



Decriminalization is sweeping Florida — one city at a time

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Since 2015, numerous cities and counties in Florida have taken marijuana policy into their own hands, by enacting ordinances to reduce the chances that marijuana consumers will be arrested and incarcerated. These ordinances — which give officers the discretion to impose civil penalties for most minor marijuana offenses — can prevent marijuana consumers from the trauma of arrest and the damage caused by the “scarlet letter” of a criminal record. They also allow for law enforcement resources to be reallocated toward crimes that endanger public safety.

Unfortunately, despite broad support among voters, state law has remained unchanged, leaving those caught in possession at risk of arrest and jail. Under Florida state law, marijuana possession is a misdemeanor punishable by up to one year in jail and a \$1,000 fine. [Please take a moment to urge your representative and senator to support a statewide law to remove criminal penalties for possession.](#)

- In June 2015, **Miami-Dade County** commissioners, by a 10-3 vote, passed [an ordinance](#) that gives police the option not to arrest those caught with less than 20 grams of marijuana. Instead, an officer might write a civil citation resulting in a \$100 fine. The ordinance went into effect July 10, 2015, making Miami-Dade the first county to explore decriminalization.
- In July 2015, **Miami Beach** unanimously passed a [similar ordinance](#), also applying to less than 20 grams of marijuana and also resulting in a discretionary \$100 civil fine.
- Then, in early August 2015, Broward County’s **Hallandale Beach** followed suit: Effective September 19, 2015, possession of 20 grams or less can result in only a \$100 fine.
- Later that August, **Key West** commissioners voted unanimously to give police the option of issuing \$100 civil fines in lieu of making arrests for 20 grams or less of marijuana.
- **West Palm Beach** joined the trend in September 2015 when it approved a measure that gives police the option of \$100 fines instead of arrests for 20 grams or less.
- In early November 2015, **Broward County** unanimously approved an ordinance giving police the option to issue \$100 civil fines rather than arrests for those caught with 20 grams or less. Fines would be \$250 for second offenses and \$500 for third offenses. An ordinance much like Broward County’s was passed by its city of **Wilton Manors**, near Ft. Lauderdale, in late November.
- In December 2015, the **Palm Beach County** commissioners voted 4-1 to give police the option to issue a \$100 civil fine for possession of up to 20 grams of marijuana.
- In March 2016, **Volusia County**, which includes Daytona Beach, became the first county in central Florida to join the trend when the council unanimously passed an ordinance giving officers discretion to issue \$100 tickets, again for possession of up to 20 grams.
- Also in March 2016, **Tampa** passed an ordinance giving police the option of issuing a civil fine,

rather than arresting, those caught with 20 grams or less of marijuana. The amount would increase each time, from \$75 to \$150 to \$300 to a maximum of \$450 for the fourth offense.

- In May 2016, **Orlando** passed [an ordinance](#) that gives police the discretion to issue \$100 tickets for a first offense of possession of up to 20 grams and \$200 tickets for a second offense; those who cannot afford the fines can do community service or take a drug class instead. The ordinance will take effect on October 1.
- In June 2016, **Osceola County** passed an ordinance that allows police to issue a \$100 ticket for marijuana possession, subject to their discretion. Cities will be able to opt out of the ordinance.
- **Alachua County** [passed a similar ordinance](#) in August 2016, which allows a civil citation to be given in lieu of arrest. The fines are \$100 for a first violation, \$150 for a second citation, and \$200 for a third one. Those who cannot afford to pay may elect to do community service. People may receive a maximum of three such citations, and on the third citation must be screened to determine if they need drug treatment.
- In September 2016, **Port Ritchie** passed an ordinance that allows a \$155 civil citation to be issued in lieu of arrest for possession of up to 20 grams of marijuana, as long as the person is not engaged in any criminal activity at the time.
- In December 2019, the **Sarasota** City Commission voted 5-0 to decriminalize possession of less than 20 grams of cannabis. Possession of 20 grams or less now carries a \$100 fine or the completion of 10 hours of community service.