



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2926

Introduced 2/6/2025, by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

See Index

Amends the Compassionate Use of Medical Cannabis Program Act. Provides that all cannabis products purchased by a qualifying patient, provisional patient, or designated caregiver from a licensed dispensing organization shall be lawful products (rather than all medical cannabis products purchased by a qualifying patient at a licensed dispensing organization shall be lawful products and a distinction shall be made between medical and non-medical uses, with other requirements). Amends the Cannabis Regulation and Tax Act. Changes and adds definitions. Makes changes to provisions regarding operational requirements and prohibitions. Provides that a dispensing organization shall not sell cannabis or cannabis-infused products to a purchaser unless the purchaser has been verified to be 21 years of age or older, or the person is verified to be a registered qualified patient, provisional patient, or designated caregiver (removing requirements referencing the Compassionate Use of Medical Cannabis Program). Removes prohibitions for a dispensing organization to operate drive-through windows. Provides an exception to the prohibition for a dispensing organization to transport cannabis for delivery. In provisions regarding an inventory control system, adds that all dispensing organizations shall maintain internal, confidential records of all deliveries to any registered qualified patient, provisional patient, or designated caregiver, with certain requirements. In provisions regarding dispensing cannabis, adds a requirement that the agent verify the qualifying patient, provisional patient, or designated caregiver registration card, if applicable. Provides that a dispensing organization may offer pickup or drive-through for cannabis or cannabis-infused products to purchasers over 21 years of age and certain patients and caregivers. Provides that a dispensing organization may offer delivery for cannabis or cannabis-infused products to certain patients and caregivers. Adds requirements to provisions regarding security for a dispensing organization. Adds provisions permitting delivery by dispensing organizations to the residence of a qualifying patient, provisional patient, or designated caregiver, with certain requirements.

LRB104 07797 BDA 17843 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Compassionate Use of Medical Cannabis
5 Program Act is amended by changing Section 7 as follows:

6 (410 ILCS 130/7)

7 Sec. 7. Lawful user and lawful products. For the purposes
8 of this Act and to clarify the legislative findings on the
9 lawful use of cannabis:

10 (1) A cardholder under this Act shall not be
11 considered an unlawful user or addicted to narcotics
12 solely as a result of his or her qualifying patient,
13 provisional patient, or designated caregiver status.

14 (2) All ~~medical~~ cannabis products purchased by a
15 qualifying patient, provisional patient, or designated
16 caregiver from ~~at~~ a licensed dispensing organization shall
17 be lawful products ~~and a distinction shall be made between~~
18 ~~medical and non-medical uses of cannabis as a result of~~
19 ~~the qualifying patient's cardholder status, provisional~~
20 ~~registration for qualifying patient cardholder status, or~~
21 ~~participation in the Opioid Alternative Pilot Program~~
22 ~~under the authorized use granted under State law.~~

23 (3) An individual with a provisional registration for

1 qualifying patient cardholder status, a qualifying patient
2 in the Compassionate Use of Medical Cannabis Program, or
3 an Opioid Alternative Pilot Program participant under
4 Section 62 shall not be considered an unlawful user or
5 addicted to narcotics solely as a result of his or her
6 application to or participation in the program.

7 (Source: P.A. 100-1114, eff. 8-28-18; 101-363, eff. 8-9-19.)

8 Section 10. The Cannabis Regulation and Tax Act is amended
9 by changing Sections 1-10, 15-70, 15-75, 15-85, and 15-100 and
10 by adding Section 15-88 as follows:

11 (410 ILCS 705/1-10)

12 Sec. 1-10. Definitions. In this Act:

13 "Adult Use Cultivation Center License" means a license
14 issued by the Department of Agriculture that permits a person
15 to act as a cultivation center under this Act and any
16 administrative rule made in furtherance of this Act.

17 "Adult Use Dispensing Organization License" means a
18 license issued by the Department of Financial and Professional
19 Regulation that permits a person to act as a dispensing
20 organization under this Act and any administrative rule made
21 in furtherance of this Act.

22 "Advertise" means to engage in promotional activities
23 including, but not limited to: newspaper, radio, Internet and
24 electronic media, and television advertising; the distribution

1 of fliers and circulars; billboard advertising; and the
2 display of window and interior signs. "Advertise" does not
3 mean exterior signage displaying only the name of the licensed
4 cannabis business establishment.

5 "Application points" means the number of points a
6 Dispensary Applicant receives on an application for a
7 Conditional Adult Use Dispensing Organization License.

8 "BLS Region" means a region in Illinois used by the United
9 States Bureau of Labor Statistics to gather and categorize
10 certain employment and wage data. The 17 such regions in
11 Illinois are: Bloomington, Cape Girardeau, Carbondale-Marion,
12 Champaign-Urbana, Chicago-Naperville-Elgin, Danville,
13 Davenport-Moline-Rock Island, Decatur, Kankakee, Peoria,
14 Rockford, St. Louis, Springfield, Northwest Illinois
15 nonmetropolitan area, West Central Illinois nonmetropolitan
16 area, East Central Illinois nonmetropolitan area, and South
17 Illinois nonmetropolitan area.

18 "By lot" means a randomized method of choosing between 2
19 or more Eligible Tied Applicants or 2 or more Qualifying
20 Applicants.

21 "Cannabis" means marijuana, hashish, and other substances
22 that are identified as including any parts of the plant
23 Cannabis sativa and including derivatives or subspecies, such
24 as indica, of all strains of cannabis, whether growing or not;
25 the seeds thereof, the resin extracted from any part of the
26 plant; and any compound, manufacture, salt, derivative,

1 mixture, or preparation of the plant, its seeds, or resin,
2 including tetrahydrocannabinol (THC) and all other naturally
3 produced cannabinol derivatives, whether produced directly or
4 indirectly by extraction; however, "cannabis" does not include
5 the mature stalks of the plant, fiber produced from the
6 stalks, oil or cake made from the seeds of the plant, any other
7 compound, manufacture, salt, derivative, mixture, or
8 preparation of the mature stalks (except the resin extracted
9 from it), fiber, oil or cake, or the sterilized seed of the
10 plant that is incapable of germination. "Cannabis" does not
11 include industrial hemp as defined and authorized under the
12 Industrial Hemp Act. "Cannabis" also means cannabis flower,
13 concentrate, and cannabis-infused products.

14 "Cannabis business establishment" means a cultivation
15 center, craft grower, ~~processing organization,~~ infuser
16 organization, dispensing organization, or transporting
17 organization.

18 "Cannabis concentrate" means a product derived from
19 cannabis that is produced by extracting cannabinoids,
20 including tetrahydrocannabinol (THC), from the plant through
21 the use of propylene glycol, glycerin, butter, olive oil, or
22 other typical cooking fats; water, ice, or dry ice; or butane,
23 propane, CO₂, ethanol, or isopropanol and with the intended
24 use of smoking or making a cannabis-infused product. The use
25 of any other solvent is expressly prohibited unless and until
26 it is approved by the Department of Agriculture.

1 "Cannabis container" means a sealed or resealable,
2 traceable, container, or package used for the purpose of
3 containment of cannabis or cannabis-infused product during
4 transportation.

