

PROPOSED

ORDINANCE NO. 2018-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE MEDICAL MARIJUANA ADVISORY BOARD; AMENDING SECTION 1-310 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"), REPLACING THE MEMBER REPRESENTING THE STATE DEPARTMENT OF HEALTH WITH A QUALIFIED PHYSICIAN WITH EXPERIENCE IN TREATING QUALIFIED PATIENTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Nan H. Rich)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 1-310 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 1-310. Membership.

(a) The MMAB shall consist of twelve (12) members to be appointed by the Board of County Commissioners ("Board"). The Board shall appoint one (1) member who shall be a qualified patient advocate and two (2) members at large to the MMAB. The qualified patient advocate shall be a "qualified patient," "caregiver," or "close relative" of a qualified patient, as defined by Section 381.986, Florida Statutes. Additionally, each County Commissioner shall appoint one (1) member from one (1) of the following categories:

1 . . .

2 (7) One (1) ~~representative from the State of Florida Department of Health,~~
3 ~~Broward County~~ "qualified physician" with experience in ordering medical
4 marijuana for the treatment of "qualified patients," as those terms are
5 defined in Section 381.986, Florida Statutes.

6 . . .

7
8 Section 2. SEVERABILITY.

9 If any portion of this Ordinance is determined by any Court to be invalid, the
10 invalid portion shall be stricken, and such striking shall not affect the validity of the
11 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
12 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
13 or circumstance(s), such determination shall not affect the applicability hereof to any
14 other individual, group, entity, property, or circumstance.

15
16 Section 3. INCLUSION IN CODE.

17 It is the intention of the Board of County Commissioners that the provisions of
18 this Ordinance shall become and be made a part of the Broward County Code; and that
19 the sections of this Ordinance may be renumbered or relettered and the word
20 "ordinance" may be changed to "section," "article," or such other appropriate word or
21 phrase in order to accomplish such intentions.

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Section 4. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

ENACTED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Maite Azcoitia 05/10/18
Maite Azcoitia (date)
Deputy County Attorney

MA/gmb
05/10/18
Medical Marijuana Advisory Board Qualifying Physician Ord.doc
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Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.