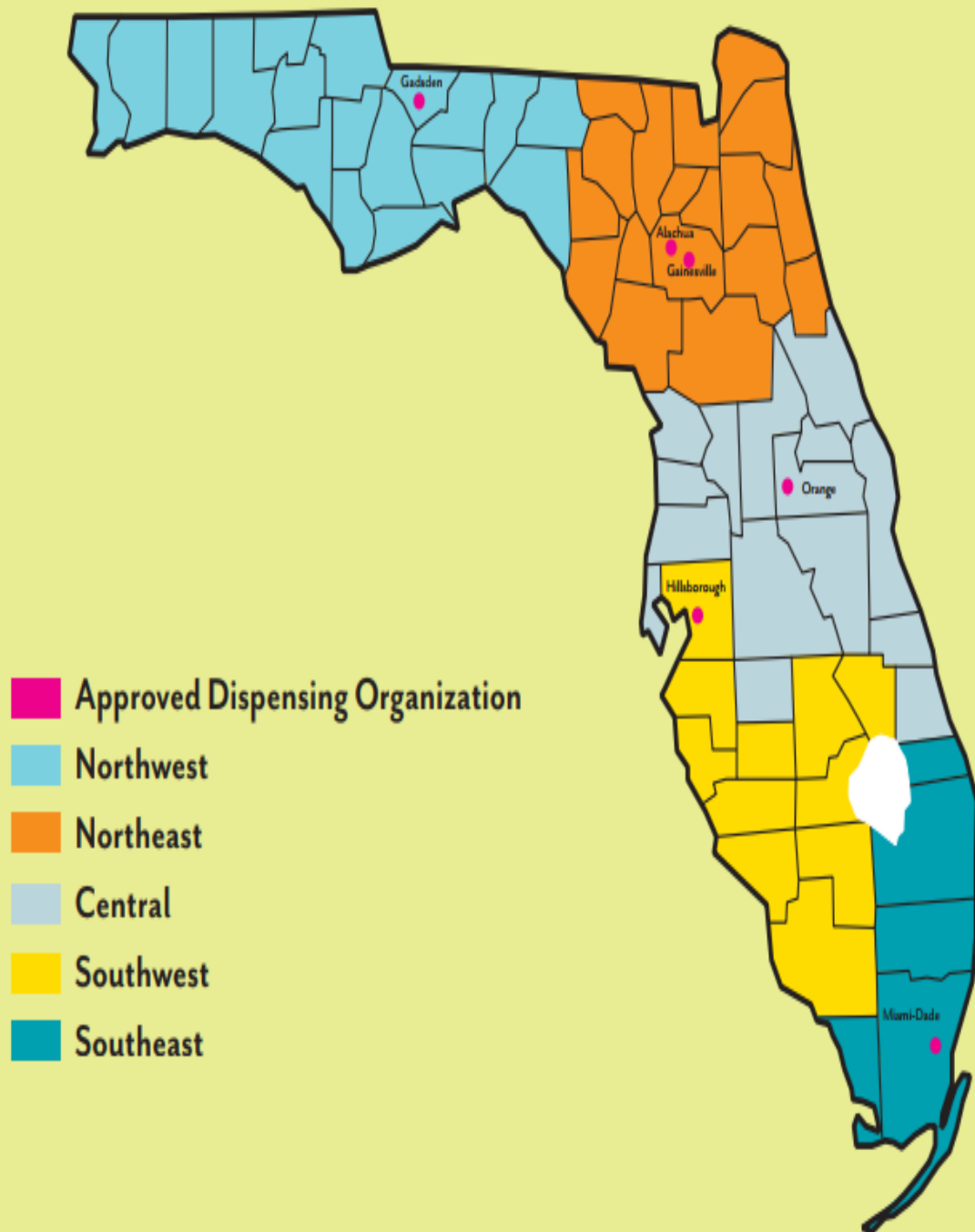
SB 8-A: Medical Use of Marijuana

Chapter No. 2017-232

(8) MEDICAL MARIJUANA TREATMENT CENTERS

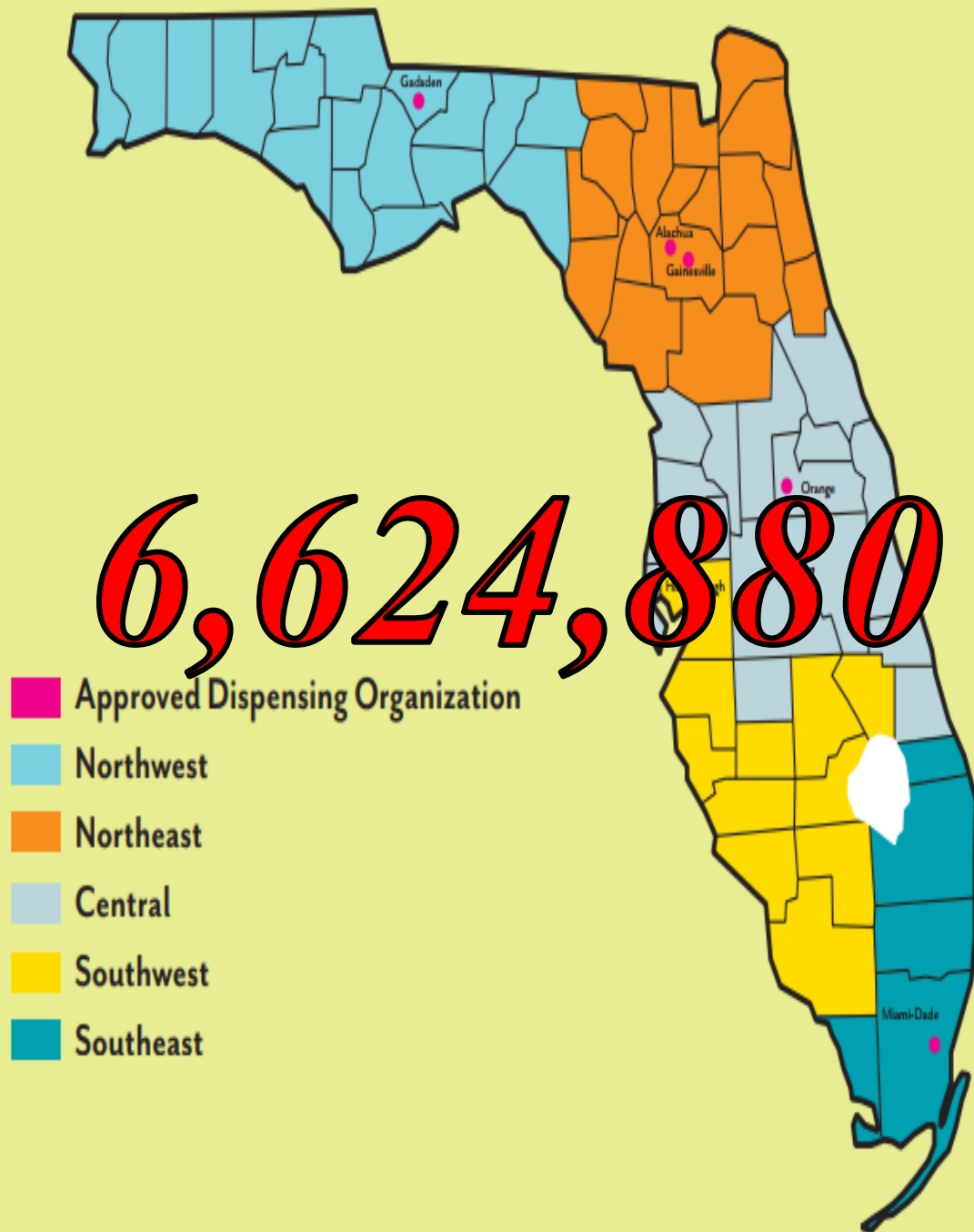
5. Dispensing facilities are subject to the following requirements:

b. A medical marijuana treatment center **may not establish more than the maximum number of dispensing facilities allowed** in each of the Northwest, Northeast, Central, Southwest, and Southeast Regions. The **department shall determine a medical marijuana treatment center's maximum number of dispensing facilities allowed** in each region by calculating the percentage of the total statewide population contained within that region and multiplying that percentage by the medical marijuana treatment center's statewide maximum number of dispensing facilities established under sub-subparagraph a., rounded to the nearest whole number. The **department shall initially calculate the maximum number of dispensing facilities allowed** in each region for each medical marijuana treatment center using county population estimates from the Florida Estimates of Population 2016, as published by the Office of Economic and Demographic Research, and shall perform recalculations following the official release of county population data resulting from each United States Decennial Census.



