## Changes in marijuana laws

## Executive summary

Generally, marijuana possession in Florida is illegal. Recently, there has been an amendment to the constitution premised on the medicinal use of marijuana (Stolzenberg, D’Alessio & Dariano, 2016). By and large, the medicinal purpose referred to in the amendment[[1]](#footnote-0) entails conditions such as epilepsy, glaucoma, cancer, AIDS, HIV, multiple sclerosis, Parkinson disease among others. All this can only be possible upon physician’s recommendations.

The intended purpose and amount of marijuana determines the charges and sentence with huge amounts of marijuana for sale attracting heavy penalties as opposed to smaller amounts meant for personal use. Upon conviction, minors serve time in the juvenile and//or borstal institutions whereas adults are committed to prison. Synthetic marijuana attracts heavy penalties as opposed to the normal brand of marijuana (Lynne-Landsman, Livingston & Wagenaar, 2013).

Seizure of culprits selling marijuana has more often than not proven difficult, this has by and large been the reason behind legislation that requires possession of huge amounts, baggies, paraphernalia as evidence of selling marijuana[[2]](#footnote-1). The scale of measuring intent to sell marijuana stands at 25 in Florida. Furthermore, in case of huge amounts meant for personal use, there is need for evidence of non-distribution and proof for personal use. In this paper, it is crucial to note that there are alternative penalties under the federal law.

Under this new law and based on numerous inquiries; the number of patients seeking the natural product in cannabis entails patients suffering from digestive problems, neurological disorders and cancer (Anderson, Hansen & Rees, 2015). As a matter of law, the amendment demands that all persons in need of marijuana for medicinal purposes must abide by the regulations and rules made by parliament.

### Details of the penalty

Possession of cannabis weighing less than 20 grams entails a misdemeanor that attracts a fine of not more than $1000 and a sentence of less than a year in prison.[[3]](#footnote-2) On the other hand, possession of cannabis weighing more than 20 grams entails a felony that attracts a fine of not more than $ 5000 and a sentence of less than 5 years in prison.[[4]](#footnote-3)

Delivery of marijuana weighing less than 20 grams devoid of remuneration entails a misdemeanor that attracts a fine of not more than $1000 and a sentence of less than a year in prison.[[5]](#footnote-4) In addition, sale of marijuana weighing less than 25 pounds entails a felony that attracts a fine of not more than $ 5000 and a sentence of less than 5 years in prison.[[6]](#footnote-5)

In Florida, schedule 1 narcotics entail concentrates or hashish; these are 3rd degree felonies that attract a fine not exceeding $ 5000 and imprisonment not exceeding 5 years.[[7]](#footnote-6) possession of hashish weighing more than grams as well as manufacturing and/or selling entails a 3rd degree felony that attracts a fine of not more than $ 5000 and a sentence of less than 5 years in prison. Drug paraphernalia according to the Florida criminal code refers to any device, equipment and product involved with the production of concentrates or hash.[[8]](#footnote-7) This attracts a fine of not more than $1000 and a sentence of less than a year in prison.

Actually, lack of regulations as well as the provision of marijuana in medicine emanating from the constitution leaves much to be desired. This is coupled by the fact that medical insurance on the long run fails to cover medicinal use of marijuana (Lynne-Landsman, Livingston & Wagenaar, 2013).

**References**

Anderson, D. M., Hansen, B., & Rees, D. I. (2015). Medical marijuana laws and teen marijuana use. American law and economics review, 17(2), 495-528.

Florida criminal code. (n.d.). Retrieved from http://statelaws.findlaw.com/florida-law/florida-criminal-laws.html

Lynne-Landsman, S. D., Livingston, M. D., & Wagenaar, A. C. (2013). Effects of state medical marijuana laws on adolescent marijuana use. American journal of public health, 103(8), 1500-1506.

Stolzenberg, L., D’Alessio, S. J., & Dariano, D. (2016). The effect of medical cannabis laws on juvenile cannabis use. International Journal of Drug Policy, 27, 82-88.

1. Amendment 2 of the constitution [↑](#footnote-ref-0)
2. Section 893.145 of the Florida criminal code [↑](#footnote-ref-1)
3. Section 893.13 (h)(3) of the Florida criminal code [↑](#footnote-ref-2)
4. Section 893.03(1)(c) (7) of the Florida criminal code [↑](#footnote-ref-3)
5. Section 893. 13 of the Florida criminal code [↑](#footnote-ref-4)
6. Section 893.03 (c) (35) of the Florida criminal code [↑](#footnote-ref-5)
7. Section 893.03 (1)(a) (2) of the Florida criminal code [↑](#footnote-ref-6)
8. Section 893. 145 of the Florida criminal code [↑](#footnote-ref-7)