5 "Cannabis flower" means marijuana, hashish, and other
6 substances that are identified as including any parts of the
7 plant Cannabis sativa and including derivatives or subspecies,
8 such as indica, of all strains of cannabis; including raw
9 kief, leaves, and buds, but not resin that has been extracted
10 from any part of such plant; nor any compound, manufacture,
11 salt, derivative, mixture, or preparation of such plant, its
12 seeds, or resin.

13 "Cannabis-infused product" means a beverage, food, oil,
14 ointment, tincture, topical formulation, or another product
15 containing cannabis or cannabis concentrate that is not
16 intended to be smoked.

17 "Cannabis paraphernalia" means equipment, products, or
18 materials intended to be used for planting, propagating,
19 cultivating, growing, harvesting, manufacturing, producing,
20 processing, preparing, testing, analyzing, packaging,
21 repackaging, storing, containing, concealing, ingesting, or
22 otherwise introducing cannabis into the human body.

23 "Cannabis plant monitoring system" or "plant monitoring
24 system" means a system that includes, but is not limited to,
25 testing and data collection established and maintained by the
26 cultivation center, craft grower, or infuser processing

1 organization and that is available to the Department of
2 Revenue, the Department of Agriculture, the Department of
3 Financial and Professional Regulation, and the Illinois State
4 Police for the purposes of documenting each cannabis plant and
5 monitoring plant development throughout the life cycle of a
6 cannabis plant cultivated for the intended use by a customer
7 from seed planting to final packaging.

8 "Cannabis testing facility" means an entity registered by
9 the Department of Agriculture to test cannabis for potency and
10 contaminants.

11 "Clone" means a plant section from a female cannabis plant
12 not yet rootbound, growing in a water solution or other
13 propagation matrix, that is capable of developing into a new
14 plant.

15 "Community College Cannabis Vocational Training Pilot
16 Program faculty participant" means a person who is 21 years of
17 age or older, licensed by the Department of Agriculture, and
18 is employed or contracted by an Illinois community college to
19 provide student instruction using cannabis plants at an
20 Illinois Community College.

21 "Community College Cannabis Vocational Training Pilot
22 Program faculty participant Agent Identification Card" means a
23 document issued by the Department of Agriculture that
24 identifies a person as a Community College Cannabis Vocational
25 Training Pilot Program faculty participant.

26 "Conditional Adult Use Dispensing Organization License"

1 means a contingent license awarded to applicants for an Adult
2 Use Dispensing Organization License that reserves the right to
3 an Adult Use Dispensing Organization License if the applicant
4 meets certain conditions described in this Act, but does not
5 entitle the recipient to begin purchasing or selling cannabis
6 or cannabis-infused products.

7 "Conditional Adult Use Cultivation Center License" means a
8 license awarded to top-scoring applicants for an Adult Use
9 Cultivation Center License that reserves the right to an Adult
10 Use Cultivation Center License if the applicant meets certain
11 conditions as determined by the Department of Agriculture by
12 rule, but does not entitle the recipient to begin growing,
13 processing, or selling cannabis or cannabis-infused products.

14 "Craft grower" means a facility operated by an
15 organization or business that is licensed by the Department of
16 Agriculture to cultivate, dry, cure, and package cannabis and
17 perform other necessary activities to make cannabis available
18 for sale at a dispensing organization or use at a processing
19 organization. A craft grower may contain up to 5,000 square
20 feet of canopy space on its premises for plants in the
21 flowering state. The Department of Agriculture may authorize
22 an increase or decrease of flowering stage cultivation space
23 in increments of 3,000 square feet by rule based on market
24 need, craft grower capacity, and the licensee's history of
25 compliance or noncompliance, with a maximum space of 14,000
26 square feet for cultivating plants in the flowering stage,

1 which must be cultivated in all stages of growth in an enclosed
2 and secure area. A craft grower may share premises with a
3 processing organization or a dispensing organization, or both,
4 provided each licensee stores currency and cannabis or
5 cannabis-infused products in a separate secured vault to which
6 the other licensee does not have access or all licensees
7 sharing a vault share more than 50% of the same ownership.

8 "Craft grower agent" means a principal officer, board
9 member, employee, or other agent of a craft grower who is 21
10 years of age or older.

11 "Craft Grower Agent Identification Card" means a document
12 issued by the Department of Agriculture that identifies a
13 person as a craft grower agent.

14 "Cultivation center" means a facility operated by an
15 organization or business that is licensed by the Department of
16 Agriculture to cultivate, process, transport (unless otherwise
17 limited by this Act), and perform other necessary activities
18 to provide cannabis and cannabis-infused products to cannabis
19 business establishments.

20 "Cultivation center agent" means a principal officer,
21 board member, employee, or other agent of a cultivation center
22 who is 21 years of age or older.

23 "Cultivation Center Agent Identification Card" means a
24 document issued by the Department of Agriculture that
25 identifies a person as a cultivation center agent.

26 "Currency" means currency and coin of the United States.

1 "Designated caregiver" means a person who is at least 21
2 years of age, has agreed to assist with a patient's medical use
3 of cannabis, and assists no more than one registered
4 qualifying patient with his or her medical use of cannabis.

5 ~~"Dispensary" means a facility operated by a dispensing~~
6 ~~organization at which activities licensed by this Act may~~
7 ~~occur.~~

8 "Dispensary Applicant" means the Proposed Dispensing
9 Organization Name as stated on an application for a
10 Conditional Adult Use Dispensing Organization License.

11 "Dispensing organization" or "dispensary" means a facility
12 operated by an organization or business that is licensed by
13 the Department of Financial and Professional Regulation to
14 acquire cannabis from a cultivation center, craft grower, or
15 processing organization licensed by the Department of
16 Agriculture, or another dispensary licensed by the Department
17 of Financial and Professional Regulation for the purpose of
18 selling or dispensing cannabis, cannabis-infused products,
19 cannabis seeds, paraphernalia, or related supplies under this
20 Act to purchasers or to qualified registered medical cannabis
21 patients and caregivers. As used in this Act, "dispensing
22 organization" includes a registered medical cannabis
23 organization as defined in the Compassionate Use of Medical
24 Cannabis Program Act or its successor Act or that has obtained
25 an Early Approval Adult Use Dispensing Organization License or
26 Early Approval Adult Use Dispensing Organization License at a

1 secondary site under this Act.

2 "Dispensing organization agent" means a principal officer,
3 employee, or agent of a dispensing organization who is 21
4 years of age or older.

5 "Dispensing organization agent identification card" means
6 a document issued by the Department of Financial and
7 Professional Regulation that identifies a person as a
8 dispensing organization agent.

