

CHAPTER 2001-95

Senate Bill No. 272

An act relating to law enforcement officers; amending s. 817.564, F.S.; providing an exemption from civil or criminal liability for the sale of imitation controlled substances by law enforcement officers and other persons acting at their direction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (6) of section 817.564, Florida Statutes, is amended to read:

817.564 Imitation controlled substances defined; possession and distribution prohibited.—

(6) ~~No~~ Civil or criminal liability may not shall be imposed by virtue of this section against: ~~on~~

(a) Any person operating in accordance with the Florida Comprehensive Drug Abuse Prevention and Control Act who manufactures, dispenses, sells, gives, or distributes an imitation controlled substance for use as a placebo by a licensed practitioner in the course of professional practice or research; or,

(b) A law enforcement officer acting in the officer's official capacity during the course of an active criminal investigation relating to controlled substances which is approved or authorized by the officer's agency or to an informer or third party acting under the direction or control of such an officer as part of an authorized, active criminal investigation relating to controlled substances.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor May 31, 2001.

Filed in Office Secretary of State May 31, 2001.