



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2654

Introduced 4/29/2025, by Sen. Kimberly A. Lightford

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Department of Professional Regulation Law of the Civil Administrative Code of Illinois. Makes changes to provisions regarding disclosures. Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Changes the definition of "prescription and nonprescription medicines and drugs" and "adult use cannabis", beginning on January 1, 2026. Amends the Compassionate Use of Medical Cannabis Program Act. Adds provisional patients and Opioid Alternative Patient Program participants to certain provisions that include qualified patients. Adds and changes definitions. Adds references to the Cannabis Regulation and Tax Act. Provides that, beginning January 1, 2026, designated caregivers, qualifying patients, Opioid Alternative Patient Program participants, or provisional patients may purchase an adequate medical supply at any dispensing organization licensed by the Department of Financial and Professional Regulation under the Cannabis Regulation and Tax Act. Provides that, beginning January 1, 2026, the issuance or renewal of any medical cannabis cultivation permits will cease at the next renewal period. Makes conforming changes for transitions from the Compassionate Use of Medical Cannabis Program Act to the Cannabis Regulation and Tax Act. Sunsets or repeals certain provisions on certain dates. Makes other changes. Amends the Compassionate Use of Medical Cannabis Program Act. Adds and changes definitions. Makes changes to provisions concerning the Department of Agriculture and the Department of Financial and Professional Regulation. In provisions regarding the Cannabis Business Development Fund, adds references to Social Equity Criteria Lottery Licensees. Makes changes to provisions concerning loans and grants to Social Equity Applicants. Provides for certain license mergers. Makes other changes. Amends the Illinois Vehicle Code to make conforming changes. Amends the Tobacco Accessories and Smoking Herbs Control Act to repeal certain references to marijuana and hashish. Effective immediately.

LRB104 13084 BDA 25085 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 Department of Professional Regulation Law  
5 of the Civil Administrative Code of Illinois is amended by  
6 changing Section 2105-117 as follows:

7 (20 ILCS 2105/2105-117)

8 Sec. 2105-117. Confidentiality. All information collected  
9 by the Department in the course of an examination or  
10 investigation of a licensee, registrant, or applicant,  
11 including, but not limited to, any complaint against a  
12 licensee or registrant filed with the Department and  
13 information collected to investigate any such complaint, shall  
14 be maintained for the confidential use of the Department and  
15 shall not be disclosed. The Department may not disclose the  
16 information to anyone other than law enforcement officials,  
17 other regulatory agencies that have an appropriate regulatory  
18 interest as determined by the Director, the Office of  
19 Executive Inspector General, or a party presenting a lawful  
20 subpoena to the Department. Information and documents  
21 disclosed to a federal, State, county, or local law  
22 enforcement agency, including the Executive Inspector General,  
23 shall not be disclosed by the agency for any purpose to any

1 other agency or person, except as necessary to those involved  
2 in enforcing the State Officials and Employees Ethics Act. A  
3 formal complaint filed against a licensee or registrant by the  
4 Department or any order issued by the Department against a  
5 licensee, registrant, or applicant shall be a public record,  
6 except as otherwise prohibited by law.

7 (Source: P.A. 99-227, eff. 8-3-15.)

8 Section 10. The Use Tax Act is amended by changing Section  
9 3-10 as follows:

10 (35 ILCS 105/3-10) from Ch. 120, par. 439.33-10

11 Sec. 3-10. Rate of tax. Unless otherwise provided in this  
12 Section, the tax imposed by this Act is at the rate of 6.25% of  
13 either the selling price or the fair market value, if any, of  
14 the tangible personal property, which, on and after January 1,  
15 2025, includes leases of tangible personal property. In all  
16 cases where property functionally used or consumed is the same  
17 as the property that was purchased at retail, then the tax is  
18 imposed on the selling price of the property. In all cases  
19 where property functionally used or consumed is a by-product  
20 or waste product that has been refined, manufactured, or  
21 produced from property purchased at retail, then the tax is  
22 imposed on the lower of the fair market value, if any, of the  
23 specific property so used in this State or on the selling price  
24 of the property purchased at retail. For purposes of this

1 Section "fair market value" means the price at which property  
2 would change hands between a willing buyer and a willing  
3 seller, neither being under any compulsion to buy or sell and  
4 both having reasonable knowledge of the relevant facts. The  
5 fair market value shall be established by Illinois sales by  
6 the taxpayer of the same property as that functionally used or  
7 consumed, or if there are no such sales by the taxpayer, then  
8 comparable sales or purchases of property of like kind and  
9 character in Illinois.

10 Beginning on July 1, 2000 and through December 31, 2000,  
11 with respect to motor fuel, as defined in Section 1.1 of the  
12 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of  
13 the Use Tax Act, the tax is imposed at the rate of 1.25%.

14 Beginning on August 6, 2010 through August 15, 2010, and  
15 beginning again on August 5, 2022 through August 14, 2022,  
16 with respect to sales tax holiday items as defined in Section  
17 3-6 of this Act, the tax is imposed at the rate of 1.25%.

18 With respect to gasohol, the tax imposed by this Act  
19 applies to (i) 70% of the proceeds of sales made on or after  
20 January 1, 1990, and before July 1, 2003, (ii) 80% of the  
21 proceeds of sales made on or after July 1, 2003 and on or  
22 before July 1, 2017, (iii) 100% of the proceeds of sales made  
23 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of  
24 the proceeds of sales made on or after January 1, 2024 and on  
25 or before December 31, 2028, and (v) 100% of the proceeds of  
26 sales made after December 31, 2028. If, at any time, however,

1 the tax under this Act on sales of gasohol is imposed at the  
2 rate of 1.25%, then the tax imposed by this Act applies to 100%  
3 of the proceeds of sales of gasohol made during that time.

4 With respect to mid-range ethanol blends, the tax imposed  
5 by this Act applies to (i) 80% of the proceeds of sales made on  
6 or after January 1, 2024 and on or before December 31, 2028 and  
7 (ii) 100% of the proceeds of sales made thereafter. If, at any  
8 time, however, the tax under this Act on sales of mid-range  
9 ethanol blends is imposed at the rate of 1.25%, then the tax  
10 imposed by this Act applies to 100% of the proceeds of sales of  
11 mid-range ethanol blends made during that time.

12 With respect to majority blended ethanol fuel, the tax  
13 imposed by this Act does not apply to the proceeds of sales  
14 made on or after July 1, 2003 and on or before December 31,  
15 2028 but applies to 100% of the proceeds of sales made  
16 thereafter.

17 With respect to biodiesel blends with no less than 1% and  
18 no more than 10% biodiesel, the tax imposed by this Act applies  
19 to (i) 80% of the proceeds of sales made on or after July 1,  
20 2003 and on or before December 31, 2018 and (ii) 100% of the  
21 proceeds of sales made after December 31, 2018 and before  
22 January 1, 2024. On and after January 1, 2024 and on or before  
23 December 31, 2030, the taxation of biodiesel, renewable  
24 diesel, and biodiesel blends shall be as provided in Section  
25 3-5.1. If, at any time, however, the tax under this Act on  
26 sales of biodiesel blends with no less than 1% and no more than

1 10% biodiesel is imposed at the rate of 1.25%, then the tax  
2 imposed by this Act applies to 100% of the proceeds of sales of  
3 biodiesel blends with no less than 1% and no more than 10%  
4 biodiesel made during that time.

5 With respect to biodiesel and biodiesel blends with more  
6 than 10% but no more than 99% biodiesel, the tax imposed by  
7 this Act does not apply to the proceeds of sales made on or  
8 after July 1, 2003 and on or before December 31, 2023. On and  
9 after January 1, 2024 and on or before December 31, 2030, the  
10 taxation of biodiesel, renewable diesel, and biodiesel blends  
11 shall be as provided in Section 3-5.1.

12 Until July 1, 2022 and from July 1, 2023 through December  
13 31, 2025, with respect to food for human consumption that is to  
14 be consumed off the premises where it is sold (other than  
15 alcoholic beverages, food consisting of or infused with adult  
16 use cannabis, soft drinks, and food that has been prepared for  
17 immediate consumption), the tax is imposed at the rate of 1%.  
18 Beginning on July 1, 2022 and until July 1, 2023, with respect  
19 to food for human consumption that is to be consumed off the  
20 premises where it is sold (other than alcoholic beverages,  
21 food consisting of or infused with adult use cannabis, soft  
22 drinks, and food that has been prepared for immediate  
23 consumption), the tax is imposed at the rate of 0%. On and  
24 after January 1, 2026, food for human consumption that is to be  
25 consumed off the premises where it is sold (other than  
26 alcoholic beverages, food consisting of or infused with adult

1 use cannabis, soft drinks, candy, and food that has been  
2 prepared for immediate consumption) is exempt from the tax  
3 imposed by this Act.

4 With respect to prescription and nonprescription  
5 medicines, drugs, medical appliances, products classified as  
6 Class III medical devices by the United States Food and Drug  
7 Administration that are used for cancer treatment pursuant to  
8 a prescription, as well as any accessories and components  
9 related to those devices, modifications to a motor vehicle for  
10 the purpose of rendering it usable by a person with a  
11 disability, and insulin, blood sugar testing materials,  
12 syringes, and needles used by human diabetics, the tax is  
13 imposed at the rate of 1%. For the purposes of this Section,  
14 until September 1, 2009: the term "soft drinks" means any  
15 complete, finished, ready-to-use, non-alcoholic drink, whether  
16 carbonated or not, including, but not limited to, soda water,  
17 cola, fruit juice, vegetable juice, carbonated water, and all  
18 other preparations commonly known as soft drinks of whatever  
19 kind or description that are contained in any closed or sealed  
20 bottle, can, carton, or container, regardless of size; but  
21 "soft drinks" does not include coffee, tea, non-carbonated  
22 water, infant formula, milk or milk products as defined in the  
23 Grade A Pasteurized Milk and Milk Products Act, or drinks  
24 containing 50% or more natural fruit or vegetable juice.

25 Notwithstanding any other provisions of this Act,  
26 beginning September 1, 2009, "soft drinks" means non-alcoholic

1 beverages that contain natural or artificial sweeteners. "Soft  
2 drinks" does not include beverages that contain milk or milk  
3 products, soy, rice or similar milk substitutes, or greater  
4 than 50% of vegetable or fruit juice by volume.

5 Until August 1, 2009, and notwithstanding any other  
6 provisions of this Act, "food for human consumption that is to  
7 be consumed off the premises where it is sold" includes all  
8 food sold through a vending machine, except soft drinks and  
9 food products that are dispensed hot from a vending machine,  
10 regardless of the location of the vending machine. Beginning  
11 August 1, 2009, and notwithstanding any other provisions of  
12 this Act, "food for human consumption that is to be consumed  
13 off the premises where it is sold" includes all food sold  
14 through a vending machine, except soft drinks, candy, and food  
15 products that are dispensed hot from a vending machine,  
16 regardless of the location of the vending machine.

17 Notwithstanding any other provisions of this Act,  
18 beginning September 1, 2009, "food for human consumption that  
19 is to be consumed off the premises where it is sold" does not  
20 include candy. For purposes of this Section, "candy" means a  
21 preparation of sugar, honey, or other natural or artificial  
22 sweeteners in combination with chocolate, fruits, nuts or  
23 other ingredients or flavorings in the form of bars, drops, or  
24 pieces. "Candy" does not include any preparation that contains  
25 flour or requires refrigeration.

26 Notwithstanding any other provisions of this Act,



1 beginning September 1, 2009, "nonprescription medicines and  
2 drugs" does not include grooming and hygiene products. For  
3 purposes of this Section, "grooming and hygiene products"  
4 includes, but is not limited to, soaps and cleaning solutions,  
5 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan  
6 lotions and screens, unless those products are available by  
7 prescription only, regardless of whether the products meet the  
8 definition of "over-the-counter-drugs". For the purposes of  
9 this paragraph, "over-the-counter-drug" means a drug for human  
10 use that contains a label that identifies the product as a drug  
11 as required by 21 CFR 201.66. The "over-the-counter-drug"  
12 label includes:

13 (A) a "Drug Facts" panel; or

14 (B) a statement of the "active ingredient(s)" with a  
15 list of those ingredients contained in the compound,  
16 substance or preparation.

17 Beginning on January 1, 2014 (the effective date of Public  
18 Act 98-122), and through December 31, 2025, "prescription and  
19 nonprescription medicines and drugs" includes medical cannabis  
20 purchased from a registered dispensing organization under the  
21 Compassionate Use of Medical Cannabis Program Act.

22 Beginning on January 1, 2026, "prescription and  
23 nonprescription medicines and drugs" includes cannabis  
24 purchased by a qualified registered patient, provisional  
25 patient, designated caregiver, or Opioid Alternative Patient  
26 Program participant as part of their adequate medical supply,

1 as these terms are defined under the Cannabis Regulation and  
2 Tax Act, from a dispensing organization registered under the  
3 Compassionate Use of Medical Cannabis Program Act or the  
4 Cannabis Regulation and Tax Act.

5 As used in this Section through December 31, 2025, "adult  
6 use cannabis" means cannabis subject to tax under the Cannabis  
7 Cultivation Privilege Tax Law and the Cannabis Purchaser  
8 Excise Tax Law and does not include cannabis subject to tax  
9 under the Compassionate Use of Medical Cannabis Program Act.

10 Beginning January 1, 2026, as used in this Section, "adult  
11 use cannabis" means cannabis subject to tax under the Cannabis  
12 Cultivation Privilege Tax Law and the Cannabis Purchaser  
13 Excise Tax Law and does not include cannabis purchased by a  
14 qualified registered patient, provisional patient, designated  
15 caregiver, or Opioid Alternative Patient Program participant  
16 as part of their adequate medical supply.

17 If the property that is purchased at retail from a  
18 retailer is acquired outside Illinois and used outside  
19 Illinois before being brought to Illinois for use here and is  
20 taxable under this Act, the "selling price" on which the tax is  
21 computed shall be reduced by an amount that represents a  
22 reasonable allowance for depreciation for the period of prior  
23 out-of-state use. No depreciation is allowed in cases where  
24 the tax under this Act is imposed on lease receipts.

25 (Source: P.A. 102-4, eff. 4-27-21; 102-700, Article 20,  
26 Section 20-5, eff. 4-19-22; 102-700, Article 60, Section

1 60-15, eff. 4-19-22; 102-700, Article 65, Section 65-5, eff.  
2 4-19-22; 103-9, eff. 6-7-23; 103-154, eff. 6-30-23; 103-592,  
3 eff. 1-1-25; 103-781, eff. 8-5-24; revised 11-26-24.)