9 "Disproportionately Impacted Area" means a census tract or
10 comparable geographic area that satisfies the following
11 criteria as determined by the Department of Commerce and
12 Economic Opportunity, that:

13 (1) meets at least one of the following criteria:

14 (A) the area has a poverty rate of at least 20%
15 according to the latest federal decennial census; or

16 (B) 75% or more of the children in the area
17 participate in the federal free lunch program
18 according to reported statistics from the State Board
19 of Education; or

20 (C) at least 20% of the households in the area
21 receive assistance under the Supplemental Nutrition
22 Assistance Program; or

23 (D) the area has an average unemployment rate, as
24 determined by the Illinois Department of Employment
25 Security, that is more than 120% of the national
26 unemployment average, as determined by the United

1 States Department of Labor, for a period of at least 2
2 consecutive calendar years preceding the date of the
3 application; and

4 (2) has high rates of arrest, conviction, and
5 incarceration related to the sale, possession, use,
6 cultivation, manufacture, or transport of cannabis.

7 "Early Approval Adult Use Cultivation Center License"
8 means a license that permits a medical cannabis cultivation
9 center licensed under the Compassionate Use of Medical
10 Cannabis Program Act as of the effective date of this Act to
11 begin cultivating, infusing, packaging, transporting (unless
12 otherwise provided in this Act), processing, and selling
13 cannabis or cannabis-infused product to cannabis business
14 establishments for resale to purchasers as permitted by this
15 Act as of January 1, 2020.

16 "Early Approval Adult Use Dispensing Organization License"
17 means a license that permits a medical cannabis dispensing
18 organization licensed under the Compassionate Use of Medical
19 Cannabis Program Act as of the effective date of this Act to
20 begin selling cannabis or cannabis-infused product to
21 purchasers as permitted by this Act as of January 1, 2020.

22 "Early Approval Adult Use Dispensing Organization at a
23 secondary site" means a license that permits a medical
24 cannabis dispensing organization licensed under the
25 Compassionate Use of Medical Cannabis Program Act as of the
26 effective date of this Act to begin selling cannabis or

1 cannabis-infused product to purchasers as permitted by this
2 Act on January 1, 2020 at a different dispensary location from
3 its existing registered medical dispensary location.

4 "Eligible Tied Applicant" means a Tied Applicant that is
5 eligible to participate in the process by which a remaining
6 available license is distributed by lot pursuant to a Tied
7 Applicant Lottery.

8 "Enclosed, locked facility" means a room, greenhouse,
9 building, or other enclosed area equipped with locks or other
10 security devices that permit access only by cannabis business
11 establishment agents working for the licensed cannabis
12 business establishment or acting pursuant to this Act to
13 cultivate, process, store, or distribute cannabis.

14 "Enclosed, locked space" means a closet, room, greenhouse,
15 building, or other enclosed area equipped with locks or other
16 security devices that permit access only by authorized
17 individuals under this Act. "Enclosed, locked space" may
18 include:

19 (1) a space within a residential building that (i) is
20 the primary residence of the individual cultivating 5 or
21 fewer cannabis plants that are more than 5 inches tall and
22 (ii) includes sleeping quarters and indoor plumbing. The
23 space must only be accessible by a key or code that is
24 different from any key or code that can be used to access
25 the residential building from the exterior; or

26 (2) a structure, such as a shed or greenhouse, that

1 lies on the same plot of land as a residential building
2 that (i) includes sleeping quarters and indoor plumbing
3 and (ii) is used as a primary residence by the person
4 cultivating 5 or fewer cannabis plants that are more than
5 5 inches tall, such as a shed or greenhouse. The structure
6 must remain locked when it is unoccupied by people.

7 "Financial institution" has the same meaning as "financial
8 organization" as defined in Section 1501 of the Illinois
9 Income Tax Act, and also includes the holding companies,
10 subsidiaries, and affiliates of such financial organizations.

11 "Flowering stage" means the stage of cultivation where and
12 when a cannabis plant is cultivated to produce plant material
13 for cannabis products. This includes mature plants as follows:

14 (1) if greater than 2 stigmas are visible at each
15 internode of the plant; or

16 (2) if the cannabis plant is in an area that has been
17 intentionally deprived of light for a period of time
18 intended to produce flower buds and induce maturation,
19 from the moment the light deprivation began through the
20 remainder of the marijuana plant growth cycle.

21 "Individual" means a natural person.

22 "Infuser organization" or "infuser" means a facility
23 operated by an organization or business that is licensed by
24 the Department of Agriculture to directly incorporate cannabis
25 or cannabis concentrate into a product formulation to produce
26 a cannabis-infused product.

1 "Kief" means the resinous crystal-like trichomes that are
2 found on cannabis and that are accumulated, resulting in a
3 higher concentration of cannabinoids, untreated by heat or
4 pressure, or extracted using a solvent.

5 "Labor peace agreement" means an agreement between a
6 cannabis business establishment and any labor organization
7 recognized under the National Labor Relations Act, referred to
8 in this Act as a bona fide labor organization, that prohibits
9 labor organizations and members from engaging in picketing,
10 work stoppages, boycotts, and any other economic interference
11 with the cannabis business establishment. This agreement means
12 that the cannabis business establishment has agreed not to
13 disrupt efforts by the bona fide labor organization to
14 communicate with, and attempt to organize and represent, the
15 cannabis business establishment's employees. The agreement
16 shall provide a bona fide labor organization access at
17 reasonable times to areas in which the cannabis business
18 establishment's employees work, for the purpose of meeting
19 with employees to discuss their right to representation,
20 employment rights under State law, and terms and conditions of
21 employment. This type of agreement shall not mandate a
22 particular method of election or certification of the bona
23 fide labor organization.

24 "Limited access area" means a room or other area under the
25 control of a cannabis dispensing organization licensed under
26 this Act and upon the licensed premises where cannabis sales

1 occur with access limited to purchasers, dispensing
2 organization owners and other dispensing organization agents,
3 or service professionals conducting business with the
4 dispensing organization, or, if sales to registered qualifying
5 patients, caregivers, provisional patients, and Opioid
6 Alternative Pilot Program participants licensed pursuant to
7 the Compassionate Use of Medical Cannabis Program Act are also
8 permitted at the dispensary, registered qualifying patients,
9 caregivers, provisional patients, and Opioid Alternative Pilot
10 Program participants.

11 "Member of an impacted family" means an individual who has
12 a parent, legal guardian, child, spouse, or dependent, or was
13 a dependent of an individual who, prior to the effective date
14 of this Act, was arrested for, convicted of, or adjudicated
15 delinquent for any offense that is eligible for expungement
16 under this Act.

17 "Mother plant" means a cannabis plant that is cultivated
18 or maintained for the purpose of generating clones, and that
19 will not be used to produce plant material for sale to an
20 infuser or dispensing organization.

21 "Ordinary public view" means within the sight line with
22 normal visual range of a person, unassisted by visual aids,
23 from a public street or sidewalk adjacent to real property, or
24 from within an adjacent property.

25 "Ownership and control" means ownership of at least 51% of
26 the business, including corporate stock if a corporation, and

1 control over the management and day-to-day operations of the
2 business and an interest in the capital, assets, and profits
3 and losses of the business proportionate to percentage of
4 ownership.

5 "Person" means a natural individual, firm, partnership,
6 association, joint stock company, joint venture, public or
7 private corporation, limited liability company, or a receiver,
8 executor, trustee, guardian, or other representative appointed
9 by order of any court.