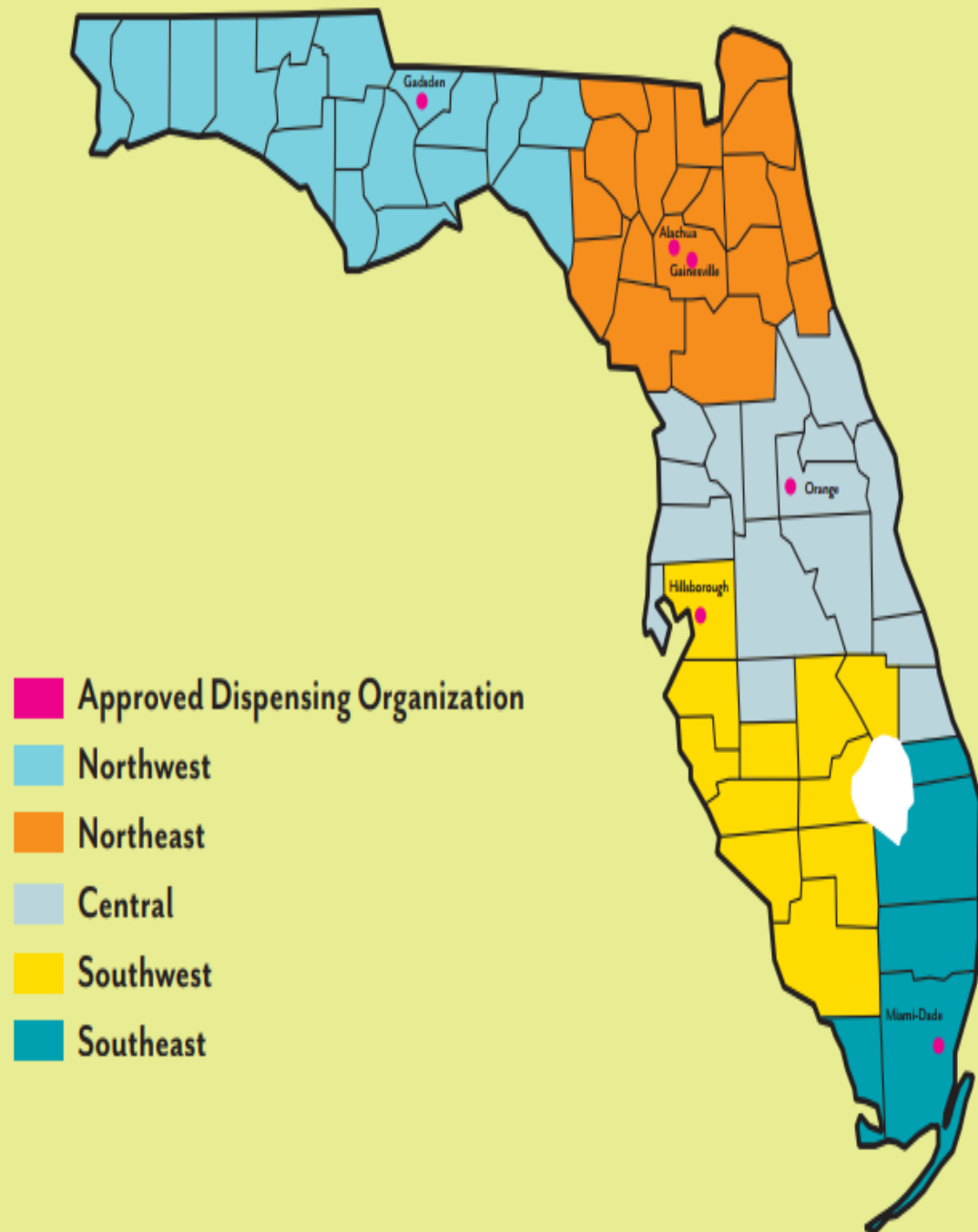
Central Region Consists of the following counties:

1. Brevard
2. Citrus
3. Hardee
4. Hernando
5. Indian River
6. Lake
- 7. Orange**
8. Osceola
9. Pasco
10. Pinellas
11. Polk
12. Seminole
13. St. Lucie
14. Sumter
15. Volusia



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“Bert J. Harris, Jr., Private Property Rights Protection Act.”

Chapter 70

...the Legislature herein provides for relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity in the state, as applied, unfairly affects real property.

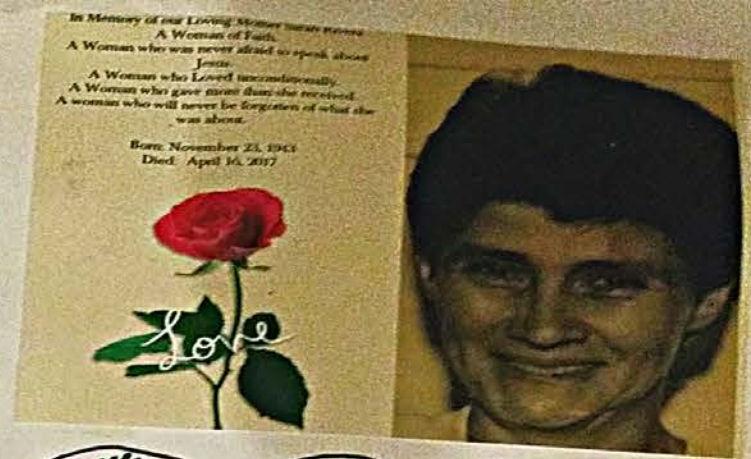
- Amendment 2 is derived from our State Constitution, it is not merely a new law or ordinance
- a plaintiff must still demonstrate all the necessary elements of a tort: duty, breach, causation, and damage
- (e) The terms “inordinate burden” and “inordinately burdened”:
 1. Mean that an action of one or more **governmental entities has directly restricted or limited the use of real property** such that the property owner is permanently **unable to attain the reasonable, investment-backed expectation for the existing use of the real property** or a vested right to a specific use of the real property with respect to the real property as a whole, or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large.

A private owner of a shopping plaza wants to rent out a space to a Medical Marijuana Treatment Center. The counties/cities/municipalities that have placed moratoriums lasting over a year, and/or banned dispensing facilities, have placed themselves in a potential lawsuit predicament. The shopping plaza's private property rights have been directly impacted, restricted, and inordinately burdened due to the sanctions placed on MMTC's.

Don't become a "Bert Harris Act statistic"



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2017

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Vótano
INDUSTRIES

Denied