4 Section 15. The Service Use Tax Act is amended by changing  
5 Section 3-10 as follows:

6 (35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

7 Sec. 3-10. Rate of tax. Unless otherwise provided in this  
8 Section, the tax imposed by this Act is at the rate of 6.25% of  
9 the selling price of tangible personal property transferred,  
10 including, on and after January 1, 2025, transferred by lease,  
11 as an incident to the sale of service, but, for the purpose of  
12 computing this tax, in no event shall the selling price be less  
13 than the cost price of the property to the serviceman.

14 Beginning on July 1, 2000 and through December 31, 2000,  
15 with respect to motor fuel, as defined in Section 1.1 of the  
16 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of  
17 the Use Tax Act, the tax is imposed at the rate of 1.25%.

18 With respect to gasohol, as defined in the Use Tax Act, the  
19 tax imposed by this Act applies to (i) 70% of the selling price  
20 of property transferred as an incident to the sale of service  
21 on or after January 1, 1990, and before July 1, 2003, (ii) 80%  
22 of the selling price of property transferred as an incident to  
23 the sale of service on or after July 1, 2003 and on or before  
24 July 1, 2017, (iii) 100% of the selling price of property

1 transferred as an incident to the sale of service after July 1,  
2 2017 and before January 1, 2024, (iv) 90% of the selling price  
3 of property transferred as an incident to the sale of service  
4 on or after January 1, 2024 and on or before December 31, 2028,  
5 and (v) 100% of the selling price of property transferred as an  
6 incident to the sale of service after December 31, 2028. If, at  
7 any time, however, the tax under this Act on sales of gasohol,  
8 as defined in the Use Tax Act, is imposed at the rate of 1.25%,  
9 then the tax imposed by this Act applies to 100% of the  
10 proceeds of sales of gasohol made during that time.

11 With respect to mid-range ethanol blends, as defined in  
12 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act  
13 applies to (i) 80% of the selling price of property  
14 transferred as an incident to the sale of service on or after  
15 January 1, 2024 and on or before December 31, 2028 and (ii)  
16 100% of the selling price of property transferred as an  
17 incident to the sale of service after December 31, 2028. If, at  
18 any time, however, the tax under this Act on sales of mid-range  
19 ethanol blends is imposed at the rate of 1.25%, then the tax  
20 imposed by this Act applies to 100% of the selling price of  
21 mid-range ethanol blends transferred as an incident to the  
22 sale of service during that time.

23 With respect to majority blended ethanol fuel, as defined  
24 in the Use Tax Act, the tax imposed by this Act does not apply  
25 to the selling price of property transferred as an incident to  
26 the sale of service on or after July 1, 2003 and on or before

1 December 31, 2028 but applies to 100% of the selling price  
2 thereafter.

3 With respect to biodiesel blends, as defined in the Use  
4 Tax Act, with no less than 1% and no more than 10% biodiesel,  
5 the tax imposed by this Act applies to (i) 80% of the selling  
6 price of property transferred as an incident to the sale of  
7 service on or after July 1, 2003 and on or before December 31,  
8 2018 and (ii) 100% of the proceeds of the selling price after  
9 December 31, 2018 and before January 1, 2024. On and after  
10 January 1, 2024 and on or before December 31, 2030, the  
11 taxation of biodiesel, renewable diesel, and biodiesel blends  
12 shall be as provided in Section 3-5.1 of the Use Tax Act. If,  
13 at any time, however, the tax under this Act on sales of  
14 biodiesel blends, as defined in the Use Tax Act, with no less  
15 than 1% and no more than 10% biodiesel is imposed at the rate  
16 of 1.25%, then the tax imposed by this Act applies to 100% of  
17 the proceeds of sales of biodiesel blends with no less than 1%  
18 and no more than 10% biodiesel made during that time.

19 With respect to biodiesel, as defined in the Use Tax Act,  
20 and biodiesel blends, as defined in the Use Tax Act, with more  
21 than 10% but no more than 99% biodiesel, the tax imposed by  
22 this Act does not apply to the proceeds of the selling price of  
23 property transferred as an incident to the sale of service on  
24 or after July 1, 2003 and on or before December 31, 2023. On  
25 and after January 1, 2024 and on or before December 31, 2030,  
26 the taxation of biodiesel, renewable diesel, and biodiesel

1 blends shall be as provided in Section 3-5.1 of the Use Tax  
2 Act.

3 At the election of any registered serviceman made for each  
4 fiscal year, sales of service in which the aggregate annual  
5 cost price of tangible personal property transferred as an  
6 incident to the sales of service is less than 35%, or 75% in  
7 the case of servicemen transferring prescription drugs or  
8 servicemen engaged in graphic arts production, of the  
9 aggregate annual total gross receipts from all sales of  
10 service, the tax imposed by this Act shall be based on the  
11 serviceman's cost price of the tangible personal property  
12 transferred as an incident to the sale of those services.

13 Until July 1, 2022 and from July 1, 2023 through December  
14 31, 2025, the tax shall be imposed at the rate of 1% on food  
15 prepared for immediate consumption and transferred incident to  
16 a sale of service subject to this Act or the Service Occupation  
17 Tax Act by an entity licensed under the Hospital Licensing  
18 Act, the Nursing Home Care Act, the Assisted Living and Shared  
19 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the  
20 Specialized Mental Health Rehabilitation Act of 2013, or the  
21 Child Care Act of 1969, or an entity that holds a permit issued  
22 pursuant to the Life Care Facilities Act. Until July 1, 2022  
23 and from July 1, 2023 through December 31, 2025, the tax shall  
24 also be imposed at the rate of 1% on food for human consumption  
25 that is to be consumed off the premises where it is sold (other  
26 than alcoholic beverages, food consisting of or infused with

1 adult use cannabis, soft drinks, and food that has been  
2 prepared for immediate consumption and is not otherwise  
3 included in this paragraph).

4 Beginning on July 1, 2022 and until July 1, 2023, the tax  
5 shall be imposed at the rate of 0% on food prepared for  
6 immediate consumption and transferred incident to a sale of  
7 service subject to this Act or the Service Occupation Tax Act  
8 by an entity licensed under the Hospital Licensing Act, the  
9 Nursing Home Care Act, the Assisted Living and Shared Housing  
10 Act, the ID/DD Community Care Act, the MC/DD Act, the  
11 Specialized Mental Health Rehabilitation Act of 2013, or the  
12 Child Care Act of 1969, or an entity that holds a permit issued  
13 pursuant to the Life Care Facilities Act. Beginning on July 1,  
14 2022 and until July 1, 2023, the tax shall also be imposed at  
15 the rate of 0% on food for human consumption that is to be  
16 consumed off the premises where it is sold (other than  
17 alcoholic beverages, food consisting of or infused with adult  
18 use cannabis, soft drinks, and food that has been prepared for  
19 immediate consumption and is not otherwise included in this  
20 paragraph).

21 On and ~~an~~ after January 1, 2026, food prepared for  
22 immediate consumption and transferred incident to a sale of  
23 service subject to this Act or the Service Occupation Tax Act  
24 by an entity licensed under the Hospital Licensing Act, the  
25 Nursing Home Care Act, the Assisted Living and Shared Housing  
26 Act, the ID/DD Community Care Act, the MC/DD Act, the

1 Specialized Mental Health Rehabilitation Act of 2013, or the  
2 Child Care Act of 1969, or by an entity that holds a permit  
3 issued pursuant to the Life Care Facilities Act is exempt from  
4 the tax under this Act. On and after January 1, 2026, food for  
5 human consumption that is to be consumed off the premises  
6 where it is sold (other than alcoholic beverages, food  
7 consisting of or infused with adult use cannabis, soft drinks,  
8 candy, and food that has been prepared for immediate  
9 consumption and is not otherwise included in this paragraph)  
10 is exempt from the tax under this Act.

11 The tax shall be imposed at the rate of 1% on prescription  
12 and nonprescription medicines, drugs, medical appliances,  
13 products classified as Class III medical devices by the United  
14 States Food and Drug Administration that are used for cancer  
15 treatment pursuant to a prescription, as well as any  
16 accessories and components related to those devices,  
17 modifications to a motor vehicle for the purpose of rendering  
18 it usable by a person with a disability, and insulin, blood  
19 sugar testing materials, syringes, and needles used by human  
20 diabetics. For the purposes of this Section, until September  
21 1, 2009: the term "soft drinks" means any complete, finished,  
22 ready-to-use, non-alcoholic drink, whether carbonated or not,  
23 including, but not limited to, soda water, cola, fruit juice,  
24 vegetable juice, carbonated water, and all other preparations  
25 commonly known as soft drinks of whatever kind or description  
26 that are contained in any closed or sealed bottle, can,



1 carton, or container, regardless of size; but "soft drinks"  
2 does not include coffee, tea, non-carbonated water, infant  
3 formula, milk or milk products as defined in the Grade A  
4 Pasteurized Milk and Milk Products Act, or drinks containing  
5 50% or more natural fruit or vegetable juice.

6 Notwithstanding any other provisions of this Act,  
7 beginning September 1, 2009, "soft drinks" means non-alcoholic  
8 beverages that contain natural or artificial sweeteners. "Soft  
9 drinks" does not include beverages that contain milk or milk  
10 products, soy, rice or similar milk substitutes, or greater  
11 than 50% of vegetable or fruit juice by volume.

12 Until August 1, 2009, and notwithstanding any other  
13 provisions of this Act, "food for human consumption that is to  
14 be consumed off the premises where it is sold" includes all  
15 food sold through a vending machine, except soft drinks and  
16 food products that are dispensed hot from a vending machine,  
17 regardless of the location of the vending machine. Beginning  
18 August 1, 2009, and notwithstanding any other provisions of  
19 this Act, "food for human consumption that is to be consumed  
20 off the premises where it is sold" includes all food sold  
21 through a vending machine, except soft drinks, candy, and food  
22 products that are dispensed hot from a vending machine,  
23 regardless of the location of the vending machine.

24 Notwithstanding any other provisions of this Act,  
25 beginning September 1, 2009, "food for human consumption that  
26 is to be consumed off the premises where it is sold" does not

1 include candy. For purposes of this Section, "candy" means a  
2 preparation of sugar, honey, or other natural or artificial  
3 sweeteners in combination with chocolate, fruits, nuts or  
4 other ingredients or flavorings in the form of bars, drops, or  
5 pieces. "Candy" does not include any preparation that contains  
6 flour or requires refrigeration.

7 Notwithstanding any other provisions of this Act,  
8 beginning September 1, 2009, "nonprescription medicines and  
9 drugs" does not include grooming and hygiene products. For  
10 purposes of this Section, "grooming and hygiene products"  
11 includes, but is not limited to, soaps and cleaning solutions,  
12 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan  
13 lotions and screens, unless those products are available by  
14 prescription only, regardless of whether the products meet the  
15 definition of "over-the-counter-drugs". For the purposes of  
16 this paragraph, "over-the-counter-drug" means a drug for human  
17 use that contains a label that identifies the product as a drug  
18 as required by 21 CFR 201.66. The "over-the-counter-drug"  
19 label includes:

20 (A) a "Drug Facts" panel; or

21 (B) a statement of the "active ingredient(s)" with a  
22 list of those ingredients contained in the compound,  
23 substance or preparation.

24 Beginning on January 1, 2014 (the effective date of Public  
25 Act 98-122), and through December 31, 2025, "prescription and  
26 nonprescription medicines and drugs" includes medical cannabis

1 purchased from a registered dispensing organization under the  
2 Compassionate Use of Medical Cannabis Program Act.

3 Beginning on January 1, 2026, "prescription and  
4 nonprescription medicines and drugs" includes cannabis  
5 purchased by a qualified registered patient, provisional  
6 patient, designated caregiver, or Opioid Alternative Patient  
7 Program participant as part of their adequate medical supply,  
8 as these terms are defined under the Cannabis Regulation and  
9 Tax Act, from a dispensing organization registered under the  
10 Compassionate Use of Medical Cannabis Program Act or the  
11 Cannabis Regulation and Tax Act.

12 As used in this Section, through December 31, 2025, "adult  
13 use cannabis" means cannabis subject to tax under the Cannabis  
14 Cultivation Privilege Tax Law and the Cannabis Purchaser  
15 Excise Tax Law and does not include cannabis subject to tax  
16 under the Compassionate Use of Medical Cannabis Program Act.

17 Beginning January 1, 2026, as used in this Section, "adult  
18 use cannabis" means cannabis subject to tax under the Cannabis  
19 Cultivation Privilege Tax Law and the Cannabis Purchaser  
20 Excise Tax Law and does not include cannabis purchased by a  
21 qualified registered patient, provisional patient, or Opioid  
22 Alternative Patient Program participant as part of their  
23 adequate medical supply.

24 If the property that is acquired from a serviceman is  
25 acquired outside Illinois and used outside Illinois before  
26 being brought to Illinois for use here and is taxable under

1 this Act, the "selling price" on which the tax is computed  
2 shall be reduced by an amount that represents a reasonable  
3 allowance for depreciation for the period of prior  
4 out-of-state use. No depreciation is allowed in cases where  
5 the tax under this Act is imposed on lease receipts.

6 (Source: P.A. 102-4, eff. 4-27-21; 102-16, eff. 6-17-21;  
7 102-700, Article 20, Section 20-10, eff. 4-19-22; 102-700,  
8 Article 60, Section 60-20, eff. 4-19-22; 103-9, eff. 6-7-23;  
9 103-154, eff. 6-30-23; 103-592, eff. 1-1-25; 103-781, eff.  
10 8-5-24; revised 11-26-24.)

11 Section 20. The Service Occupation Tax Act is amended by  
12 changing Section 3-10 as follows:

13 (35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)

14 Sec. 3-10. Rate of tax. Unless otherwise provided in this  
15 Section, the tax imposed by this Act is at the rate of 6.25% of  
16 the "selling price", as defined in Section 2 of the Service Use  
17 Tax Act, of the tangible personal property, including, on and  
18 after January 1, 2025, tangible personal property transferred  
19 by lease. For the purpose of computing this tax, in no event  
20 shall the "selling price" be less than the cost price to the  
21 serviceman of the tangible personal property transferred. The  
22 selling price of each item of tangible personal property  
23 transferred as an incident of a sale of service may be shown as  
24 a distinct and separate item on the serviceman's billing to

1 the service customer. If the selling price is not so shown, the  
2 selling price of the tangible personal property is deemed to  
3 be 50% of the serviceman's entire billing to the service  
4 customer. When, however, a serviceman contracts to design,  
5 develop, and produce special order machinery or equipment, the  
6 tax imposed by this Act shall be based on the serviceman's cost  
7 price of the tangible personal property transferred incident  
8 to the completion of the contract.