10 "Possession limit" means the amount of cannabis under
11 Section 10-10 that may be possessed at any one time by a person
12 21 years of age or older or who is a registered qualifying
13 medical cannabis patient or caregiver under the Compassionate
14 Use of Medical Cannabis Program Act.

15 "Principal officer" includes a cannabis business
16 establishment applicant or licensed cannabis business
17 establishment's board member, owner with more than 1% interest
18 of the total cannabis business establishment or more than 5%
19 interest of the total cannabis business establishment of a
20 publicly traded company, president, vice president, secretary,
21 treasurer, partner, officer, member, manager member, or person
22 with a profit sharing, financial interest, or revenue sharing
23 arrangement. The definition includes a person with authority
24 to control the cannabis business establishment, a person who
25 assumes responsibility for the debts of the cannabis business
26 establishment and who is further defined in this Act.

1 "Primary residence" means a dwelling where a person
2 usually stays or stays more often than other locations. It may
3 be determined by, without limitation, presence, tax filings;
4 address on an Illinois driver's license, an Illinois
5 Identification Card, or an Illinois Person with a Disability
6 Identification Card; or voter registration. No person may have
7 more than one primary residence.

8 "Provisional patient" means a qualifying patient who has
9 received a provisional registration from the Department of
10 Public Health.

11 "Processing organization" or "processor" means a facility
12 operated by an organization or business that is licensed by
13 the Department of Agriculture to either extract constituent
14 chemicals or compounds to produce cannabis concentrate or
15 incorporate cannabis or cannabis concentrate into a product
16 formulation to produce a cannabis product.

17 "Processing organization agent" means a principal officer,
18 board member, employee, or agent of a processing organization.

19 "Processing organization agent identification card" means
20 a document issued by the Department of Agriculture that
21 identifies a person as a processing organization agent.

22 "Purchaser" means a person 21 years of age or older who
23 acquires cannabis for a valuable consideration. "Purchaser"
24 does not include a cardholder under the Compassionate Use of
25 Medical Cannabis Program Act.

26 "Qualifying Applicant" means an applicant that submitted

1 an application pursuant to Section 15-30 that received at
2 least 85% of 250 application points available under Section
3 15-30 as the applicant's final score and meets the definition
4 of "Social Equity Applicant" as set forth under this Section.

5 "Qualifying patient" or "qualified patient" means a person
6 who has been diagnosed by a certifying health care
7 professional as having a debilitating medical condition.

8 "Qualifying Social Equity Justice Involved Applicant"
9 means an applicant that submitted an application pursuant to
10 Section 15-30 that received at least 85% of 250 application
11 points available under Section 15-30 as the applicant's final
12 score and meets the criteria of either paragraph (1) or (2) of
13 the definition of "Social Equity Applicant" as set forth under
14 this Section.

15 "Qualified Social Equity Applicant" means a Social Equity
16 Applicant who has been awarded a conditional license under
17 this Act to operate a cannabis business establishment.

18 "Resided" means an individual's primary residence was
19 located within the relevant geographic area as established by
20 2 of the following:

21 (1) a signed lease agreement that includes the
22 applicant's name;

23 (2) a property deed that includes the applicant's
24 name;

25 (3) school records;

26 (4) a voter registration card;

1 (5) an Illinois driver's license, an Illinois
2 Identification Card, or an Illinois Person with a
3 Disability Identification Card;

4 (6) a paycheck stub;

5 (7) a utility bill;

6 (8) tax records; or

7 (9) any other proof of residency or other information
8 necessary to establish residence as provided by rule.

9 "Smoking" means the inhalation of smoke caused by the
10 combustion of cannabis.

11 "Social Equity Applicant" means an applicant that is an
12 Illinois resident that meets one of the following criteria:

13 (1) an applicant with at least 51% ownership and
14 control by one or more individuals who have resided for at
15 least 5 of the preceding 10 years in a Disproportionately
16 Impacted Area;

17 (2) an applicant with at least 51% ownership and
18 control by one or more individuals who:

19 (i) have been arrested for, convicted of, or
20 adjudicated delinquent for any offense that is
21 eligible for expungement under this Act; or

22 (ii) is a member of an impacted family;

23 (3) for applicants with a minimum of 10 full-time
24 employees, an applicant with at least 51% of current
25 employees who:

26 (i) currently reside in a Disproportionately

1 Impacted Area; or

2 (ii) have been arrested for, convicted of, or
3 adjudicated delinquent for any offense that is
4 eligible for expungement under this Act or member of
5 an impacted family.

6 Nothing in this Act shall be construed to preempt or limit
7 the duties of any employer under the Job Opportunities for
8 Qualified Applicants Act. Nothing in this Act shall permit an
9 employer to require an employee to disclose sealed or expunged
10 offenses, unless otherwise required by law.

11 "Tied Applicant" means an application submitted by a
12 Dispensary Applicant pursuant to Section 15-30 that received
13 the same number of application points under Section 15-30 as
14 the Dispensary Applicant's final score as one or more
15 top-scoring applications in the same BLS Region and would have
16 been awarded a license but for the one or more other
17 top-scoring applications that received the same number of
18 application points. Each application for which a Dispensary
19 Applicant was required to pay a required application fee for
20 the application period ending January 2, 2020 shall be
21 considered an application of a separate Tied Applicant.

22 "Tied Applicant Lottery" means the process established
23 under 68 Ill. Adm. Code 1291.50 for awarding Conditional Adult
24 Use Dispensing Organization Licenses pursuant to Sections
25 15-25 and 15-30 among Eligible Tied Applicants.

26 "Tincture" means a cannabis-infused solution, typically

1 comprised of alcohol, glycerin, or vegetable oils, derived
2 either directly from the cannabis plant or from a processed
3 cannabis extract. A tincture is not an alcoholic liquor as
4 defined in the Liquor Control Act of 1934. A tincture shall
5 include a calibrated dropper or other similar device capable
6 of accurately measuring servings.

7 "Transporting organization" or "transporter" means an
8 organization or business that is licensed by the Department of
9 Agriculture to transport cannabis or cannabis-infused product
10 on behalf of a cannabis business establishment or a community
11 college licensed under the Community College Cannabis
12 Vocational Training Pilot Program.

13 "Transporting organization agent" means a principal
14 officer, board member, employee, or agent of a transporting
15 organization.

16 "Transporting organization agent identification card"
17 means a document issued by the Department of Agriculture that
18 identifies a person as a transporting organization agent.

19 "Unit of local government" means any county, city,
20 village, or incorporated town.

21 "Vegetative stage" means the stage of cultivation in which
22 a cannabis plant is propagated to produce additional cannabis
23 plants or reach a sufficient size for production. This
24 includes seedlings, clones, mothers, and other immature
25 cannabis plants as follows:

26 (1) if the cannabis plant is in an area that has not

1 been intentionally deprived of light for a period of time
2 intended to produce flower buds and induce maturation, it
3 has no more than 2 stigmas visible at each internode of the
4 cannabis plant; or

5 (2) any cannabis plant that is cultivated solely for
6 the purpose of propagating clones and is never used to
7 produce cannabis.

