



Florida Laws & Penalties

- [Mandatory Minimum Sentence](#)
- [Medical CBD](#)

Offense	Penalty	Incarceration	Max. Fine
Possession			
20 grams or less	Misdemeanor	1 year	\$ 1,000
More than 20 grams - 25 lbs	Felony	5 years	\$ 5,000
More than 25 – less than 2000 lbs	Felony	3* - 15 years	\$ 25,000
2000 – less than 10,000 lbs	Felony	7* - 30 years	\$ 50,000
10,000 lbs or more	Felony	15* - 30 years	\$ 200,000
Less than 25 plants	Felony	5 years	\$ 5,000
25 - 300 plants	Felony	15 years	\$ 10,000
300 - 2,000 plants	Felony	3* - 15 years	\$ 25,000
2000 - 10,000 plants	Felony	7* - 30 years	\$ 50,000
Within 1000 feet of a school, college, park, or other specified areas	Felony	15 years	\$ 10,000

* Mandatory minimum sentence

Sale

20 grams or less without remuneration	Misdemeanor	1 year	\$ 1,000
25 lbs or less	Felony	5 years	\$ 5,000
More than 25 – less than 2000 lbs (or 300 - 2,000 plants)	Felony	3* - 15 years	\$ 25,000
2000 – less than 10,000 lbs (or 2000 - 10,000 plants)	Felony	7* - 30 years	\$ 50,000
10,000 lbs or more	Felony	15* - 30 years	\$ 200,000
Within 1000 feet of a school, college, park, or other specified areas	Felony	15 years	\$ 10,000

* Mandatory minimum sentence

Hash & Concentrates

Possession of hashish or concentrates	Felony	5 years	\$ 5,000
Selling, manufacturing or delivering	Felony	5 years	\$ 5,000

Paraphernalia

Possession of paraphernalia	Misdemeanor	1 year	\$ 1,000
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Miscellaneous

Conviction causes a driver's license suspension for a period of 1 year

Penalty Details

Possession

Possession of 20 grams or less of cannabis is a misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of \$1,000.

Possession of more than 20 grams of cannabis is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

Any person who is knowingly in active or constructive possession of 25 lbs. or less of cannabis is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

Any person who is knowingly in active or constructive possession of more than 25 lbs. - 2,000 lbs. of cannabis (or 300-2,000 plants) is a felony punishable by a mandatory minimum sentence of 3 years imprisonment and a maximum sentence of 15 years imprisonment and a maximum fine of \$25,000.

Any person who is knowingly in active or constructive possession of 2,000 lbs. – less than 10,000 lbs. of cannabis (or 2,000-10,000 plants) is a felony punishable by a mandatory minimum sentence of 7 years and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$50,000.

Any person who is knowingly in active or constructive possession of 10,000 lbs. of cannabis or more is a felony punishable by a mandatory minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.

Sale or delivery within 1,000 feet of a school, college, park, or other specified areas is a felony punishable by a maximum sentence of 15 years imprisonment and a maximum fine of \$10,000.

See

- Florida Criminal Code § 893.13(h)(3) [Web Search](#)
- Florida Criminal Code § 893.03(1)(c)(7) [Web Search](#)
- Florida Criminal Code § 893.135 [Web Search](#)
- Florida Criminal Code § 775.082(a) [Web Search](#)

Sale/Delivery

The delivery of 20 grams or less without remuneration is a misdemeanor punishable by a maximum sentence of 1-year imprisonment and a maximum fine of \$1,000.

The sale of 25 lbs. or less of cannabis is a felony punishable by a maximum sentence of 5 years imprisonment and a maximum fine of \$5,000.

The sale of more than 25 lbs.- less than 2,000 lbs. of cannabis (or 300-2,000 plants) is a felony punishable by a mandatory minimum sentence of 3 years imprisonment and a maximum sentence of 15 years imprisonment and a maximum fine of \$25,000.

The sale of 2,000 lbs. – less than 10,000 lbs. of cannabis (or 2,000-10,000 plants) is a felony punishable by a mandatory minimum sentence of 7 years and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$50,000.

The sale of 10,000 lbs. or more of cannabis is a felony punishable by a mandatory minimum sentence of 15 years imprisonment and a maximum sentence of 30 years imprisonment as well as a maximum fine of \$200,000.

