



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1966

Introduced 2/6/2025, by Sen. Cristina Castro

#### 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 07798 BDA 17844 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, CO<sub>2</sub>, 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