8 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
9 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
10 5-13-22.)

11 (410 ILCS 705/15-70)

12 Sec. 15-70. Operational requirements; prohibitions.

13 (a) A dispensing organization shall operate in accordance
14 with the representations made in its application and license
15 materials. It shall be in compliance with this Act and rules.

16 (b) A dispensing organization must include the legal name
17 of the dispensary on the packaging of any cannabis product it
18 sells.

19 (c) All cannabis, cannabis-infused products, and cannabis
20 seeds must be obtained from an Illinois registered adult use
21 cultivation center, craft grower, infuser, or another
22 dispensary.

23 (d) Dispensing organizations are prohibited from selling
24 any product containing alcohol except tinctures, which must be
25 limited to containers that are no larger than 100 milliliters.

1 (e) A dispensing organization shall inspect and count
2 product received from a transporting organization, adult use
3 cultivation center, craft grower, infuser organization, or
4 other dispensing organization before dispensing it.

5 (f) A dispensing organization may only accept cannabis
6 deliveries into a restricted access area. Deliveries may not
7 be accepted through the public or limited access areas unless
8 otherwise approved by the Department.

9 (g) A dispensing organization shall maintain compliance
10 with State and local building, fire, and zoning requirements
11 or regulations.

12 (h) A dispensing organization shall submit a list to the
13 Department of the names of all service professionals that will
14 work at the dispensary. The list shall include a description
15 of the type of business or service provided. Changes to the
16 service professional list shall be promptly provided. No
17 service professional shall work in the dispensary until the
18 name is provided to the Department on the service professional
19 list.

20 (i) A dispensing organization's license allows for a
21 dispensary to be operated only at a single location.

22 (j) A dispensary may operate between 6 a.m. and 10 p.m.
23 local time.

24 (k) A dispensing organization must keep all lighting
25 outside and inside the dispensary in good working order and
26 wattage sufficient for security cameras.

1 (1) A dispensing organization must keep all air treatment
2 systems that will be installed to reduce odors in good working
3 order.

4 (m) A dispensing organization must contract with a private
5 security contractor that is licensed under Section 10-5 of the
6 Private Detective, Private Alarm, Private Security,
7 Fingerprint Vendor, and Locksmith Act of 2004 to provide
8 on-site security at all hours of the dispensary's operation.

9 (n) A dispensing organization shall ensure that any
10 building or equipment used by a dispensing organization for
11 the storage or sale of cannabis is maintained in a clean and
12 sanitary condition.

13 (o) The dispensary shall be free from infestation by
14 insects, rodents, or pests.

15 (p) A dispensing organization shall not:

16 (1) Produce or manufacture cannabis;

17 (2) Accept a cannabis product from a ~~an adult use~~
18 cultivation center, craft grower, infuser, dispensing
19 organization, or transporting organization unless it is
20 pre-packaged and labeled in accordance with this Act and
21 any rules that may be adopted pursuant to this Act;

22 (3) Obtain cannabis or cannabis-infused products from
23 outside the State of Illinois;

24 (4) Sell cannabis or cannabis-infused products to a
25 purchaser unless the purchaser has been verified to be 21
26 years of age or older or the purchaser is verified to be a

1 registered qualified patient, provisional patient, or
2 designated caregiver ~~dispensing organization is licensed~~
3 ~~under the Compassionate Use of Medical Cannabis Program~~
4 ~~Act, and the individual is registered under the~~
5 ~~Compassionate Use of Medical Cannabis Program or the~~
6 ~~purchaser has been verified to be 21 years of age or older;~~

7 (5) Enter into an exclusive agreement with any adult
8 use cultivation center, craft grower, or infuser.
9 Dispensaries shall provide consumers an assortment of
10 products from various cannabis business establishment
11 licensees such that the inventory available for sale at
12 any dispensary from any single cultivation center, craft
13 grower, processor, transporter, or infuser entity shall
14 not be more than 40% of the total inventory available for
15 sale. For the purpose of this subsection, a cultivation
16 center, craft grower, processor, or infuser shall be
17 considered part of the same entity if the licensees share
18 at least one principal officer. The Department may request
19 that a dispensary diversify its products as needed or
20 otherwise discipline a dispensing organization for
21 violating this requirement;

22 (6) Refuse to conduct business with an adult use
23 cultivation center, craft grower, transporting
24 organization, or infuser that has the ability to properly
25 deliver the product and is permitted by the Department of
26 Agriculture, on the same terms as other adult use

1 cultivation centers, craft growers, infusers, or
2 transporters with whom it is dealing;

3 (7) (Blank); ~~Operate drive-through windows;~~

4 (8) Allow for the dispensing of cannabis or
5 cannabis-infused products in vending machines;

6 (9) Transport cannabis to residences ~~or other~~
7 ~~locations where purchasers may be~~ for delivery except as
8 provided in Section 15-88;

9 (10) Enter into agreements to allow persons who are
10 not dispensing organization agents to deliver cannabis or
11 to transport cannabis to purchasers;

12 (11) Operate a dispensary if its video surveillance
13 equipment is inoperative;

14 (12) Operate a dispensary if the point-of-sale
15 equipment is inoperative;

16 (13) Operate a dispensary if the State's cannabis
17 electronic verification system is inoperative;

18 (14) Have fewer than 2 people working at the
19 dispensary at any time while the dispensary is open;

20 (15) Be located within 1,500 feet of the property line
21 of a pre-existing dispensing organization, unless the
22 applicant is a Social Equity Applicant or Social Equity
23 Justice Involved Applicant located or seeking to locate
24 within 1,500 feet of a dispensing organization licensed
25 under Section 15-15 or Section 15-20;

26 (16) Sell clones or any other live plant material;

1 (17) Sell cannabis, cannabis concentrate, or
2 cannabis-infused products in combination or bundled with
3 each other or any other items for one price, and each item
4 of cannabis, concentrate, or cannabis-infused product must
5 be separately identified by quantity and price on the
6 receipt;

7 (18) Violate any other requirements or prohibitions
8 set by Department rules.

9 (q) It is unlawful for any person having a license under
10 this Act ~~an Early Approval Adult Use Cannabis Dispensing~~
11 ~~Organization License, a Conditional Adult Use Cannabis~~
12 ~~Dispensing Organization, an Adult Use Dispensing Organization~~
13 ~~License, or a medical cannabis dispensing organization license~~
14 ~~issued under the Compassionate Use of Medical Cannabis Program~~
15 ~~Act~~ or any officer, associate, member, representative, or
16 agent of such licensee to accept, receive, or borrow money or
17 anything else of value or accept or receive credit (other than
18 merchandising credit in the ordinary course of business for a
19 period not to exceed 30 days) directly or indirectly from any
20 adult use cultivation center, craft grower, infuser, or
21 transporting organization in exchange for preferential
22 placement on the dispensing organization's shelves, display
23 cases, or website. This includes anything received or borrowed
24 or from any stockholders, officers, agents, or persons
25 connected with an adult use cultivation center, craft grower,
26 infuser, or transporting organization.