Sale or delivery of cannabis within 1,000 feet of a school, college, park, or other specified areas is a felony punishable by a maximum sentence of 15 years imprisonment and a maximum fine of \$10,000.

See

- Florida Criminal Code § 893.13 [Web Search](#)
- Florida Criminal Code § 893.03(c)(35) [Web Search](#)
- Florida Criminal Code § 893.13 [Web Search](#)
- Florida Criminal Code § 893.135 [Web Search](#)
- Florida Criminal Code § 775.082(a) [Web Search](#)
- Florida Criminal Code § 775.083(1) [Web Search](#)

Hash & Concentrates

Hashish or concentrates are considered schedule I narcotics in Florida.

See

- Florida Criminal Code § 893.03(1)(c) [Web Search](#)

Possession of hashish or concentrates is a felony in the third degree. A felony of the third degree is punishable by a term of imprisonment no greater than 5 years and a fine no greater than \$5,000.

See

- Florida Criminal Code § 893.13(6)(b) [Web Search](#)

- Florida Criminal Code § 775.083(1)(c), (d) [Web Search](#)
- Florida Criminal Code § 775.082(3)(d) [Web Search](#)
- Florida Criminal Code § 775.082(4)(a) [Web Search](#)

Possessing more than 3 grams of hash, selling, manufacturing, delivering, or possessing with intent to sell, manufacture or deliver, hashish or concentrates is a felony of the third degree. A felony of the third degree is punishable by a term of imprisonment no greater than 5 years and a fine no greater than \$5,000.

The offense is charged as a felony of the second degree if the offense occurred:

- Within 1,000 feet of a child care facility between 6 A.M. and 12 midnight;
- Within 1,000 feet of a park or community center;
- Within 1,000 feet of a college, university or other postsecondary educational institute;
- Within 1,000 feet of any church or place of worship that conducts religious activities;
- Within 1,000 feet of any convenience business;
- Within 1,000 feet of public housing;
- Within 1,000 feet or an assisted living facility.

A felony of the second degree is punishable by a term of imprisonment no greater than 15 years and a fine no greater than \$10,000.

See

- Florida Criminal Code § 893.13(1)(a)(2) [Web Search](#)
- Florida Criminal Code § 893.13 [Web Search](#)
- Florida Criminal Code § 775.083(1)(b), (c) [Web Search](#)
- Florida Criminal Code § 775.082(3)(c), (d) [Web Search](#)
- *Rutherford v. State*, 386 So.2d 881 (Fla. 1980). [Web Search](#)

Florida defines any product, equipment, or device used to make hashish or concentrates as drug paraphernalia.

See

- Florida Criminal Code § 893.145 [Web Search](#)

Paraphernalia

Possession of drug paraphernalia is a misdemeanor in the first degree, punishable by a maximum sentence of one 1-year imprisonment and a maximum fine of \$1,000.

See

- Florida Criminal Code § 775.083 [Web Search](#)
- Florida Criminal Code § 893.145 [Web Search](#)
- Florida Criminal Code § 893.145 [Web Search](#)
- Florida Criminal Code § 893.147 [Web Search](#)

Miscellaneous

Conviction causes a driver's license suspension for a period of 1 year.

See

- Florida Criminal Code § 322.055 [Web Search](#)
- Florida Criminal Code § 322.056 [Web Search](#)

MANDATORY MINIMUM SENTENCE

When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

MEDICAL CBD

This state has passed a [medical CBD](#) law allowing for the use of cannabis extracts that are high in CBD and low in THC to treat severe, debilitating epileptic conditions.

Florida CBD-Specific Marijuana Law

Status

2014

QUALIFYING CONDITIONS

- Cancer
- Muscle spasms
- Seizures

PATIENT POSSESSION LIMITS

State-qualified patients may possess cannabis strains containing ten percent or more of CBD and no more than eight-tenths of one percent of THC.

HOME CULTIVATION

No

STATE-LICENSED DISPENSARIES

Yes, up to five facilities to dispense high-CBD strains to state-qualified patients.

STATE-LICENSED DISPENSARIES OPERATIONAL

Not yet

CAREGIVERS

No

RECIPROCITY

No

CONTACT INFORMATION

Department of Health