9 Beginning on July 1, 2000 and through December 31, 2000,  
10 with respect to motor fuel, as defined in Section 1.1 of the  
11 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of  
12 the Use Tax Act, the tax is imposed at the rate of 1.25%.

13 With respect to gasohol, as defined in the Use Tax Act, the  
14 tax imposed by this Act shall apply to (i) 70% of the cost  
15 price of property transferred as an incident to the sale of  
16 service on or after January 1, 1990, and before July 1, 2003,  
17 (ii) 80% of the selling price of property transferred as an  
18 incident to the sale of service on or after July 1, 2003 and on  
19 or before July 1, 2017, (iii) 100% of the selling price of  
20 property transferred as an incident to the sale of service  
21 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of  
22 the selling price of property transferred as an incident to  
23 the sale of service on or after January 1, 2024 and on or  
24 before December 31, 2028, and (v) 100% of the selling price of  
25 property transferred as an incident to the sale of service  
26 after December 31, 2028. If, at any time, however, the tax

1 under this Act on sales of gasohol, as defined in the Use Tax  
2 Act, is imposed at the rate of 1.25%, then the tax imposed by  
3 this Act applies to 100% of the proceeds of sales of gasohol  
4 made during that time.

5 With respect to mid-range ethanol blends, as defined in  
6 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act  
7 applies to (i) 80% of the selling price of property  
8 transferred as an incident to the sale of service on or after  
9 January 1, 2024 and on or before December 31, 2028 and (ii)  
10 100% of the selling price of property transferred as an  
11 incident to the sale of service after December 31, 2028. If, at  
12 any time, however, the tax under this Act on sales of mid-range  
13 ethanol blends is imposed at the rate of 1.25%, then the tax  
14 imposed by this Act applies to 100% of the selling price of  
15 mid-range ethanol blends transferred as an incident to the  
16 sale of service during that time.

17 With respect to majority blended ethanol fuel, as defined  
18 in the Use Tax Act, the tax imposed by this Act does not apply  
19 to the selling price of property transferred as an incident to  
20 the sale of service on or after July 1, 2003 and on or before  
21 December 31, 2028 but applies to 100% of the selling price  
22 thereafter.

23 With respect to biodiesel blends, as defined in the Use  
24 Tax Act, with no less than 1% and no more than 10% biodiesel,  
25 the tax imposed by this Act applies to (i) 80% of the selling  
26 price of property transferred as an incident to the sale of

1 service on or after July 1, 2003 and on or before December 31,  
2 2018 and (ii) 100% of the proceeds of the selling price after  
3 December 31, 2018 and before January 1, 2024. On and after  
4 January 1, 2024 and on or before December 31, 2030, the  
5 taxation of biodiesel, renewable diesel, and biodiesel blends  
6 shall be as provided in Section 3-5.1 of the Use Tax Act. If,  
7 at any time, however, the tax under this Act on sales of  
8 biodiesel blends, as defined in the Use Tax Act, with no less  
9 than 1% and no more than 10% biodiesel is imposed at the rate  
10 of 1.25%, then the tax imposed by this Act applies to 100% of  
11 the proceeds of sales of biodiesel blends with no less than 1%  
12 and no more than 10% biodiesel made during that time.

13 With respect to biodiesel, as defined in the Use Tax Act,  
14 and biodiesel blends, as defined in the Use Tax Act, with more  
15 than 10% but no more than 99% biodiesel material, the tax  
16 imposed by this Act does not apply to the proceeds of the  
17 selling price of property transferred as an incident to the  
18 sale of service on or after July 1, 2003 and on or before  
19 December 31, 2023. On and after January 1, 2024 and on or  
20 before December 31, 2030, the taxation of biodiesel, renewable  
21 diesel, and biodiesel blends shall be as provided in Section  
22 3-5.1 of the Use Tax Act.

23 At the election of any registered serviceman made for each  
24 fiscal year, sales of service in which the aggregate annual  
25 cost price of tangible personal property transferred as an  
26 incident to the sales of service is less than 35%, or 75% in

1 the case of servicemen transferring prescription drugs or  
2 servicemen engaged in graphic arts production, of the  
3 aggregate annual total gross receipts from all sales of  
4 service, the tax imposed by this Act shall be based on the  
5 serviceman's cost price of the tangible personal property  
6 transferred incident to the sale of those services.

7       Until July 1, 2022 and from July 1, 2023 through December  
8 31, 2025, the tax shall be imposed at the rate of 1% on food  
9 prepared for immediate consumption and transferred incident to  
10 a sale of service subject to this Act or the Service Use Tax  
11 Act by an entity licensed under the Hospital Licensing Act,  
12 the Nursing Home Care Act, the Assisted Living and Shared  
13 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the  
14 Specialized Mental Health Rehabilitation Act of 2013, or the  
15 Child Care Act of 1969, or an entity that holds a permit issued  
16 pursuant to the Life Care Facilities Act. Until July 1, 2022  
17 and from July 1, 2023 through December 31, 2025, the tax shall  
18 also be imposed at the rate of 1% on food for human consumption  
19 that is to be consumed off the premises where it is sold (other  
20 than alcoholic beverages, food consisting of or infused with  
21 adult use cannabis, soft drinks, and food that has been  
22 prepared for immediate consumption and is not otherwise  
23 included in this paragraph).

24       Beginning on July 1, 2022 and until July 1, 2023, the tax  
25 shall be imposed at the rate of 0% on food prepared for  
26 immediate consumption and transferred incident to a sale of



1 service subject to this Act or the Service Use Tax Act by an  
2 entity licensed under the Hospital Licensing Act, the Nursing  
3 Home Care Act, the Assisted Living and Shared Housing Act, the  
4 ID/DD Community Care Act, the MC/DD Act, the Specialized  
5 Mental Health Rehabilitation Act of 2013, or the Child Care  
6 Act of 1969, or an entity that holds a permit issued pursuant  
7 to the Life Care Facilities Act. Beginning July 1, 2022 and  
8 until July 1, 2023, the tax shall also be imposed at the rate  
9 of 0% on food for human consumption that is to be consumed off  
10 the premises where it is sold (other than alcoholic beverages,  
11 food consisting of or infused with adult use cannabis, soft  
12 drinks, and food that has been prepared for immediate  
13 consumption and is not otherwise included in this paragraph).

14 On and after January 1, 2026, food prepared for immediate  
15 consumption and transferred incident to a sale of service  
16 subject to this Act or the Service Use Tax Act by an entity  
17 licensed under the Hospital Licensing Act, the Nursing Home  
18 Care Act, the Assisted Living and Shared Housing Act, the  
19 ID/DD Community Care Act, the MC/DD Act, the Specialized  
20 Mental Health Rehabilitation Act of 2013, or the Child Care  
21 Act of 1969, or an entity that holds a permit issued pursuant  
22 to the Life Care Facilities Act is exempt from the tax imposed  
23 by this Act. On and after January 1, 2026, food for human  
24 consumption that is to be consumed off the premises where it is  
25 sold (other than alcoholic beverages, food consisting of or  
26 infused with adult use cannabis, soft drinks, candy, and food

1 that has been prepared for immediate consumption and is not  
2 otherwise included in this paragraph) is exempt from the tax  
3 imposed by this Act.

4 The tax shall be imposed at the rate of 1% on prescription  
5 and nonprescription medicines, drugs, medical appliances,  
6 products classified as Class III medical devices by the United  
7 States Food and Drug Administration that are used for cancer  
8 treatment pursuant to a prescription, as well as any  
9 accessories and components related to those devices,  
10 modifications to a motor vehicle for the purpose of rendering  
11 it usable by a person with a disability, and insulin, blood  
12 sugar testing materials, syringes, and needles used by human  
13 diabetics. For the purposes of this Section, until September  
14 1, 2009: the term "soft drinks" means any complete, finished,  
15 ready-to-use, non-alcoholic drink, whether carbonated or not,  
16 including, but not limited to, soda water, cola, fruit juice,  
17 vegetable juice, carbonated water, and all other preparations  
18 commonly known as soft drinks of whatever kind or description  
19 that are contained in any closed or sealed can, carton, or  
20 container, regardless of size; but "soft drinks" does not  
21 include coffee, tea, non-carbonated water, infant formula,  
22 milk or milk products as defined in the Grade A Pasteurized  
23 Milk and Milk Products Act, or drinks containing 50% or more  
24 natural fruit or vegetable juice.

25 Notwithstanding any other provisions of this Act,  
26 beginning September 1, 2009, "soft drinks" means non-alcoholic

1 beverages that contain natural or artificial sweeteners. "Soft  
2 drinks" does not include beverages that contain milk or milk  
3 products, soy, rice or similar milk substitutes, or greater  
4 than 50% of vegetable or fruit juice by volume.

5 Until August 1, 2009, and notwithstanding any other  
6 provisions of this Act, "food for human consumption that is to  
7 be consumed off the premises where it is sold" includes all  
8 food sold through a vending machine, except soft drinks and  
9 food products that are dispensed hot from a vending machine,  
10 regardless of the location of the vending machine. Beginning  
11 August 1, 2009, and notwithstanding any other provisions of  
12 this Act, "food for human consumption that is to be consumed  
13 off the premises where it is sold" includes all food sold  
14 through a vending machine, except soft drinks, candy, and food  
15 products that are dispensed hot from a vending machine,  
16 regardless of the location of the vending machine.

17 Notwithstanding any other provisions of this Act,  
18 beginning September 1, 2009, "food for human consumption that  
19 is to be consumed off the premises where it is sold" does not  
20 include candy. For purposes of this Section, "candy" means a  
21 preparation of sugar, honey, or other natural or artificial  
22 sweeteners in combination with chocolate, fruits, nuts or  
23 other ingredients or flavorings in the form of bars, drops, or  
24 pieces. "Candy" does not include any preparation that contains  
25 flour or requires refrigeration.

26 Notwithstanding any other provisions of this Act,

1 beginning September 1, 2009, "nonprescription medicines and  
2 drugs" does not include grooming and hygiene products. For  
3 purposes of this Section, "grooming and hygiene products"  
4 includes, but is not limited to, soaps and cleaning solutions,  
5 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan  
6 lotions and screens, unless those products are available by  
7 prescription only, regardless of whether the products meet the  
8 definition of "over-the-counter-drugs". For the purposes of  
9 this paragraph, "over-the-counter-drug" means a drug for human  
10 use that contains a label that identifies the product as a drug  
11 as required by 21 CFR 201.66. The "over-the-counter-drug"  
12 label includes:

13 (A) a "Drug Facts" panel; or

14 (B) a statement of the "active ingredient(s)" with a  
15 list of those ingredients contained in the compound,  
16 substance or preparation.

17 Beginning on January 1, 2014 and through December 31,  
18 2025, (the effective date of Public Act 98-122), "prescription  
19 and nonprescription medicines and drugs" includes medical  
20 cannabis purchased from a registered dispensing organization  
21 under the Compassionate Use of Medical Cannabis Program Act.

22 Beginning on January 1, 2026, "prescription and  
23 nonprescription medicines and drugs" includes cannabis  
24 purchased by a qualified registered patient, provisional  
25 patient, designated caregiver, or Opioid Alternative Patient  
26 Program participant as part of their adequate medical supply,

1 as these terms are defined under the Cannabis Regulation and  
2 Tax Act, from a dispensing organization registered under the  
3 Compassionate Use of Medical Cannabis Program Act or the  
4 Cannabis Regulation and Tax Act.

5 As used in this Section, and through December 31, 2025,  
6 "adult use cannabis" means cannabis subject to tax under the  
7 Cannabis Cultivation Privilege Tax Law and the Cannabis  
8 Purchaser Excise Tax Law and does not include cannabis subject  
9 to tax under the Compassionate Use of Medical Cannabis Program  
10 Act.

11 Beginning January 1, 2026, as used in this Section, "adult  
12 use cannabis" means cannabis subject to tax under the Cannabis  
13 Cultivation Privilege Tax Law and the Cannabis Purchaser  
14 Excise Tax Law and does not include cannabis purchased by a  
15 qualified registered patient, provisional patient, designated  
16 caregiver, or Opioid Alternative Patient Program participant  
17 as part of their adequate medical supply.

18 (Source: P.A. 102-4, eff. 4-27-21; 102-16, eff. 6-17-21;  
19 102-700, Article 20, Section 20-15, eff. 4-19-22; 102-700,  
20 Article 60, Section 60-25, eff. 4-19-22; 103-9, eff. 6-7-23;  
21 103-154, eff. 6-30-23; 103-592, eff. 1-1-25; 103-781, eff.  
22 8-5-24; revised 11-26-24.)

23 Section 25. The Retailers' Occupation Tax Act is amended  
24 by changing Section 2-10 and 11 as follows:

(35 ILCS 120/2-10) from Ch. 120, par. 441-10

Sec. 2-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of gross receipts from sales, which, on and after January 1, 2025, includes leases, of tangible personal property made in the course of business.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Beginning on August 6, 2010 through August 15, 2010, and beginning again on August 5, 2022 through August 14, 2022, with respect to sales tax holiday items as defined in Section 2-8 of this Act, the tax is imposed at the rate of 1.25%.

Within 14 days after July 1, 2000 (the effective date of Public Act 91-872), each retailer of motor fuel and gasohol shall cause the following notice to be posted in a prominently visible place on each retail dispensing device that is used to dispense motor fuel or gasohol in the State of Illinois: "As of July 1, 2000, the State of Illinois has eliminated the State's share of sales tax on motor fuel and gasohol through December 31, 2000. The price on this pump should reflect the elimination of the tax." The notice shall be printed in bold print on a sign that is no smaller than 4 inches by 8 inches. The sign shall be clearly visible to customers. Any retailer who fails to post or maintain a required sign through December

1 31, 2000 is guilty of a petty offense for which the fine shall  
2 be \$500 per day per each retail premises where a violation  
3 occurs.

4 With respect to gasohol, as defined in the Use Tax Act, the  
5 tax imposed by this Act applies to (i) 70% of the proceeds of  
6 sales made on or after January 1, 1990, and before July 1,  
7 2003, (ii) 80% of the proceeds of sales made on or after July  
8 1, 2003 and on or before July 1, 2017, (iii) 100% of the  
9 proceeds of sales made after July 1, 2017 and prior to January  
10 1, 2024, (iv) 90% of the proceeds of sales made on or after  
11 January 1, 2024 and on or before December 31, 2028, and (v)  
12 100% of the proceeds of sales made after December 31, 2028. If,  
13 at any time, however, the tax under this Act on sales of  
14 gasohol, as defined in the Use Tax Act, is imposed at the rate  
15 of 1.25%, then the tax imposed by this Act applies to 100% of  
16 the proceeds of sales of gasohol made during that time.