1 (r) It is unlawful for any person having a license issued
2 under this Act ~~an Early Approval Adult Use Cannabis Dispensing~~
3 ~~Organization License, a Conditional Adult Use Cannabis~~
4 ~~Dispensing Organization, an Adult Use Dispensing Organization~~
5 ~~License, or a medical cannabis dispensing organization license~~
6 ~~issued under the Compassionate Use of Medical Cannabis Program~~
7 to enter into any contract with any person licensed to
8 cultivate, process, or transport cannabis whereby such
9 dispensing organization agrees not to sell any cannabis
10 cultivated, processed, transported, manufactured, or
11 distributed by any other cultivator, transporter, or infuser,
12 and any provision in any contract violative of this Section
13 shall render the whole of such contract void and no action
14 shall be brought thereon in any court.

15 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
16 102-98, eff. 7-15-21; revised 7-23-24.)

17 (410 ILCS 705/15-75)

18 Sec. 15-75. Inventory control system.

19 (a) A dispensing organization agent-in-charge shall have
20 primary oversight of the dispensing organization's cannabis
21 inventory verification system, and its point-of-sale system.
22 The inventory point-of-sale system shall be real-time,
23 web-based, and accessible by the Department at any time. The
24 point-of-sale system shall track, at a minimum the date of
25 sale, amount, price, and currency.

1 (b) A dispensing organization shall establish an account
2 with the State's verification system that documents:

3 (1) Each sales transaction at the time of sale and
4 each day's beginning inventory, acquisitions, sales,
5 disposal, and ending inventory.

6 (2) Acquisition of cannabis and cannabis-infused
7 products from a licensed adult use cultivation center,
8 craft grower, infuser, or transporter, including:

9 (i) A description of the products, including the
10 quantity, strain, variety, and batch number of each
11 product received;

12 (ii) The name and registry identification number
13 of the licensed adult use cultivation center, craft
14 grower, or infuser providing the cannabis and
15 cannabis-infused products;

16 (iii) The name and registry identification number
17 of the licensed adult use cultivation center, craft
18 grower, infuser, or transporting agent delivering the
19 cannabis;

20 (iv) The name and registry identification number
21 of the dispensing organization agent receiving the
22 cannabis; and

23 (v) The date of acquisition.

24 (3) The disposal of cannabis, including:

25 (i) A description of the products, including the
26 quantity, strain, variety, batch number, and reason

1 for the cannabis being disposed;

2 (ii) The method of disposal; and

3 (iii) The date and time of disposal.

4 (c) Upon cannabis delivery, a dispensing organization
5 shall confirm the product's name, strain name, weight, and
6 identification number on the manifest matches the information
7 on the cannabis product label and package. The product name
8 listed and the weight listed in the State's verification
9 system shall match the product packaging.

10 (d) The agent-in-charge shall conduct daily inventory
11 reconciliation documenting and balancing cannabis inventory by
12 confirming the State's verification system matches the
13 dispensing organization's point-of-sale system and the amount
14 of physical product at the dispensary.

15 (1) A dispensing organization must receive Department
16 approval before completing an inventory adjustment. It
17 shall provide a detailed reason for the adjustment.
18 Inventory adjustment documentation shall be kept at the
19 dispensary for 2 years from the date performed.

20 (2) If the dispensing organization identifies an
21 imbalance in the amount of cannabis after the daily
22 inventory reconciliation due to mistake, the dispensing
23 organization shall determine how the imbalance occurred
24 and immediately upon discovery take and document
25 corrective action. If the dispensing organization cannot
26 identify the reason for the mistake within 2 calendar days

1 after first discovery, it shall inform the Department
2 immediately in writing of the imbalance and the corrective
3 action taken to date. The dispensing organization shall
4 work diligently to determine the reason for the mistake.

5 (3) If the dispensing organization identifies an
6 imbalance in the amount of cannabis after the daily
7 inventory reconciliation or through other means due to
8 theft, criminal activity, or suspected criminal activity,
9 the dispensing organization shall immediately determine
10 how the reduction occurred and take and document
11 corrective action. Within 24 hours after the first
12 discovery of the reduction due to theft, criminal
13 activity, or suspected criminal activity, the dispensing
14 organization shall inform the Department and the Illinois
15 State Police in writing.

16 (4) The dispensing organization shall file an annual
17 compilation report with the Department, including a
18 financial statement that shall include, but not be limited
19 to, an income statement, balance sheet, profit and loss
20 statement, statement of cash flow, wholesale cost and
21 sales, and any other documentation requested by the
22 Department in writing. The financial statement shall
23 include any other information the Department deems
24 necessary in order to effectively administer this Act and
25 all rules, orders, and final decisions promulgated under
26 this Act. Statements required by this Section shall be

1 filed with the Department within 60 days after the end of
2 the calendar year. The compilation report shall include a
3 letter authored by a licensed certified public accountant
4 that it has been reviewed and is accurate based on the
5 information provided. The dispensing organization,
6 financial statement, and accompanying documents are not
7 required to be audited unless specifically requested by
8 the Department.

9 (e) A dispensing organization shall:

10 (1) Maintain the documentation required in this
11 Section in a secure locked location at the dispensing
12 organization for 5 years from the date on the document;

13 (2) Provide any documentation required to be
14 maintained in this Section to the Department for review
15 upon request; and

16 (3) If maintaining a bank account, retain for a period
17 of 5 years a record of each deposit or withdrawal from the
18 account.

19 (f) If a dispensing organization chooses to have a return
20 policy for cannabis and cannabis products, the dispensing
21 organization shall seek prior approval from the Department.

22 (g) All dispensing organizations shall maintain internal,
23 confidential records of all deliveries to any registered
24 qualified patient, provisional patient, or designated
25 caregiver. Each entry must include the amount dispensed and
26 the date and time the cannabis was delivered. Additional

1 recordkeeping requirements may be set by rule.

2 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
3 102-538, eff. 8-20-21.)

4 (410 ILCS 705/15-85)

5 Sec. 15-85. Dispensing cannabis.

6 (a) Before a dispensing organization agent dispenses
7 cannabis to a purchaser, the agent shall:

8 (1) Verify the age of the purchaser by checking a
9 government-issued identification card by use of an
10 electronic reader or electronic scanning device to scan a
11 purchaser's government-issued identification, if
12 applicable, to determine the purchaser's age and the
13 validity of the identification;

14 (1.5) Verify the qualifying patient, provisional
15 patient, or designated caregiver registration card, if
16 applicable;

17 (2) Verify the validity of the government-issued
18 identification card by use of an electronic reader or
19 electronic scanning device to scan a purchaser's
20 government-issued identification, if applicable, to
21 determine the purchaser's age and the validity of the
22 identification;

23 (3) Offer any appropriate purchaser education or
24 support materials;

25 (4) Enter the following information into the State's

1 cannabis electronic verification system:

2 (i) The dispensing organization agent's
3 identification number, or if the agent's card
4 application is pending the Department's approval, a
5 temporary and unique identifier until the agent's card
6 application is approved or denied by the Department;

7 (ii) The dispensing organization's identification
8 number;

9 (iii) The amount, type (including strain, if
10 applicable) of cannabis or cannabis-infused product
11 dispensed;

12 (iv) The date and time the cannabis was dispensed.

