

IN THE SUPREME COURT OF FLORIDA

ADVISORY OPINION TO THE
ATTORNEY GENERAL RE:
ADULT PERSONAL USE OF
MARIJUANA

Case No. SC25-2009

NOTICE OF DISMISSAL

In response to this Court’s February 2, 2026, Order, the Attorney General hereby withdraws his request for an advisory opinion regarding Initiative 25-01, titled “Adult Personal Use of Marijuana.”

1. On December 17, 2025, the Attorney General requested an advisory opinion as to whether the text of proposed amendment “Adult Personal Use of Marijuana” complies with Article XI, Section 3 of the Florida Constitution, whether the proposed amendment is facially invalid under the United States Constitution, and whether the amendment’s proposed ballot title and summary comply with Section 101.161(1), Florida Statutes.

2. Today, on February 2, 2026, the Secretary of State informed the Attorney General that “Adult Personal Use of Marijuana,

Serial Number 25-01 failed to meet the legal requirements for placement on the 2026 General Election ballot.” See Ex. 1. The Secretary of State’s announcement was made pursuant to Section 15.21(2), Florida Statutes, which requires the Secretary of State to inform the Attorney General if “the validity of the signatures for such initiative petition has expired pursuant to s. 100.371(14)(a) before securing ballot placement.” *Id.* Section 100.371(14)(a), Florida Statutes, provides that petition signatures are “valid until the next February 1 occurring in an even-numbered year.”

3. Section 16.061(4), Florida Statutes, in turn requires that the Attorney General “must withdraw his or her request for an advisory opinion if the Supreme Court has not yet fulfilled that request.” *Id.* That is the case here.

The Attorney General therefore respectfully submits that the Court should dismiss this case and cancel the oral argument scheduled for February 5, 2026.

February 2, 2026

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was furnished via the e-Filing Portal on this **2nd** day of February 2026, to the following:

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Exhibit 1

RON DESANTIS
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February 2, 2026

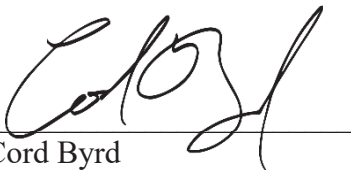
The Honorable James Uthmeier
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Re: Failure to obtain ballot placement and expiration of initiative petition signatures

Dear Attorney General Uthmeier,

On November 17, 2025, I submitted to you the initiative petition titled **Adult Personal Use of Marijuana, Serial Number 25-01** pursuant to section 15.21(1), Florida Statutes. Section 15.21(2), Florida Statutes, requires me to notify you if the “validity of the signatures for such initiative petition has expired pursuant to s. 100.371(14)(a) before securing ballot placement.”

Article XI, sections 3 and 5(b), Florida Constitution, set February 1, 2026, as the deadline for the initiative petition to obtain the requisite number and geographic distribution of elector signatures as verified by the supervisors of elections for placement on the 2026 General Election ballot. Consequently, I made my determination pursuant to section 100.371(15), Florida Statutes, and found that **Adult Personal Use of Marijuana, Serial Number 25-01** failed to meet the legal requirements for placement on the 2026 General Election ballot. Pursuant to section 100.371(14)(a), Florida Statutes, all signatures are now expired.



Cord Byrd
Secretary of State