17 With respect to mid-range ethanol blends, as defined in  
18 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act  
19 applies to (i) 80% of the proceeds of sales made on or after  
20 January 1, 2024 and on or before December 31, 2028 and (ii)  
21 100% of the proceeds of sales made after December 31, 2028. If,  
22 at any time, however, the tax under this Act on sales of  
23 mid-range ethanol blends is imposed at the rate of 1.25%, then  
24 the tax imposed by this Act applies to 100% of the proceeds of  
25 sales of mid-range ethanol blends made during that time.

26 With respect to majority blended ethanol fuel, as defined

1 in the Use Tax Act, the tax imposed by this Act does not apply  
2 to the proceeds of sales made on or after July 1, 2003 and on  
3 or before December 31, 2028 but applies to 100% of the proceeds  
4 of sales made thereafter.

5 With respect to biodiesel blends, as defined in the Use  
6 Tax Act, with no less than 1% and no more than 10% biodiesel,  
7 the tax imposed by this Act applies to (i) 80% of the proceeds  
8 of sales made on or after July 1, 2003 and on or before  
9 December 31, 2018 and (ii) 100% of the proceeds of sales made  
10 after December 31, 2018 and before January 1, 2024. On and  
11 after January 1, 2024 and on or before December 31, 2030, the  
12 taxation of biodiesel, renewable diesel, and biodiesel blends  
13 shall be as provided in Section 3-5.1 of the Use Tax Act. If,  
14 at any time, however, the tax under this Act on sales of  
15 biodiesel blends, as defined in the Use Tax Act, with no less  
16 than 1% and no more than 10% biodiesel is imposed at the rate  
17 of 1.25%, then the tax imposed by this Act applies to 100% of  
18 the proceeds of sales of biodiesel blends with no less than 1%  
19 and no more than 10% biodiesel made during that time.

20 With respect to biodiesel, as defined in the Use Tax Act,  
21 and biodiesel blends, as defined in the Use Tax Act, with more  
22 than 10% but no more than 99% biodiesel, the tax imposed by  
23 this Act does not apply to the proceeds of sales made on or  
24 after July 1, 2003 and on or before December 31, 2023. On and  
25 after January 1, 2024 and on or before December 31, 2030, the  
26 taxation of biodiesel, renewable diesel, and biodiesel blends



1 shall be as provided in Section 3-5.1 of the Use Tax Act.

2       Until July 1, 2022 and from July 1, 2023 through December  
3 31, 2025, with respect to food for human consumption that is to  
4 be consumed off the premises where it is sold (other than  
5 alcoholic beverages, food consisting of or infused with adult  
6 use cannabis, soft drinks, and food that has been prepared for  
7 immediate consumption), the tax is imposed at the rate of 1%.  
8 Beginning July 1, 2022 and until July 1, 2023, with respect to  
9 food for human consumption that is to be consumed off the  
10 premises where it is sold (other than alcoholic beverages,  
11 food consisting of or infused with adult use cannabis, soft  
12 drinks, and food that has been prepared for immediate  
13 consumption), the tax is imposed at the rate of 0%. On and  
14 after January 1, 2026, food for human consumption that is to be  
15 consumed off the premises where it is sold (other than  
16 alcoholic beverages, food consisting of or infused with adult  
17 use cannabis, soft drinks, candy, and food that has been  
18 prepared for immediate consumption) is exempt from the tax  
19 imposed by this Act.

20       With respect to prescription and nonprescription  
21 medicines, drugs, medical appliances, products classified as  
22 Class III medical devices by the United States Food and Drug  
23 Administration that are used for cancer treatment pursuant to  
24 a prescription, as well as any accessories and components  
25 related to those devices, modifications to a motor vehicle for  
26 the purpose of rendering it usable by a person with a

1 disability, and insulin, blood sugar testing materials,  
2 syringes, and needles used by human diabetics, the tax is  
3 imposed at the rate of 1%. For the purposes of this Section,  
4 until September 1, 2009: the term "soft drinks" means any  
5 complete, finished, ready-to-use, non-alcoholic drink, whether  
6 carbonated or not, including, but not limited to, soda water,  
7 cola, fruit juice, vegetable juice, carbonated water, and all  
8 other preparations commonly known as soft drinks of whatever  
9 kind or description that are contained in any closed or sealed  
10 bottle, can, carton, or container, regardless of size; but  
11 "soft drinks" does not include coffee, tea, non-carbonated  
12 water, infant formula, milk or milk products as defined in the  
13 Grade A Pasteurized Milk and Milk Products Act, or drinks  
14 containing 50% or more natural fruit or vegetable juice.

15 Notwithstanding any other provisions of this Act,  
16 beginning September 1, 2009, "soft drinks" means non-alcoholic  
17 beverages that contain natural or artificial sweeteners. "Soft  
18 drinks" does not include beverages that contain milk or milk  
19 products, soy, rice or similar milk substitutes, or greater  
20 than 50% of vegetable or fruit juice by volume.

21 Until August 1, 2009, and notwithstanding any other  
22 provisions of this Act, "food for human consumption that is to  
23 be consumed off the premises where it is sold" includes all  
24 food sold through a vending machine, except soft drinks and  
25 food products that are dispensed hot from a vending machine,  
26 regardless of the location of the vending machine. Beginning

1 August 1, 2009, and notwithstanding any other provisions of  
2 this Act, "food for human consumption that is to be consumed  
3 off the premises where it is sold" includes all food sold  
4 through a vending machine, except soft drinks, candy, and food  
5 products that are dispensed hot from a vending machine,  
6 regardless of the location of the vending machine.

7 Notwithstanding any other provisions of this Act,  
8 beginning September 1, 2009, "food for human consumption that  
9 is to be consumed off the premises where it is sold" does not  
10 include candy. For purposes of this Section, "candy" means a  
11 preparation of sugar, honey, or other natural or artificial  
12 sweeteners in combination with chocolate, fruits, nuts or  
13 other ingredients or flavorings in the form of bars, drops, or  
14 pieces. "Candy" does not include any preparation that contains  
15 flour or requires refrigeration.

16 Notwithstanding any other provisions of this Act,  
17 beginning September 1, 2009, "nonprescription medicines and  
18 drugs" does not include grooming and hygiene products. For  
19 purposes of this Section, "grooming and hygiene products"  
20 includes, but is not limited to, soaps and cleaning solutions,  
21 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan  
22 lotions and screens, unless those products are available by  
23 prescription only, regardless of whether the products meet the  
24 definition of "over-the-counter-drugs". For the purposes of  
25 this paragraph, "over-the-counter-drug" means a drug for human  
26 use that contains a label that identifies the product as a drug

1 as required by 21 CFR 201.66. The "over-the-counter-drug"  
2 label includes:

3 (A) a "Drug Facts" panel; or

4 (B) a statement of the "active ingredient(s)" with a  
5 list of those ingredients contained in the compound,  
6 substance or preparation.

7 Beginning on January 1, 2014 (the effective date of Public  
8 Act 98-122), and through December 31, 2025, "prescription and  
9 nonprescription medicines and drugs" includes medical cannabis  
10 purchased from a registered dispensing organization under the  
11 Compassionate Use of Medical Cannabis Program Act.

12 Beginning on January 1, 2026, "prescription and  
13 nonprescription medicines and drugs" includes cannabis  
14 purchased by a qualified registered patient, provisional  
15 patient, designated caregiver, or Opioid Alternative Patient  
16 Program participant as part of their adequate medical supply,  
17 as these terms are defined under the Cannabis Regulation and  
18 Tax Act, from a dispensing organization registered under the  
19 Compassionate Use of Medical Cannabis Program Act or the  
20 Cannabis Regulation and Tax Act.

21 As used in this Section, and through December 31, 2025,  
22 "adult use cannabis" means cannabis subject to tax under the  
23 Cannabis Cultivation Privilege Tax Law and the Cannabis  
24 Purchaser Excise Tax Law and does not include cannabis subject  
25 to tax under the Compassionate Use of Medical Cannabis Program  
26 Act.

1       Beginning January 1, 2026, as used in this Section, "adult  
2       use cannabis" means cannabis subject to tax under the Cannabis  
3       Cultivation Privilege Tax Law and the Cannabis Purchaser  
4       Excise Tax Law and does not include cannabis purchased by a  
5       qualified registered patient, provisional patient, designated  
6       caregiver, or Opioid Alternative Patient Program participant  
7       as part of their adequate medical supply.

8       (Source: P.A. 102-4, eff. 4-27-21; 102-700, Article 20,  
9       Section 20-20, eff. 4-19-22; 102-700, Article 60, Section  
10      60-30, eff. 4-19-22; 102-700, Article 65, Section 65-10, eff.  
11      4-19-22; 103-9, eff. 6-7-23; 103-154, eff. 6-30-23; 103-592,  
12      eff. 1-1-25; 103-781, eff. 8-5-24; revised 11-26-24.)

13           (35 ILCS 120/11) (from Ch. 120, par. 450)

14       Sec. 11. All information received by the Department from  
15      returns filed under this Act, or from any investigation  
16      conducted under this Act, shall be confidential, except for  
17      official purposes, and any person, including a third party as  
18      defined in the Local Government Revenue Recapture Act, who  
19      divulges any such information in any manner, except in  
20      accordance with a proper judicial order or as otherwise  
21      provided by law, including the Local Government Revenue  
22      Recapture Act, shall be guilty of a Class B misdemeanor with a  
23      fine not to exceed \$7,500.

24       Nothing in this Act prevents the Director of Revenue from  
25      publishing or making available to the public the names and

1 addresses of persons filing returns under this Act, or  
2 reasonable statistics concerning the operation of the tax by  
3 grouping the contents of returns so the information in any  
4 individual return is not disclosed.

5 Nothing in this Act prevents the Director of Revenue from  
6 divulging to the United States Government or the government of  
7 any other state, or any officer or agency thereof, for  
8 exclusively official purposes, information received by the  
9 Department in administering this Act, provided that such other  
10 governmental agency agrees to divulge requested tax  
11 information to the Department.

12 The Department's furnishing of information derived from a  
13 taxpayer's return or from an investigation conducted under  
14 this Act to the surety on a taxpayer's bond that has been  
15 furnished to the Department under this Act, either to provide  
16 notice to such surety of its potential liability under the  
17 bond or, in order to support the Department's demand for  
18 payment from such surety under the bond, is an official  
19 purpose within the meaning of this Section.

20 The furnishing upon request of information obtained by the  
21 Department from returns filed under this Act or investigations  
22 conducted under this Act to the Illinois Liquor Control  
23 Commission for official use is deemed to be an official  
24 purpose within the meaning of this Section.

25 Notice to a surety of potential liability shall not be  
26 given unless the taxpayer has first been notified, not less

1     than 10 days prior thereto, of the Department's intent to so  
2     notify the surety.

3             The furnishing upon request of the Auditor General, or his  
4     authorized agents, for official use, of returns filed and  
5     information related thereto under this Act is deemed to be an  
6     official purpose within the meaning of this Section.

7             Where an appeal or a protest has been filed on behalf of a  
8     taxpayer, the furnishing upon request of the attorney for the  
9     taxpayer of returns filed by the taxpayer and information  
10    related thereto under this Act is deemed to be an official  
11    purpose within the meaning of this Section.

12            The furnishing of financial information to a municipality  
13    or county, upon request of the chief executive officer  
14    thereof, is an official purpose within the meaning of this  
15    Section, provided the municipality or county agrees in writing  
16    to the requirements of this Section. Information provided to  
17    municipalities and counties under this paragraph shall be  
18    limited to: (1) the business name; (2) the business address;  
19    (3) the standard classification number assigned to the  
20    business; (4) net revenue distributed to the requesting  
21    municipality or county that is directly related to the  
22    requesting municipality's or county's local share of the  
23    proceeds under the Use Tax Act, the Service Use Tax Act, the  
24    Service Occupation Tax Act, and the Retailers' Occupation Tax  
25    Act distributed from the Local Government Tax Fund, and, if  
26    applicable, any locally imposed retailers' occupation tax or

1 service occupation tax; and (5) a listing of all businesses  
2 within the requesting municipality or county by account  
3 identification number and address. On and after July 1, 2015,  
4 the furnishing of financial information to municipalities and  
5 counties under this paragraph may be by electronic means. If  
6 the Department may furnish financial information to a  
7 municipality or county under this paragraph, then the chief  
8 executive officer of the municipality or county may, in turn,  
9 provide that financial information to a third party pursuant  
10 to the Local Government Revenue Recapture Act. However, the  
11 third party shall agree in writing to the requirements of this  
12 Section and meet the requirements of the Local Government  
13 Revenue Recapture Act.

14 Information so provided shall be subject to all  
15 confidentiality provisions of this Section. The written  
16 agreement shall provide for reciprocity, limitations on  
17 access, disclosure, and procedures for requesting information.  
18 For the purposes of furnishing financial information to a  
19 municipality or county under this Section, "chief executive  
20 officer" means the mayor of a city, the village board  
21 president of a village, the mayor or president of an  
22 incorporated town, the county executive of a county that has  
23 adopted the county executive form of government, the president  
24 of the board of commissioners of Cook County, or the  
25 chairperson of the county board or board of county  
26 commissioners of any other county.



1       The Department may make available to the Board of Trustees  
2 of any Metro East Mass Transit District information contained  
3 on transaction reporting returns required to be filed under  
4 Section 3 of this Act that report sales made within the  
5 boundary of the taxing authority of that Metro East Mass  
6 Transit District, as provided in Section 5.01 of the Local  
7 Mass Transit District Act. The disclosure shall be made  
8 pursuant to a written agreement between the Department and the  
9 Board of Trustees of a Metro East Mass Transit District, which  
10 is an official purpose within the meaning of this Section. The  
11 written agreement between the Department and the Board of  
12 Trustees of a Metro East Mass Transit District shall provide  
13 for reciprocity, limitations on access, disclosure, and  
14 procedures for requesting information. Information so provided  
15 shall be subject to all confidentiality provisions of this  
16 Section.