13 (b) A dispensing organization shall refuse to sell
14 cannabis or cannabis-infused products to any person unless the
15 person produces a valid identification showing that the person
16 is 21 years of age or older. A medical cannabis dispensing
17 organization may sell cannabis or cannabis-infused products to
18 a person who is under 21 years of age if the sale complies with
19 the provisions of the Compassionate Use of Medical Cannabis
20 Program Act and rules.

21 (c) For the purposes of this Section, valid identification
22 must:

23 (1) Be valid and unexpired;

24 (2) Contain a photograph and the date of birth of the
25 person.

26 (d) Notwithstanding any other provision of law, a

1 dispensing organization may offer pickup or drive-through for
2 cannabis or cannabis-infused products to purchasers over 21
3 years of age, qualifying patients, provisional patients, and
4 designated caregivers in accordance with Section 15-100 of
5 this Act.

6 (e) Notwithstanding any other provision of law, a
7 dispensing organization may offer delivery for cannabis or
8 cannabis-infused products to qualifying patients, provisional
9 patients, and designated caregivers, in accordance with
10 Sections 15-100 and 15-88 of this Act.

11 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
12 102-98, eff. 7-15-21.)

13 (410 ILCS 705/15-88 new)

14 Sec. 15-88. Delivery for medical patients and caregivers.

15 (a) Notwithstanding any other law to the contrary,
16 dispensing organizations may deliver cannabis and
17 cannabis-infused products to the residence of a qualifying
18 patient, provisional patient, or designated caregiver in
19 accordance with this Section.

20 (b) A dispensing organization may deliver cannabis and
21 cannabis-infused products to the residence of any qualifying
22 patient, provisional patient, or designated caregiver
23 provided:

24 (1) the order must be placed with the dispensing
25 organization in advance and is not ordered in-person or

1 on-site;

2 (2) the dispensing organization must comply with
3 Section 15-85 of this Act, as well as confirm the
4 qualifying patient, provisional patient, or designated
5 caregiver is registered under the Compassionate Use of
6 Medical Cannabis Program Act;

7 (3) the order must be transported in an enclosed,
8 locked storage compartment that is secured in a locked
9 trunk or affixed to the vehicle making the delivery;

10 (4) the order must be delivered to the patient or
11 caregiver's residence by a dispensing organization agent
12 using a vehicle identified in the delivery plan submitted
13 to the Department; and

14 (5) at the time of delivery, the dispensing
15 organization agent must verify the person accepting the
16 delivery is the qualifying patient, provisional patient,
17 or caregiver by checking a government-issued
18 identification card.

19 (c) The dispensing organization must maintain a manifest
20 with details of every delivery, including the amount of
21 cannabis or cannabis-infused product delivered to the patient
22 or caregiver, the name and address of the patient or
23 caregiver, the date and time of the delivery, the name of the
24 agent making a delivery, and the vehicle used for the
25 delivery. A vehicle designated to deliver cannabis to patients
26 and caregivers may make multiple residential stops. The

1 Department may require additional information by rule.

2 (d) Before providing delivery for qualifying patients,
3 provisional patients, or designated caregivers, a dispensing
4 organization must submit a delivery plan to the Department.
5 The delivery plan shall include: (i) a description of the
6 process and controls that will be implemented for accepting
7 orders, processing orders, and delivering orders, including
8 implementation of recordkeeping of deliveries and protocols
9 that will be used to avoid diversion, theft, or loss during
10 transportation of orders; and (ii) the make, model, year, and
11 license plate of any vehicle that may be used when
12 transporting orders.

13 (410 ILCS 705/15-100)

14 Sec. 15-100. Security.

15 (a) A dispensing organization shall implement security
16 measures to deter and prevent entry into and theft of cannabis
17 or currency.

18 (b) A dispensing organization shall submit any changes to
19 the floor plan or security plan to the Department for
20 pre-approval. All cannabis shall be maintained and stored in a
21 restricted access area during construction.

22 (c) The dispensing organization shall implement security
23 measures to protect the premises, purchasers, and dispensing
24 organization agents including, but not limited to the
25 following:

1 (1) Establish a locked door or barrier between the
2 facility's entrance and the limited access area;

3 (2) Prevent individuals from remaining on the premises
4 if they are not engaging in activity permitted by this Act
5 or rules;

6 (3) Develop a policy that addresses the maximum
7 capacity and purchaser flow in the waiting rooms and
8 limited access areas;

9 (4) Dispose of cannabis in accordance with this Act
10 and rules;

11 (5) During hours of operation, store and dispense all
12 cannabis from the restricted access area. During
13 operational hours, cannabis shall be stored in an enclosed
14 locked room or cabinet and accessible only to specifically
15 authorized dispensing organization agents;

16 (5.5) During hours of operation, dispense all cannabis
17 or cannabis-infused products: (i) in the restricted access
18 area; (ii) from a drive-through window in accordance with
19 this Act; (iii) from a pickup area contiguous to the real
20 property of the dispensary in accordance with this Act; or
21 (iv) via delivery to a registered qualified patient,
22 provisional patient, or caregiver in accordance with this
23 Act;

24 (6) When the dispensary is closed, store all cannabis
25 and currency in a reinforced vault room in the restricted
26 access area and in a manner as to prevent diversion,

1 theft, or loss;

2 (7) Keep the reinforced vault room and any other
3 equipment or cannabis storage areas securely locked and
4 protected from unauthorized entry;

5 (8) Keep an electronic daily log of dispensing
6 organization agents with access to the reinforced vault
7 room and knowledge of the access code or combination;

8 (9) Keep all locks and security equipment in good
9 working order;

10 (10) Maintain an operational security and alarm system
11 at all times;

12 (11) Prohibit keys, if applicable, from being left in
13 the locks, or stored or placed in a location accessible to
14 persons other than specifically authorized personnel;

15 (12) Prohibit accessibility of security measures,
16 including combination numbers, passwords, or electronic or
17 biometric security systems to persons other than
18 specifically authorized dispensing organization agents;

19 (13) Ensure that the dispensary interior and exterior
20 premises are sufficiently lit to facilitate surveillance;

21 (14) Ensure that trees, bushes, and other foliage
22 outside of the dispensary premises do not allow for a
23 person or persons to conceal themselves from sight;

24 (15) Develop emergency policies and procedures for
25 securing all product and currency following any instance
26 of diversion, theft, or loss of cannabis, and conduct an

1 assessment to determine whether additional safeguards are
2 necessary; and

3 (16) Develop sufficient additional safeguards in
4 response to any special security concerns, or as required
5 by the Department; ~~and~~.

6 (17) Maintain a security and safe storage plan for
7 qualifying patient information.

8 (d) The Department may request or approve alternative
9 security provisions that it determines are an adequate
10 substitute for a security requirement specified in this
11 Article. Any additional protections may be considered by the
12 Department in evaluating overall security measures.

