

HB 1053 Proposes Tripling Medical Marijuana Facility Proximity Rules

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A newly proposed piece of Florida legislation, HB 1053, aims to triple the required “buffer” distance between schools and medical marijuana treatment centers that cultivate, process, or dispense medical cannabis.

Currently, medical marijuana cultivation, processing, and dispensary centers cannot be within 500 feet of a public or private elementary school, middle school, or secondary school. If passed, the new legislation would extend the radius to 1,500 feet for facilities that open after July 1, 2024 and would also broaden restrictions to include not only comprises a religious institution, but also a public or private day care facility, elementary school, middle school, secondary school, or postsecondary school.

While existing outlets would be grandfathered in, the expanded buffer zone would significantly restrict the available real estate for new dispensaries, especially in densely populated areas. For landlords and existing businesses looking to expand, finding suitable locations for cannabis establishments could become increasingly challenging and existing contracts and sites that aren't yet operational could be at risk.

We will continue to monitor HB 1053 and share updates regarding its potential impacts on the cannabis industry. If you have questions in the meantime, please don't hesitate to reach out to our Cannabis & Controlled Substances Practice Group.

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