17       The Director may make available to any State agency,  
18 including the Illinois Supreme Court, which licenses persons  
19 to engage in any occupation, information that a person  
20 licensed by such agency has failed to file returns under this  
21 Act or pay the tax, penalty and interest shown therein, or has  
22 failed to pay any final assessment of tax, penalty or interest  
23 due under this Act. The Director may make available to any  
24 State agency, including the Illinois Supreme Court,  
25 information regarding whether a bidder, contractor, or an  
26 affiliate of a bidder or contractor has failed to collect and

1 remit Illinois Use tax on sales into Illinois, or any tax under  
2 this Act or pay the tax, penalty, and interest shown therein,  
3 or has failed to pay any final assessment of tax, penalty, or  
4 interest due under this Act, for the limited purpose of  
5 enforcing bidder and contractor certifications. The Director  
6 may make available to units of local government and school  
7 districts that require bidder and contractor certifications,  
8 as set forth in Sections 50-11 and 50-12 of the Illinois  
9 Procurement Code, information regarding whether a bidder,  
10 contractor, or an affiliate of a bidder or contractor has  
11 failed to collect and remit Illinois Use tax on sales into  
12 Illinois, file returns under this Act, or pay the tax,  
13 penalty, and interest shown therein, or has failed to pay any  
14 final assessment of tax, penalty, or interest due under this  
15 Act, for the limited purpose of enforcing bidder and  
16 contractor certifications. For purposes of this Section, the  
17 term "affiliate" means any entity that (1) directly,  
18 indirectly, or constructively controls another entity, (2) is  
19 directly, indirectly, or constructively controlled by another  
20 entity, or (3) is subject to the control of a common entity.  
21 For purposes of this Section, an entity controls another  
22 entity if it owns, directly or individually, more than 10% of  
23 the voting securities of that entity. As used in this Section,  
24 the term "voting security" means a security that (1) confers  
25 upon the holder the right to vote for the election of members  
26 of the board of directors or similar governing body of the

1 business or (2) is convertible into, or entitles the holder to  
2 receive upon its exercise, a security that confers such a  
3 right to vote. A general partnership interest is a voting  
4 security.

5 The Director may make available to any State agency,  
6 including the Illinois Supreme Court, units of local  
7 government, and school districts, information regarding  
8 whether a bidder or contractor is an affiliate of a person who  
9 is not collecting and remitting Illinois Use taxes for the  
10 limited purpose of enforcing bidder and contractor  
11 certifications.

12 The Director may also make available to the Secretary of  
13 State information that a limited liability company, which has  
14 filed articles of organization with the Secretary of State, or  
15 corporation which has been issued a certificate of  
16 incorporation by the Secretary of State has failed to file  
17 returns under this Act or pay the tax, penalty and interest  
18 shown therein, or has failed to pay any final assessment of  
19 tax, penalty or interest due under this Act. An assessment is  
20 final when all proceedings in court for review of such  
21 assessment have terminated or the time for the taking thereof  
22 has expired without such proceedings being instituted.

23 It is an official purpose within the meaning of this  
24 Section for the Department to publicly report the aggregate  
25 amount of tax revenues from a given tax return type that the  
26 Department allocates from a State fund or State trust fund to

1 each unit of local government, such as the amount of the  
2 monthly allocation to each unit of local government of  
3 Municipal Cannabis Retailers' Occupation Tax, County Cannabis  
4 Retailers' Occupation Tax, or Business District Retailers'  
5 Occupation Tax, notwithstanding that some units of local  
6 government may have as few as one retailer reporting revenues  
7 for a given tax return type in any given reporting period.

8       The Director shall make available for public inspection in  
9 the Department's principal office and for publication, at  
10 cost, administrative decisions issued on or after January 1,  
11 1995. These decisions are to be made available in a manner so  
12 that the following taxpayer information is not disclosed:

13           (1) The names, addresses, and identification numbers  
14 of the taxpayer, related entities, and employees.

15           (2) At the sole discretion of the Director, trade  
16 secrets or other confidential information identified as  
17 such by the taxpayer, no later than 30 days after receipt  
18 of an administrative decision, by such means as the  
19 Department shall provide by rule.

20       The Director shall determine the appropriate extent of the  
21 deletions allowed in paragraph (2). In the event the taxpayer  
22 does not submit deletions, the Director shall make only the  
23 deletions specified in paragraph (1).

24       The Director shall make available for public inspection  
25 and publication an administrative decision within 180 days  
26 after the issuance of the administrative decision. The term

1 "administrative decision" has the same meaning as defined in  
2 Section 3-101 of Article III of the Code of Civil Procedure.  
3 Costs collected under this Section shall be paid into the Tax  
4 Compliance and Administration Fund.

5 Nothing contained in this Act shall prevent the Director  
6 from divulging information to any person pursuant to a request  
7 or authorization made by the taxpayer or by an authorized  
8 representative of the taxpayer.

9 The furnishing of information obtained by the Department  
10 from returns filed under Public Act 101-10 to the Department  
11 of Transportation for purposes of compliance with Public Act  
12 101-10 regarding aviation fuel is deemed to be an official  
13 purpose within the meaning of this Section.

14 The Director may make information available to the  
15 Secretary of State for the purpose of administering Section  
16 5-901 of the Illinois Vehicle Code.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-628, eff. 6-1-20;  
18 102-558, eff. 8-20-21; 102-941, eff. 7-1-22.)

19 Section 30. The Compassionate Use of Medical Cannabis  
20 Program Act is amended by changing Sections 7, 10, 15, 25, 30,  
21 35, 57, 60, 70, 75, 85, 90, 95, 100, 105, 110, 115, 115.5, 125,  
22 120, 130, 140, 145, 150, 165, 180, 200, 205, and 210 as  
23 follows:

24 (410 ILCS 130/7)

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

4           (1) A cardholder under this Act shall not be  
5 considered an unlawful user or addicted to narcotics  
6 solely as a result of his or her qualifying patient,  
7 provisional patient, or designated caregiver, or Opioid  
8 Alternative Patient Program participant status.

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

19           (3) An individual with a provisional registration for  
20 qualifying patient cardholder status, a qualifying patient  
21 in the Compassionate Use of Medical Cannabis Program, or  
22 an Opioid Alternative Patient ~~Pilot~~ Program participant  
23 under Section 62 shall not be considered an unlawful user  
24 or addicted to narcotics solely as a result of his or her  
25 application to or participation in the program.

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

1 (410 ILCS 130/10)

2 Sec. 10. Definitions. The following terms, as used in this  
3 Act, shall have the meanings set forth in this Section:

4 (a) "Adequate medical supply" means:

5 (1) 2.5 ounces of usable cannabis during a period of  
6 14 days and that is derived solely from an intrastate  
7 source.

8 (2) Subject to the rules of the Department of Public  
9 Health, a patient may apply for a waiver where a  
10 certifying health care professional provides a substantial  
11 medical basis in a signed, written statement asserting  
12 that, based on the patient's medical history, in the  
13 certifying health care professional's professional  
14 judgment, 2.5 ounces is an insufficient adequate medical  
15 supply for a 14-day period to properly alleviate the  
16 patient's debilitating medical condition or symptoms  
17 associated with the debilitating medical condition.

18 (3) This subsection may not be construed to authorize  
19 the possession of more than 2.5 ounces at any time without  
20 authority from the Department of Public Health.

21 (4) The pre-mixed weight of medical cannabis used in  
22 making a cannabis infused product shall apply toward the  
23 limit on the total amount of medical cannabis a registered  
24 qualifying patient may possess at any one time.

25 (a-5) "Advanced practice registered nurse" means a person

1 who is licensed under the Nurse Practice Act as an advanced  
2 practice registered nurse and has a controlled substances  
3 license under Article III of the Illinois Controlled  
4 Substances Act.

5 (b) "Cannabis" has the same meaning given to that term in  
6 Section 1-10 ~~3~~ of the Cannabis Regulation and Tax ~~Control~~ Act.

7 (b-5) "Cannabis business establishment" has the same  
8 meaning given to that term in Section 1-10 of the Cannabis  
9 Regulation and Tax Act.

10 (c) "Cannabis plant monitoring system" means a system that  
11 includes, but is not limited to, testing and data collection  
12 established and maintained by the registered cultivation  
13 center and available to the Department for the purposes of  
14 documenting each cannabis plant and for monitoring plant  
15 development throughout the life cycle of a cannabis plant  
16 cultivated for the intended use by a qualifying patient from  
17 seed planting to final packaging.

18 (d) "Cardholder" means a qualifying patient, provisional  
19 patient, or a designated caregiver, or Opioid Alternative  
20 Patient Program participant who has been issued and possesses  
21 a valid registry identification card by the Department of  
22 Public Health.

23 (d-5) "Certifying health care professional" means a  
24 physician, an advanced practice registered nurse, or a  
25 physician assistant.

26 (e) "Cultivation center" means a facility operated by an



1 organization or business that is registered by the Department  
2 of Agriculture to perform necessary activities to provide only  
3 registered medical cannabis dispensing organizations with  
4 usable medical cannabis. Beginning July 1, 2025, cultivation  
5 centers registered under this Act are subject to regulation  
6 exclusively as a cultivation center under the Cannabis  
7 Regulation and Tax Act. Cultivation center registrations under  
8 this Act shall not be renewed after July 1, 2025.

9 (f) "Cultivation center agent" means a principal officer,  
10 board member, employee, or agent of a registered cultivation  
11 center who is 21 years of age. This subsection is inoperative  
12 on and after January 1, 2026 ~~or older and has not been~~  
13 ~~convicted of an excluded offense.~~

14 (g) "Cultivation center agent identification card" means a  
15 document issued by the Department of Agriculture that  
16 identifies a person as a cultivation center agent. This  
17 subsection is inoperative on and after January 1, 2026.

18 (h) "Debilitating medical condition" means one or more of  
19 the following:

20 (1) cancer, glaucoma, positive status for human  
21 immunodeficiency virus, acquired immune deficiency  
22 syndrome, hepatitis C, amyotrophic lateral sclerosis,  
23 Crohn's disease (including, but not limited to, ulcerative  
24 colitis), agitation of Alzheimer's disease,  
25 cachexia/wasting syndrome, muscular dystrophy, severe  
26 fibromyalgia, spinal cord disease, including but not

1 limited to arachnoiditis, Tarlov cysts, hydromyelia,  
2 syringomyelia, Rheumatoid arthritis, fibrous dysplasia,  
3 spinal cord injury, traumatic brain injury and  
4 post-concussion syndrome, Multiple Sclerosis,  
5 Arnold-Chiari malformation and Syringomyelia,  
6 Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's,  
7 Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD  
8 (Complex Regional Pain Syndromes Type I), Causalgia, CRPS  
9 (Complex Regional Pain Syndromes Type II),  
10 Neurofibromatosis, Chronic Inflammatory Demyelinating  
11 Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial  
12 Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella  
13 syndrome, residual limb pain, seizures (including those  
14 characteristic of epilepsy), post-traumatic stress  
15 disorder (PTSD), autism, chronic pain, irritable bowel  
16 syndrome, migraines, osteoarthritis, anorexia nervosa,  
17 Ehlers-Danlos Syndrome, Neuro-Behcet's Autoimmune  
18 Disease, neuropathy, polycystic kidney disease, superior  
19 canal dehiscence syndrome, endometriosis, ovarian cysts,  
20 uterine fibroids, female orgasmic disorder, or the  
21 treatment of these conditions;

22 (1.5) terminal illness with a diagnosis of 6 months or  
23 less; if the terminal illness is not one of the qualifying  
24 debilitating medical conditions, then the certifying  
25 health care professional shall on the certification form  
26 identify the cause of the terminal illness; or

1           (2) any other debilitating medical condition or its  
2           treatment that is added by the Department of Public Health  
3           by rule as provided in Section 45.

4           (i) "Designated caregiver" means a person who: (1) is at  
5           least 21 years of age; (2) has agreed to assist with a  
6           patient's medical use of cannabis; and (3) ~~has not been~~  
7           ~~convicted of an excluded offense; and (4)~~ assists no more than  
8           one registered qualifying patient with his or her medical use  
9           of cannabis, except for parents or legal guardians of minor  
10          patients. Beginning January 1, 2026, a designated caregiver  
11          registered under this Act may perform the designated  
12          caregiver's duties at any dispensary licensed by the  
13          Department of Financial and Professional Regulation under the  
14          Cannabis Regulation and Tax Act.

15          (j) "Dispensing organization agent identification card"  
16          means a document issued by the Department of Financial and  
17          Professional Regulation that identifies a person as a medical  
18          cannabis dispensing organization agent. This definition is  
19          inoperative on and after July 1, 2026.

20          (k) "Enclosed, locked facility" means a room, greenhouse,  
21          building, or other enclosed area equipped with locks or other  
22          security devices that permit access only by a cultivation  
23          center's agents or a dispensing organization's agent working  
24          for the registered cultivation center or the registered  
25          dispensing organization to cultivate, store, and distribute  
26          cannabis for registered qualifying patients. This definition

1 is inoperative on and after July 1, 2026.

2 (1) (Blank). ~~"Excluded offense" for cultivation center~~  
3 ~~agents and dispensing organizations means:~~

4 ~~(1) a violent crime defined in Section 3 of the Rights~~  
5 ~~of Crime Victims and Witnesses Act or a substantially~~  
6 ~~similar offense that was classified as a felony in the~~  
7 ~~jurisdiction where the person was convicted; or~~

8 ~~(2) a violation of a state or federal controlled~~  
9 ~~substance law, the Cannabis Control Act, or the~~  
10 ~~Methamphetamine Control and Community Protection Act that~~  
11 ~~was classified as a felony in the jurisdiction where the~~  
12 ~~person was convicted, except that the registering~~  
13 ~~Department may waive this restriction if the person~~  
14 ~~demonstrates to the registering Department's satisfaction~~  
15 ~~that his or her conviction was for the possession,~~  
16 ~~cultivation, transfer, or delivery of a reasonable amount~~  
17 ~~of cannabis intended for medical use. This exception does~~  
18 ~~not apply if the conviction was under state law and~~  
19 ~~involved a violation of an existing medical cannabis law.~~

20 ~~For purposes of this subsection, the Department of Public~~  
21 ~~Health shall determine by emergency rule within 30 days after~~  
22 ~~the effective date of this amendatory Act of the 99th General~~  
23 ~~Assembly what constitutes a "reasonable amount".~~

24 ~~(1-5) (Blank).~~

25 (1-10) "Illinois Medical Cannabis Tracking System" means a  
26 web-based system established and maintained by the Department

1 of Public Health that is available to the Department of  
2 Agriculture, the Department of Financial and Professional  
3 Regulation, the Illinois State Police, and registered medical  
4 cannabis dispensing organizations on a 24-hour basis to upload  
5 ~~written~~ certifications for Medical Cannabis Patient Program  
6 registered patient and Opioid Alternative Patient Pilot  
7 Program participants; ~~to verify~~ Medical Cannabis Patient  
8 Program registered patient and Opioid Alternative Patient  
9 Pilot Program participants; ~~and~~ to verify Medical Cannabis  
10 Patient Program registered patient and Opioid Alternative  
11 Patient Pilot Program participants' available cannabis  
12 allotment ~~and assigned dispensary, and the tracking of the~~  
13 ~~date of sale, amount, and price of medical cannabis purchased~~  
14 ~~by an Opioid Alternative Pilot Program participant.~~

15 (m) "Medical cannabis cultivation center registration"  
16 means a registration issued by the Department of Agriculture.  
17 This definition is inoperative on and after July 1, 2026.