13 (e) A dispensing organization may share premises with a
14 craft grower or an infuser organization, or both, provided
15 each licensee stores currency and cannabis or cannabis-infused
16 products in a separate secured vault to which the other
17 licensee does not have access or all licensees sharing a vault
18 share more than 50% of the same ownership.

19 (f) A dispensing organization shall provide additional
20 security as needed and in a manner appropriate for the
21 community where it operates.

22 (g) Restricted access areas.

23 (1) All restricted access areas must be identified by
24 the posting of a sign that is a minimum of 12 inches by 12
25 inches and that states "Do Not Enter - Restricted Access
26 Area - Authorized Personnel Only" in lettering no smaller

1 than one inch in height.

2 (2) All restricted access areas shall be clearly
3 described in the floor plan of the premises, in the form
4 and manner determined by the Department, reflecting walls,
5 partitions, counters, and all areas of entry and exit. The
6 floor plan shall show all storage, disposal, and retail
7 sales areas.

8 (3) All restricted access areas must be secure, with
9 locking devices that prevent access from the limited
10 access areas.

11 (h) Security and alarm.

12 (1) A dispensing organization shall have an adequate
13 security plan and security system to prevent and detect
14 diversion, theft, or loss of cannabis, currency, or
15 unauthorized intrusion using commercial grade equipment
16 installed by an Illinois licensed private alarm contractor
17 or private alarm contractor agency that shall, at a
18 minimum, include:

19 (i) A perimeter alarm on all entry points and
20 glass break protection on perimeter windows;

21 (ii) Security shatterproof tinted film on exterior
22 windows;

23 (iii) A failure notification system that provides
24 an audible, text, or visual notification of any
25 failure in the surveillance system, including, but not
26 limited to, panic buttons, alarms, and video

1 monitoring system. The failure notification system
2 shall provide an alert to designated dispensing
3 organization agents within 5 minutes after the
4 failure, either by telephone or text message;

5 (iv) A duress alarm, panic button, and alarm, or
6 holdup alarm and after-hours intrusion detection alarm
7 that by design and purpose will directly or indirectly
8 notify, by the most efficient means, the Public Safety
9 Answering Point for the law enforcement agency having
10 primary jurisdiction;

11 (v) Security equipment to deter and prevent
12 unauthorized entrance into the dispensary, including
13 electronic door locks on the limited and restricted
14 access areas that include devices or a series of
15 devices to detect unauthorized intrusion that may
16 include a signal system interconnected with a radio
17 frequency method, cellular, private radio signals or
18 other mechanical or electronic device.

19 (2) All security system equipment and recordings shall
20 be maintained in good working order, in a secure location
21 so as to prevent theft, loss, destruction, or alterations.

22 (3) Access to surveillance monitoring recording
23 equipment shall be limited to persons who are essential to
24 surveillance operations, law enforcement authorities
25 acting within their jurisdiction, security system service
26 personnel, and the Department. A current list of

1 authorized dispensing organization agents and service
2 personnel that have access to the surveillance equipment
3 must be available to the Department upon request.

4 (4) All security equipment shall be inspected and
5 tested at regular intervals, not to exceed one month from
6 the previous inspection, and tested to ensure the systems
7 remain functional.

8 (5) The security system shall provide protection
9 against theft and diversion that is facilitated or hidden
10 by tampering with computers or electronic records.

11 (6) The dispensary shall ensure all access doors are
12 not solely controlled by an electronic access panel to
13 ensure that locks are not released during a power outage.

14 (i) To monitor the dispensary, the dispensing organization
15 shall incorporate continuous electronic video monitoring
16 including the following:

17 (1) All monitors must be 19 inches or greater;

18 (2) Unobstructed video surveillance of all enclosed
19 dispensary areas, unless prohibited by law, including all
20 points of entry and exit that shall be appropriate for the
21 normal lighting conditions of the area under surveillance.
22 The cameras shall be directed so all areas are captured,
23 including, but not limited to, safes, vaults, sales areas,
24 and areas where cannabis is stored, handled, dispensed, or
25 destroyed. Cameras shall be angled to allow for facial
26 recognition, the capture of clear and certain

1 identification of any person entering or exiting the
2 dispensary area and in lighting sufficient during all
3 times of night or day;

4 (3) Unobstructed video surveillance of outside areas,
5 the storefront, and the parking lot, that shall be
6 appropriate for the normal lighting conditions of the area
7 under surveillance. Cameras shall be angled so as to allow
8 for the capture of facial recognition, clear and certain
9 identification of any person entering or exiting the
10 dispensary and the immediate surrounding area, and license
11 plates of vehicles in the parking lot;

12 (4) 24-hour recordings from all video cameras
13 available for immediate viewing by the Department upon
14 request. Recordings shall not be destroyed or altered and
15 shall be retained for at least 90 days. Recordings shall
16 be retained as long as necessary if the dispensing
17 organization is aware of the loss or theft of cannabis or a
18 pending criminal, civil, or administrative investigation
19 or legal proceeding for which the recording may contain
20 relevant information;

21 (5) The ability to immediately produce a clear, color
22 still photo from the surveillance video, either live or
23 recorded;

24 (6) A date and time stamp embedded on all video
25 surveillance recordings. The date and time shall be
26 synchronized and set correctly and shall not significantly

1 obscure the picture;

2 (7) The ability to remain operational during a power
3 outage and ensure all access doors are not solely
4 controlled by an electronic access panel to ensure that
5 locks are not released during a power outage;

6 (8) All video surveillance equipment shall allow for
7 the exporting of still images in an industry standard
8 image format, including .jpg, .bmp, and .gif. Exported
9 video shall have the ability to be archived in a
10 proprietary format that ensures authentication of the
11 video and guarantees that no alteration of the recorded
12 image has taken place. Exported video shall also have the
13 ability to be saved in an industry standard file format
14 that can be played on a standard computer operating
15 system. All recordings shall be erased or destroyed before
16 disposal;

17 (9) The video surveillance system shall be operational
18 during a power outage with a 4-hour minimum battery
19 backup;

20 (10) A video camera or cameras recording at each
21 point-of-sale location allowing for the identification of
22 the dispensing organization agent distributing the
23 cannabis and any purchaser. The camera or cameras shall
24 capture the sale, the individuals and the computer
25 monitors used for the sale;

26 (11) A failure notification system that provides an

1 audible and visual notification of any failure in the
2 electronic video monitoring system; and

3 (12) All electronic video surveillance monitoring must
4 record at least the equivalent of 8 frames per second and
5 be available as recordings to the Department and the
6 Illinois State Police 24 hours a day via a secure
7 web-based portal with reverse functionality.

8 (j) The requirements contained in this Act are minimum
9 requirements for operating a dispensing organization. The
10 Department may establish additional requirements by rule.

11 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
12 102-538, eff. 8-20-21.)

1 INDEX

2 Statutes amended in order of appearance

3 410 ILCS 130/7

4 410 ILCS 705/1-10

5 410 ILCS 705/15-70

6 410 ILCS 705/15-75

7 410 ILCS 705/15-85

8 410 ILCS 705/15-88 new

9 410 ILCS 705/15-100