18 (n) "Medical cannabis container" means a sealed,  
19 traceable, food compliant, tamper resistant, tamper evident  
20 container, or package used for the purpose of containment of  
21 medical cannabis from a cultivation center to a dispensing  
22 organization.

23 (o) "Medical cannabis dispensing organization", or  
24 "dispensing organization", or "dispensary organization",  
25 through December 31, 2025, means a facility operated by an  
26 organization or business that is registered by the Department

1 of Financial and Professional Regulation to acquire medical  
2 cannabis from a registered cultivation center for the purpose  
3 of dispensing cannabis, paraphernalia, or related supplies and  
4 educational materials to registered qualifying patients,  
5 individuals with a provisional registration for qualifying  
6 patient cardholder status, or an Opioid Alternative Patient  
7 ~~Pilot~~ Program participant. Beginning July 1, 2026, medical  
8 cannabis dispensing organizations licensed under this Act are  
9 subject to regulation as a dispensary under the Cannabis  
10 Regulation and Tax Act.

11 (p) "Medical cannabis dispensing organization agent" or  
12 "dispensing organization agent" means a principal officer,  
13 board member, employee, or agent of a registered medical  
14 cannabis dispensing organization who is 21 years of age or  
15 older ~~and has not been convicted of an excluded offense.~~  
16 Beginning January 1, 2026, medical cannabis dispensing  
17 organization agents licensed under this Act are subject to  
18 regulation as a dispensary organization agent under the  
19 Cannabis Regulation and Tax Act.

20 (q) "Medical cannabis infused product" means food, oils,  
21 ointments, or other products containing usable cannabis that  
22 are not smoked.

23 (r) "Medical use" means the acquisition; administration;  
24 delivery; possession; transfer; transportation; or use of  
25 cannabis to treat or alleviate a registered qualifying  
26 patient's debilitating medical condition or symptoms

1 associated with the patient's debilitating medical condition.

2 (r-5) "Opioid" means a narcotic drug or substance that is  
3 a Schedule II controlled substance under paragraph (1), (2),  
4 (3), or (5) of subsection (b) or under subsection (c) of  
5 Section 206 of the Illinois Controlled Substances Act.

6 (r-10) "Opioid Alternative Patient ~~Pilot~~ Program  
7 participant" means an individual who has received a valid  
8 written certification to participate in the Opioid Alternative  
9 Patient ~~Pilot~~ Program for a medical condition for which an  
10 opioid has been or could be prescribed by a certifying health  
11 care professional based on generally accepted standards of  
12 care.

13 (s) "Physician" means a doctor of medicine or doctor of  
14 osteopathy licensed under the Medical Practice Act of 1987 to  
15 practice medicine and who has a controlled substances license  
16 under Article III of the Illinois Controlled Substances Act.  
17 It does not include a licensed practitioner under any other  
18 Act including but not limited to the Illinois Dental Practice  
19 Act.

20 (s-1) "Physician assistant" means a physician assistant  
21 licensed under the Physician Assistant Practice Act of 1987  
22 and who has a controlled substances license under Article III  
23 of the Illinois Controlled Substances Act.

24 (s-5) "Provisional registration" means a document issued  
25 by the Department of Public Health to a qualifying patient who  
26 has submitted: (1) an online application and paid a fee to

1 participate in Compassionate Use of Medical Cannabis Program  
2 pending approval or denial of the patient's application; or  
3 (2) a completed application for terminal illness.

4 (s-10) "Provisional patient" means a qualifying patient  
5 who has received a provisional registration from the  
6 Department of Public Health.

7 (t) "Qualifying patient" or "registered qualifying  
8 patient" means a person who has been diagnosed by a certifying  
9 health care professional as having a debilitating medical  
10 condition.

11 (u) "Registered" means licensed, permitted, or otherwise  
12 certified by the Department of Agriculture, Department of  
13 Public Health, or Department of Financial and Professional  
14 Regulation.

15 (v) "Registry identification card" means a document issued  
16 by the Department of Public Health that identifies a person as  
17 a registered qualifying patient, provisional patient, or  
18 registered designated caregiver.

19 (w) "Usable cannabis" means the seeds, leaves, buds, and  
20 flowers of the cannabis plant and any mixture or preparation  
21 thereof, but does not include the stalks, and roots of the  
22 plant. It does not include the weight of any non-cannabis  
23 ingredients combined with cannabis, such as ingredients added  
24 to prepare a topical administration, food, or drink.

25 (x) "Verification system" means a Web-based system  
26 established and maintained by the Department of Public Health



1 that is available to the Department of Agriculture, the  
2 Department of Financial and Professional Regulation, law  
3 enforcement personnel, and registered medical cannabis  
4 dispensing organization agents on a 24-hour basis for the  
5 verification of registry identification cards,~~the tracking of~~  
6 ~~delivery of medical cannabis to medical cannabis dispensing~~  
7 ~~organizations, and the tracking of the date of sale, amount,~~  
8 ~~and price of medical cannabis purchased by a registered~~  
9 ~~qualifying patient.~~

10 (y) "Written certification" means a document dated and  
11 signed by a certifying health care professional practicing in  
12 the State of Illinois, stating (1) that the qualifying patient  
13 has a debilitating medical condition and specifying the  
14 debilitating medical condition the qualifying patient has; and  
15 (2) that (A) the certifying health care professional is  
16 treating or managing treatment of the patient's debilitating  
17 medical condition; or (B) an Opioid Alternative Patient Pilot  
18 Program participant has a medical condition for which opioids  
19 have been or could be prescribed. A written certification  
20 shall be made only in the course of a bona fide health care  
21 professional-patient relationship, after the certifying health  
22 care professional has completed an assessment of either a  
23 qualifying patient's medical history or Opioid Alternative  
24 Patient Pilot Program participant, reviewed relevant records  
25 related to the patient's debilitating condition, and conducted  
26 a physical examination.

1           (z) "Bona fide health care professional-patient  
2 relationship" means a relationship ~~established at a hospital,~~  
3 ~~certifying health care professional's office, or other health~~  
4 ~~care facility~~ in which the certifying health care professional  
5 has an ongoing responsibility for the assessment, care, and  
6 treatment of a patient's debilitating medical condition or a  
7 symptom of the patient's debilitating medical condition.

8           A veteran who has received treatment at a VA hospital  
9 shall be deemed to have a bona fide health care  
10 professional-patient relationship with a VA certifying health  
11 care professional if the patient has been seen for his or her  
12 debilitating medical condition at the VA Hospital in  
13 accordance with VA Hospital protocols.

14           A bona fide health care professional-patient relationship  
15 under this subsection is a privileged communication within the  
16 meaning of Section 8-802 of the Code of Civil Procedure.

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

18           (410 ILCS 130/15)

19           Sec. 15. Authority.

20           (a) It is the duty of the Department of Public Health to  
21 enforce the following provisions of this Act unless otherwise  
22 provided for by this Act:

23                 (1) establish and maintain a confidential registry of  
24 qualifying patients authorized to engage in the medical  
25 use of cannabis and their caregivers;

1           (2) distribute educational materials about the health  
2           benefits and risks associated with the use of cannabis and  
3           prescription medications;

4           (3) adopt rules to administer the patient and  
5           caregiver registration program; and

6           (4) adopt rules establishing food handling  
7           requirements for cannabis-infused products that are  
8           prepared for human consumption.

9           (b) Through July 1, 2025, it ~~it~~ is the duty of the  
10          Department of Agriculture to enforce the provisions of this  
11          Act relating to the registration and oversight of cultivation  
12          centers unless otherwise provided for in this Act.

13          (c) Through December 31, 2025, it ~~it~~ is the duty of the  
14          Department of Financial and Professional Regulation to enforce  
15          the provisions of this Act relating to the registration and  
16          oversight of dispensing organizations unless otherwise  
17          provided for in this Act.

18          (d) Through December 31, 2025, the ~~The~~ Department of  
19          Public Health, the Department of Agriculture, or the  
20          Department of Financial and Professional Regulation shall  
21          enter into intergovernmental agreements, as necessary, to  
22          carry out the provisions of this Act including, but not  
23          limited to, the provisions relating to the registration and  
24          oversight of cultivation centers, dispensing organizations,  
25          and qualifying patients, Opioid Alternative Patient Program  
26          participants, and caregivers. Beginning January 1, 2026, the

1 Department of Public Health may enter into intergovernmental  
2 agreements, as necessary, to carry out the provisions of this  
3 Act, including, but not limited to, the provisions relating to  
4 qualifying patients and caregivers.

5 (e) The Department of Public Health, the Department of  
6 Agriculture through December 31, 2025, or the Department of  
7 Financial and Professional Regulation through December 31,  
8 2025 may suspend, revoke, or impose other penalties upon a  
9 registration for violations of this Act and any rules adopted  
10 in accordance thereto. The suspension or revocation of, or  
11 imposition of any other penalty upon, a registration is a  
12 final Agency action, subject to judicial review. Jurisdiction  
13 and venue for judicial review are vested in the Circuit Court.

14 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15;  
15 99-519, eff. 6-30-16.)

16 (410 ILCS 130/25)

17 Sec. 25. Immunities and presumptions related to the  
18 medical use of cannabis.

19 (a) A registered qualifying patient, provisional patient,  
20 or Opioid Alternative Patient Program participant is not  
21 subject to arrest, prosecution, or denial of any right or  
22 privilege, including, but not limited to, civil penalty or  
23 disciplinary action by an occupational or professional  
24 licensing board, for the medical use of cannabis in accordance  
25 with this Act, if the registered qualifying patient possesses

1 an amount of cannabis that does not exceed an adequate medical  
2 supply as defined in subsection (a) of Section 10 of this Act  
3 of usable cannabis and, where the registered qualifying  
4 patient is a licensed professional, the use of cannabis does  
5 not impair that licensed professional when he or she is  
6 engaged in the practice of the profession for which he or she  
7 is licensed.

8 (b) A registered designated caregiver is not subject to  
9 arrest, prosecution, or denial of any right or privilege,  
10 including, but not limited to, civil penalty or disciplinary  
11 action by an occupational or professional licensing board, for  
12 acting in accordance with this Act to assist a registered  
13 qualifying patient to whom he or she is connected through the  
14 Department's registration process with the medical use of  
15 cannabis if the designated caregiver possesses an amount of  
16 cannabis that does not exceed an adequate medical supply as  
17 defined in subsection (a) of Section 10 of this Act of usable  
18 cannabis. A school nurse or school administrator is not  
19 subject to arrest, prosecution, or denial of any right or  
20 privilege, including, but not limited to, a civil penalty, for  
21 acting in accordance with Section 22-33 of the School Code  
22 relating to administering or assisting a student in  
23 self-administering a medical cannabis infused product. The  
24 total amount possessed between the qualifying patient and  
25 caregiver shall not exceed the patient's adequate medical  
26 supply as defined in subsection (a) of Section 10 of this Act.

1 (c) A registered qualifying patient or registered  
2 designated caregiver is not subject to arrest, prosecution, or  
3 denial of any right or privilege, including, but not limited  
4 to, civil penalty or disciplinary action by an occupational or  
5 professional licensing board for possession of cannabis that  
6 is incidental to medical use, but is not usable cannabis as  
7 defined in this Act.

8 (d) (1) There is a rebuttable presumption that a registered  
9 qualifying patient or Opioid Alternative Patient Program  
10 Participant is engaged in, or a designated caregiver is  
11 assisting with, the medical use of cannabis in accordance with  
12 this Act if the qualifying patient or designated caregiver:

13 (A) is in possession of a valid registry  
14 identification card; and

15 (B) is in possession of an amount of cannabis that  
16 does not exceed the amount allowed under subsection (a) of  
17 Section 10.

18 (2) The presumption may be rebutted by evidence that  
19 conduct related to cannabis was not for the purpose of  
20 treating or alleviating the qualifying patient's debilitating  
21 medical condition or symptoms associated with the debilitating  
22 medical condition in compliance with this Act.

23 (e) A certifying health care professional is not subject  
24 to arrest, prosecution, or penalty in any manner, or denial of  
25 any right or privilege, including, but not limited to, civil  
26 penalty or disciplinary action by the Medical Disciplinary

1 Board or by any other occupational or professional licensing  
2 board, solely for providing written certifications or for  
3 otherwise stating that, in the certifying health care  
4 professional's professional opinion, a patient is likely to  
5 receive therapeutic or palliative benefit from the medical use  
6 of cannabis to treat or alleviate the patient's debilitating  
7 medical condition or symptoms associated with the debilitating  
8 medical condition, provided that nothing shall prevent a  
9 professional licensing or disciplinary board from sanctioning  
10 a certifying health care professional for: (1) issuing a  
11 written certification to a patient who is not under the  
12 certifying health care professional's care for a debilitating  
13 medical condition; or (2) failing to properly evaluate a  
14 patient's medical condition or otherwise violating the  
15 standard of care for evaluating medical conditions.

16 (f) No person may be subject to arrest, prosecution, or  
17 denial of any right or privilege, including, but not limited  
18 to, civil penalty or disciplinary action by an occupational or  
19 professional licensing board, solely for: (1) selling cannabis  
20 paraphernalia to a cardholder upon presentation of an  
21 unexpired registry identification card in the recipient's  
22 name, if employed and registered as a dispensing agent by a  
23 registered dispensing organization; (2) being in the presence  
24 or vicinity of the medical use of cannabis as allowed under  
25 this Act; or (3) assisting a registered qualifying patient  
26 with the act of administering cannabis.

1 (g) A registered cultivation center is not subject to  
2 prosecution; search or inspection, except by the Department of  
3 Agriculture, Department of Public Health, or State or local  
4 law enforcement under Section 130; seizure; or penalty in any  
5 manner, or denial of any right or privilege, including, but  
6 not limited to, civil penalty or disciplinary action by a  
7 business licensing board or entity, for acting under this Act  
8 and Department of Agriculture rules to: acquire, possess,  
9 cultivate, manufacture, deliver, transfer, transport, supply,  
10 or sell cannabis to registered dispensing organizations. This  
11 subsection does not apply to events occurring on and after  
12 July 1, 2025; however, the authority granted in this  
13 subsection remains in force and effect for events occurring on  
14 or before June 30, 2025.

15 (h) A registered cultivation center agent is not subject  
16 to prosecution, search, or penalty in any manner, or denial of  
17 any right or privilege, including, but not limited to, civil  
18 penalty or disciplinary action by a business licensing board  
19 or entity, for working or volunteering for a registered  
20 cannabis cultivation center under this Act and Department of  
21 Agriculture rules, including to perform the actions listed  
22 under subsection (g). This subsection does not apply to events  
23 occurring on and after July 1, 2025; however, the authority  
24 granted in this subsection remains in force and effect for  
25 events occurring on or before June 30, 2025.

26 (i) A registered dispensing organization is not subject to



1 prosecution; search or inspection, except by the Department of  
2 Financial and Professional Regulation or State or local law  
3 enforcement pursuant to Section 130; seizure; or penalty in  
4 any manner, or denial of any right or privilege, including,  
5 but not limited to, civil penalty or disciplinary action by a  
6 business licensing board or entity, for acting under this Act  
7 and Department of Financial and Professional Regulation rules  
8 to: acquire, possess, or dispense cannabis, or related  
9 supplies, and educational materials to registered qualifying  
10 patients or registered designated caregivers on behalf of  
11 registered qualifying patients. This subsection does not apply  
12 to events occurring on and after January 1, 2026; however, the  
13 authority granted in this subsection remains in force and  
14 effect for events occurring on or before December 31, 2025.

15 (j) A registered dispensing organization agent is not  
16 subject to prosecution, search, or penalty in any manner, or  
17 denial of any right or privilege, including, but not limited  
18 to, civil penalty or disciplinary action by a business  
19 licensing board or entity, for working or volunteering for a  
20 dispensing organization under this Act and Department of  
21 Financial and Professional Regulation rules, including to  
22 perform the actions listed under subsection (i). This  
23 subsection does not apply to events occurring on and after  
24 January 1, 2026; however, the authority granted in this  
25 subsection remains in force and effect for events occurring on  
26 or before December 31, 2025.

1           (k) Any cannabis, cannabis paraphernalia, illegal  
2 property, or interest in legal property that is possessed,  
3 owned, or used in connection with the medical use of cannabis  
4 as allowed under this Act, or acts incidental to that use, may  
5 not be seized or forfeited. This Act does not prevent the  
6 seizure or forfeiture of cannabis exceeding the amounts  
7 allowed under this Act or the Cannabis Regulation and Tax Act,  
8 nor shall it prevent seizure or forfeiture if the basis for the  
9 action is unrelated to the cannabis that is possessed,  
10 manufactured, transferred, or used under this Act or the  
11 Cannabis Regulation and Tax Act.

12           (1) Mere possession of, or application for, a registry  
13 identification card or registration certificate does not  
14 constitute probable cause or reasonable suspicion, nor shall  
15 it be used as the sole basis to support the search of the  
16 person, property, or home of the person possessing or applying  
17 for the registry identification card. The possession of, or  
18 application for, a registry identification card does not  
19 preclude the existence of probable cause if probable cause  
20 exists on other grounds.

21           (m) Nothing in this Act shall preclude local or State law  
22 enforcement agencies from searching a registered cultivation  
23 center where there is probable cause to believe that the  
24 criminal laws of this State have been violated and the search  
25 is conducted in conformity with the Illinois Constitution, the  
26 Constitution of the United States, and all State statutes.

1           (n) Nothing in this Act shall preclude local or State law  
2 enforcement agencies from searching a registered dispensing  
3 organization where there is probable cause to believe that the  
4 criminal laws of this State have been violated and the search  
5 is conducted in conformity with the Illinois Constitution, the  
6 Constitution of the United States, and all State statutes.

7           (o) No individual employed by the State of Illinois shall  
8 be subject to criminal or civil penalties for taking any  
9 action in accordance with the provisions of this Act, when the  
10 actions are within the scope of his or her employment.  
11 Representation and indemnification of State employees shall be  
12 provided to State employees as set forth in Section 2 of the  
13 State Employee Indemnification Act.

14           (p) No law enforcement or correctional agency, nor any  
15 individual employed by a law enforcement or correctional  
16 agency, shall be subject to criminal or civil liability,  
17 except for willful and wanton misconduct, as a result of  
18 taking any action within the scope of the official duties of  
19 the agency or individual to prohibit or prevent the possession  
20 or use of cannabis by a cardholder incarcerated at a  
21 correctional facility, jail, or municipal lockup facility, on  
22 parole or mandatory supervised release, or otherwise under the  
23 lawful jurisdiction of the agency or individual.

24           (Source: P.A. 101-363, eff. 8-19-19; 101-370, eff. 1-1-20;  
25 102-558, eff. 8-20-21.)

1 (410 ILCS 130/30)

2 Sec. 30. Limitations and penalties.

3 (a) This Act does not permit any person to engage in, and  
4 does not prevent the imposition of any civil, criminal, or  
5 other penalties for engaging in, the following conduct:

6 (1) Undertaking any task under the influence of  
7 cannabis, when doing so would constitute negligence,  
8 professional malpractice, or professional misconduct;

9 (2) Possessing cannabis:

10 (A) except as provided under Section 22-33 of the  
11 School Code, in a school bus;

12 (B) except as provided under Section 22-33 of the  
13 School Code, on the grounds of any preschool or  
14 primary or secondary school;

15 (C) in any correctional facility;

16 (D) in a vehicle under Section 11-502.1 of the  
17 Illinois Vehicle Code;

18 (E) in a vehicle not open to the public unless the  
19 medical cannabis is in a reasonably secured, sealed  
20 container and reasonably inaccessible while the  
21 vehicle is moving; or

22 (F) in a private residence that is used at any time  
23 to provide licensed child care or other similar social  
24 service care on the premises;

25 (3) Using cannabis:

26 (A) except as provided under Section 22-33 of the

1 School Code, in a school bus;

2 (B) except as provided under Section 22-33 of the  
3 School Code, on the grounds of any preschool or  
4 primary or secondary school;

5 (C) in any correctional facility;

6 (D) in any motor vehicle;

7 (E) in a private residence that is used at any time  
8 to provide licensed child care or other similar social  
9 service care on the premises;

10 (F) except as provided under Section 22-33 of the  
11 School Code and Section 31 of this Act, in any public  
12 place. "Public place" as used in this subsection means  
13 any place where an individual could reasonably be  
14 expected to be observed by others. A "public place"  
15 includes all parts of buildings owned in whole or in  
16 part, or leased, by the State or a local unit of  
17 government. A "public place" does not include a  
18 private residence unless the private residence is used  
19 to provide licensed child care, foster care, or other  
20 similar social service care on the premises. For  
21 purposes of this subsection, a "public place" does not  
22 include a health care facility. For purposes of this  
23 Section, a "health care facility" includes, but is not  
24 limited to, hospitals, nursing homes, hospice care  
25 centers, and long-term care facilities;

26 (G) except as provided under Section 22-33 of the

1 School Code and Section 31 of this Act, knowingly in  
2 close physical proximity to anyone under the age of 18  
3 years of age;

4 (4) Smoking medical cannabis in any public place where  
5 an individual could reasonably be expected to be observed  
6 by others, in a health care facility, or any other place  
7 where smoking is prohibited under the Smoke Free Illinois  
8 Act;

9 (5) Operating, navigating, or being in actual physical  
10 control of any motor vehicle, aircraft, or motorboat while  
11 using or under the influence of cannabis in violation of  
12 Sections 11-501 and 11-502.1 of the Illinois Vehicle Code;

13 (6) Using or possessing cannabis if that person does  
14 not have a debilitating medical condition and is not a  
15 registered qualifying patient or caregiver;

16 (7) Allowing any person who is not allowed to use  
17 cannabis under this Act to use cannabis that a cardholder  
18 is allowed to possess under this Act;

19 (8) Transferring cannabis to any person contrary to  
20 the provisions of this Act;

21 (9) The use of medical cannabis by an active duty law  
22 enforcement officer, correctional officer, correctional  
23 probation officer, or firefighter; or

24 (10) The use of medical cannabis by a person who has a  
25 school bus permit or a Commercial Driver's License.

26 (b) Nothing in this Act shall be construed to prevent the

1 arrest or prosecution of a registered qualifying patient for  
2 reckless driving or driving under the influence of cannabis  
3 where probable cause exists.

4 (c) Notwithstanding any other criminal penalties related  
5 to the unlawful possession of cannabis, knowingly making a  
6 misrepresentation to a law enforcement official of any fact or  
7 circumstance relating to the medical use of cannabis to avoid  
8 arrest or prosecution is a petty offense punishable by a fine  
9 of up to \$1,000, which shall be in addition to any other  
10 penalties that may apply for making a false statement or for  
11 the use of cannabis other than use undertaken under this Act.

12 (d) Notwithstanding any other criminal penalties related  
13 to the unlawful possession of cannabis, any person who makes a  
14 misrepresentation of a medical condition to a certifying  
15 health care professional or fraudulently provides material  
16 misinformation to a certifying health care professional in  
17 order to obtain a written certification is guilty of a petty  
18 offense punishable by a fine of up to \$1,000.

19 (e) Any registered qualifying patient, provisional  
20 patient, Opioid Alternative Patient Program participant,  
21 ~~cardholder~~ or designated ~~registered~~ caregiver who sells  
22 cannabis shall have his or her registry identification card  
23 revoked and is subject to other penalties for the unauthorized  
24 sale of cannabis.

25 (f) Any registered qualifying patient or provisional  
26 patient who commits a violation of Section 11-502.1 of the

1 Illinois Vehicle Code or refuses a properly requested test  
2 related to operating a motor vehicle while under the influence  
3 of cannabis shall have his or her registry identification card  
4 revoked.

5 (g) No registered qualifying patient, provisional patient,  
6 Opioid Alternative Patient Program participant, or designated  
7 caregiver shall knowingly obtain, seek to obtain, or possess,  
8 individually or collectively, an amount of usable cannabis  
9 from a registered medical cannabis dispensing organization  
10 that would cause him or her to exceed the authorized adequate  
11 medical supply under subsection (a) of Section 10.

12 (h) Nothing in this Act shall prevent a private business  
13 from restricting or prohibiting the medical use of cannabis on  
14 its property.

15 (i) Nothing in this Act shall prevent a university,  
16 college, or other institution of post-secondary education from  
17 restricting or prohibiting the use of medical cannabis on its  
18 property.

19 (Source: P.A. 101-363, eff. 8-9-19; 102-67, eff. 7-9-21.)

20 (410 ILCS 130/35)

21 Sec. 35. Certifying health care professional requirements.

22 (a) A certifying health care professional who certifies a  
23 debilitating medical condition for a qualifying patient shall  
24 comply with all of the following requirements:

25 (1) The certifying health care professional shall be



1 currently licensed under the Medical Practice Act of 1987  
2 to practice medicine in all its branches, the Nurse  
3 Practice Act, or the Physician Assistant Practice Act of  
4 1987, shall be in good standing, and must hold a  
5 controlled substances license under Article III of the  
6 Illinois Controlled Substances Act.

7 (2) A certifying health care professional certifying a  
8 patient's condition shall comply with generally accepted  
9 standards of medical practice, the provisions of the Act  
10 under which he or she is licensed and all applicable  
11 rules.

12 (3) The physical examination required by this Act may  
13 ~~not~~ be conducted ~~performed~~ by remote means, including  
14 telemedicine, provided that an Illinois-based medical  
15 clinic is established and accessible to patients, ensuring  
16 the provision of adequate medical care.

17 (4) The certifying health care professional shall  
18 maintain a record-keeping system for all patients for whom  
19 the certifying health care professional has certified the  
20 patient's medical condition. These records shall be  
21 accessible to and subject to review by the Department of  
22 Public Health and the Department of Financial and  
23 Professional Regulation upon request.

24 (b) A certifying health care professional may not:

25 (1) accept, solicit, or offer any form of remuneration  
26 from or to a qualifying patient, provisional patient,

1        designated ~~primary~~ caregiver, cultivation center, or  
2        dispensing organization, including each principal officer,  
3        board member, agent, and employee, to certify a patient,  
4        other than accepting payment from a patient for the fee  
5        associated with the required examination, except for the  
6        limited purpose of performing a medical cannabis-related  
7        research study;

8            (1.5) accept, solicit, or offer any form of  
9        remuneration from or to a medical cannabis cultivation  
10       center or dispensary organization for the purposes of  
11       referring a patient to a specific dispensary organization;

12           (1.10) engage in any activity that is prohibited under  
13       Section 22.2 of the Medical Practice Act of 1987,  
14       regardless of whether the certifying health care  
15       professional is a physician, advanced practice registered  
16       nurse, or physician assistant;

17           (2) offer a discount of any other item of value to a  
18       qualifying patient or provisional patient who uses or  
19       agrees to use a particular designated ~~primary~~ caregiver or  
20       dispensing organization to obtain medical cannabis;

21           (3) conduct a personal certifying ~~physical~~ examination  
22       of a patient for purposes of diagnosing a debilitating  
23       medical condition at a location where medical cannabis is  
24       sold or distributed or at the address of a principal  
25       officer, agent, or employee or a medical cannabis  
26       organization;

1           (4) hold a direct or indirect economic interest in a  
2           cultivation center or dispensing organization if he or she  
3           recommends the use of medical cannabis to qualified  
4           patients or is in a partnership or other fee or  
5           profit-sharing relationship with a certifying health care  
6           professional who recommends medical cannabis, except for  
7           the limited purpose of performing a medical  
8           cannabis-related research study;

9           (5) serve on the board of directors or as an employee  
10          of a cultivation center or dispensing organization;

11          (6) refer patients to a cultivation center, a  
12          dispensing organization, or a registered designated  
13          caregiver; or

14          (7) advertise in a cultivation center or a dispensing  
15          organization.

16          (c) The Department of Public Health may with reasonable  
17          cause refer a certifying health care professional, who has  
18          certified a debilitating medical condition of a patient, to  
19          the Illinois Department of Financial and Professional  
20          Regulation for potential violations of this Section.

21          (d) Any violation of this Section or any other provision  
22          of this Act or rules adopted under this Act is a violation of  
23          the certifying health care professional's licensure act.

24          (e) A certifying health care professional who certifies a  
25          debilitating medical condition for a qualifying patient or  
26          Opioid Alternative Patient Program may notify the Department

1 of Public Health in writing: (1) if the certifying health care  
2 professional has reason to believe either that the registered  
3 qualifying patient has ceased to suffer from a debilitating  
4 medical condition; (2) that the bona fide health care  
5 professional-patient relationship has terminated; or (3) that  
6 continued use of medical cannabis would result in  
7 contraindication with the patient's other medication. The  
8 registered qualifying patient's or Opioid Alternative Patient  
9 Program's registry identification card shall be revoked by the  
10 Department of Public Health after receiving the certifying  
11 health care professional's notification.

12 (f) Nothing in this Act shall preclude a certifying health  
13 care professional from referring a patient for health  
14 services, except when the referral is limited to certification  
15 purposes only, under this Act.

16 (Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21.)

17 (410 ILCS 130/57)

18 Sec. 57. Designated Caregivers and provisional ~~Qualifying~~  
19 patients.

20 (a) Qualifying patients or provisional patients that are  
21 under the age of 18 years shall not be prohibited from  
22 appointing up to 3 designated caregivers who meet the  
23 definition of "designated caregiver" under Section 10 so long  
24 as at least one designated caregiver is a biological parent or  
25 legal guardian.

1 (b) Qualifying patients or provisional patients that are  
2 18 years of age or older shall not be prohibited from  
3 appointing up to 3 designated caregivers who meet the  
4 definition of "designated caregiver" under Section 10.

5 (c) Beginning January 1, 2026, designated caregivers,  
6 qualifying patients, Opioid Alternative Patient Program  
7 participants, or provisional patients registered under this  
8 Act may purchase an adequate medical supply at any dispensing  
9 organization licensed by the Department of Financial and  
10 Professional Regulation under the Cannabis Regulation and Tax  
11 Act.

12 (Source: P.A. 101-363, eff. 8-9-19.)

13 (410 ILCS 130/60)

14 Sec. 60. Issuance of registry identification cards.

15 (a) Except as provided in subsection (b), the Department  
16 of Public Health shall:

17 (1) verify the information contained in an application  
18 or renewal for a registry identification card submitted  
19 under this Act, and approve or deny an application or  
20 renewal, within 90 days of receiving a completed  
21 application or renewal application and all supporting  
22 documentation specified in Section 55;

23 (2) issue registry identification cards to a  
24 qualifying patient and his or her designated caregiver, if  
25 any, within 15 business days of approving the application

1 or renewal; and

2 (3) (blank) ~~enter the registry identification number~~  
3 ~~of the registered dispensing organization the patient~~  
4 ~~designates into the verification system; and~~

5 (4) allow for an electronic application process, and  
6 provide a confirmation by electronic or other methods that  
7 an application has been submitted.

8 Notwithstanding any other provision of this Act, the  
9 Department of Public Health shall adopt rules for qualifying  
10 patients and applicants with life-long debilitating medical  
11 conditions, who may be charged annual renewal fees. The  
12 Department of Public Health shall not require patients and  
13 applicants with life-long debilitating medical conditions to  
14 apply to renew registry identification cards.

15 (b) The Department of Public Health may not issue a  
16 registry identification card to a qualifying patient who is  
17 under 18 years of age, unless that patient suffers from  
18 seizures, including those characteristic of epilepsy, or as  
19 provided by administrative rule. The Department of Public  
20 Health shall adopt rules for the issuance of a registry  
21 identification card for qualifying patients who are under 18  
22 years of age and suffering from seizures, including those  
23 characteristic of epilepsy. The Department of Public Health  
24 may adopt rules to allow other individuals under 18 years of  
25 age to become registered qualifying patients under this Act  
26 with the consent of a parent or legal guardian. Registered

1 qualifying patients under 18 years of age shall be prohibited  
2 from consuming forms of cannabis other than medical cannabis  
3 infused products and purchasing any usable cannabis.

4 (c) A veteran who has received treatment at a VA hospital  
5 is deemed to have a bona fide health care professional-patient  
6 relationship with a VA certifying health care professional if  
7 the patient has been seen for his or her debilitating medical  
8 condition at the VA hospital in accordance with VA hospital  
9 protocols. All reasonable inferences regarding the existence  
10 of a bona fide health care professional-patient relationship  
11 shall be drawn in favor of an applicant who is a veteran and  
12 has undergone treatment at a VA hospital.

13 (c-10) An individual who submits an application as someone  
14 who is terminally ill shall have all fees waived. The  
15 Department of Public Health shall within 30 days after this  
16 amendatory Act of the 99th General Assembly adopt emergency  
17 rules to expedite approval for terminally ill individuals.  
18 These rules shall include, but not be limited to, rules that  
19 provide that applications by individuals with terminal  
20 illnesses shall be approved or denied within 14 days of their  
21 submission.

22 (d) No later than 6 months after the effective date of this  
23 amendatory Act of the 101st General Assembly, the Secretary of  
24 State shall remove all existing notations on driving records  
25 that the person is a registered qualifying patient or his or  
26 her caregiver under this Act.

1           (e) Upon the approval of the registration and issuance of  
2 a registry card under this Section, the Department of Public  
3 Health shall electronically forward the registered qualifying  
4 patient's identification card information to the Prescription  
5 Monitoring Program established under the Illinois Controlled  
6 Substances Act and certify that the individual is permitted to  
7 engage in the medical use of cannabis. For the purposes of  
8 patient care, the Prescription Monitoring Program shall make a  
9 notation on the person's prescription record stating that the  
10 person is a registered qualifying patient or Opioid  
11 Alternative Patient Program participant who is entitled to the  
12 lawful medical use of cannabis. If the person no longer holds a  
13 valid registry card, the Department of Public Health shall  
14 notify the Prescription Monitoring Program and Department of  
15 Human Services to remove the notation from the person's  
16 record. The Department of Human Services and the Prescription  
17 Monitoring Program shall establish a system by which the  
18 information may be shared electronically. This confidential  
19 list may not be combined or linked in any manner with any other  
20 list or database except as provided in this Section.

21           (f) (Blank).

22           (Source: P.A. 100-1114, eff. 8-28-18; 101-363, eff. 8-9-19;  
23 101-593, eff. 12-4-19.)

24           (410 ILCS 130/70)

25           Sec. 70. Registry identification cards.



1 (a) A registered qualifying patient, Opioid Alternative  
2 Patient Program participant, provisional patient, or  
3 designated caregiver must keep their registry identification  
4 card in his or her possession at all times when engaging in the  
5 medical use of cannabis.

6 (b) Registry identification cards shall contain the  
7 following:

8 (1) the name of the cardholder;

9 (2) a designation of whether the cardholder is a  
10 designated caregiver or qualifying patient;

11 (3) the date of issuance and expiration date of the  
12 registry identification card;

13 (4) a random alphanumeric identification number that  
14 is unique to the cardholder;

15 (5) if the cardholder is a designated caregiver, the  
16 random alphanumeric identification number of the  
17 registered qualifying patient the designated caregiver is  
18 receiving the registry identification card to assist; and

19 (6) a photograph of the cardholder, if required by  
20 Department of Public Health rules.

21 (c) To maintain a valid registration identification card,  
22 a registered qualifying patient and designated caregiver must  
23 annually resubmit, at least 45 days prior to the expiration  
24 date stated on the registry identification card, a completed  
25 renewal application, renewal fee, and accompanying  
26 documentation as described in Department of Public Health

1 rules. The Department of Public Health shall send a  
2 notification to a registered qualifying patient or registered  
3 designated caregiver 90 days prior to the expiration of the  
4 registered qualifying patient's or registered designated  
5 caregiver's identification card. If the Department of Public  
6 Health fails to grant or deny a renewal application received  
7 in accordance with this Section, then the renewal is deemed  
8 granted and the registered qualifying patient or registered  
9 designated caregiver may continue to use the expired  
10 identification card until the Department of Public Health  
11 denies the renewal or issues a new identification card.

12 (d) Except as otherwise provided in this Section, the  
13 expiration date is 3 years after the date of issuance.

14 (e) The Department of Public Health may electronically  
15 store in the card any or all of the information listed in  
16 subsection (b), along with the address and date of birth of the  
17 cardholder ~~and the qualifying patient's designated dispensary~~  
18 ~~organization~~, to allow it to be read by law enforcement  
19 agents.

20 (Source: P.A. 98-122, eff. 1-1-14; 99-519, eff. 6-30-16.)

21 (410 ILCS 130/75)

22 Sec. 75. Notifications to Department of Public Health and  
23 responses; civil penalty.

24 (a) The following notifications and Department of Public  
25 Health responses are required:

1           (1) A registered qualifying patient or Opioid  
2           Alternative Patient Program shall notify the Department of  
3           Public Health of any change in his or her name or address,  
4           or if the registered qualifying patient ceases to have his  
5           or her debilitating medical condition, within 10 days of  
6           the change.

7           (2) A registered designated caregiver shall notify the  
8           Department of Public Health of any change in his or her  
9           name or address, or if the designated caregiver becomes  
10          aware the registered qualifying patient passed away,  
11          within 10 days of the change.

12          (3) Before a registered qualifying patient changes his  
13          or her designated caregiver, the qualifying patient must  
14          notify the Department of Public Health.

15          (4) (Blank). ~~If a cardholder loses his or her registry~~  
16          ~~identification card, he or she shall notify the Department~~  
17          ~~within 10 days of becoming aware the card has been lost.~~

18          (b) When a cardholder notifies the Department of Public  
19          Health of items listed in subsection (a), but remains eligible  
20          under this Act, the Department of Public Health shall issue  
21          the cardholder a new registry identification card with a new  
22          random alphanumeric identification number within 15 business  
23          days of receiving the updated information and a fee as  
24          specified in Department of Public Health rules. If the person  
25          notifying the Department of Public Health is a registered  
26          qualifying patient, the Department shall also issue his or her

1 registered designated caregiver, if any, a new registry  
2 identification card within 15 business days of receiving the  
3 updated information.

4 (c) If a registered qualifying patient ceases to be a  
5 registered qualifying patient, Opioid Alternative Patient  
6 Program participant, or changes his or her registered  
7 designated caregiver, the Department of Public Health shall  
8 promptly notify the designated caregiver. The registered  
9 designated caregiver's protections under this Act as to that  
10 qualifying patient shall expire 15 days after notification by  
11 the Department.

12 (d) A cardholder who fails to make a notification to the  
13 Department of Public Health that is required by this Section  
14 is subject to a civil infraction, punishable by a penalty of no  
15 more than \$150.

16 (e) (Blank). ~~A registered qualifying patient shall notify~~  
17 ~~the Department of Public Health of any change to his or her~~  
18 ~~designated registered dispensing organization. The Department~~  
19 ~~of Public Health shall provide for immediate changes of a~~  
20 ~~registered qualifying patient's designated registered~~  
21 ~~dispensing organization. Registered dispensing organizations~~  
22 ~~must comply with all requirements of this Act.~~

23 (f) If the registered qualifying patient's certifying  
24 health care professional notifies the Department in writing  
25 that either the registered qualifying patient or Opioid  
26 Alternative Patient Program participant has ceased to suffer

1 from a debilitating medical condition, that the bona fide  
2 health care professional-patient relationship has terminated,  
3 or that continued use of medical cannabis would result in  
4 contraindication with the patient's other medication, the card  
5 shall become null and void. However, the registered qualifying  
6 patient shall have 15 days to destroy his or her remaining  
7 medical cannabis and related paraphernalia.

8 (Source: P.A. 101-363, eff. 8-9-19; 102-558, eff. 8-20-21.)

9 (410 ILCS 130/85)

10 Sec. 85. Issuance and denial of medical cannabis  
11 cultivation permit.

12 (a) The Department of Agriculture may register up to 22  
13 cultivation center registrations for operation. The Department  
14 of Agriculture may not issue more than one registration per  
15 each Illinois State Police District boundary as specified on  
16 the date of January 1, 2013. The Department of Agriculture may  
17 not issue less than the 22 registrations if there are  
18 qualified applicants who have applied with the Department.

19 (b) The registrations shall be issued and renewed annually  
20 as determined by administrative rule.

21 (c) The Department of Agriculture shall determine a  
22 registration fee by rule.

23 (d) A cultivation center may only operate if it has been  
24 issued a valid registration from the Department of  
25 Agriculture. When applying for a cultivation center

1 registration, the applicant shall submit the following in  
2 accordance with Department of Agriculture rules:

3 (1) the proposed legal name of the cultivation center;

4 (2) the proposed physical address of the cultivation  
5 center and description of the enclosed, locked facility as  
6 it applies to cultivation centers where medical cannabis  
7 will be grown, harvested, manufactured, packaged, or  
8 otherwise prepared for distribution to a dispensing  
9 organization;

10 (3) the name, address, and date of birth of each  
11 principal officer and board member of the cultivation  
12 center, provided that all those individuals shall be at  
13 least 21 years of age;

14 (4) any instance in which a business that any of the  
15 prospective board members of the cultivation center had  
16 managed or served on the board of the business and was  
17 convicted, fined, censured, or had a registration or  
18 license suspended or revoked in any administrative or  
19 judicial proceeding;

20 (5) cultivation, inventory, and packaging plans;

21 (6) proposed operating by-laws that include procedures  
22 for the oversight of the cultivation center, development  
23 and implementation of a plant monitoring system, medical  
24 cannabis container tracking system, accurate record  
25 keeping, staffing plan, and security plan reviewed by the  
26 Illinois State Police that are in accordance with the

1 rules issued by the Department of Agriculture under this  
2 Act. A physical inventory shall be performed of all plants  
3 and medical cannabis containers on a weekly basis;

4 (7) experience with agricultural cultivation  
5 techniques and industry standards;

6 (8) any academic degrees, certifications, or relevant  
7 experience with related businesses;

8 (9) the identity of every person, association, trust,  
9 or corporation having any direct or indirect pecuniary  
10 interest in the cultivation center operation with respect  
11 to which the registration is sought. If the disclosed  
12 entity is a trust, the application shall disclose the  
13 names and addresses of the beneficiaries; if a  
14 corporation, the names and addresses of all stockholders  
15 and directors; if a partnership, the names and addresses  
16 of all partners, both general and limited;

17 (10) verification from the Illinois State Police that  
18 all background checks of the principal officer, board  
19 members, and registered agents have been conducted ~~and~~  
20 ~~those individuals have not been convicted of an excluded~~  
21 ~~offense;~~

22 (11) provide a copy of the current local zoning  
23 ordinance to the Department of Agriculture and verify that  
24 proposed cultivation center is in compliance with the  
25 local zoning rules issued in accordance with Section 140;

26 (12) an application fee set by the Department of

1 Agriculture by rule; and

2 (13) any other information required by Department of  
3 Agriculture rules, including, but not limited to a  
4 cultivation center applicant's experience with the  
5 cultivation of agricultural or horticultural products,  
6 operating an agriculturally related business, or operating  
7 a horticultural business.

8 (e) An application for a cultivation center permit must be  
9 denied if any of the following conditions are met:

10 (1) the applicant failed to submit the materials  
11 required by this Section, including if the applicant's  
12 plans do not satisfy the security, oversight, inventory,  
13 or recordkeeping rules issued by the Department of  
14 Agriculture;

15 (2) the applicant would not be in compliance with  
16 local zoning rules issued in accordance with Section 140;

17 (3) (blank); ~~one or more of the prospective principal~~  
18 ~~officers or board members has been convicted of an~~  
19 ~~excluded offense;~~

20 (4) one or more of the prospective principal officers  
21 or board members has served as a principal officer or  
22 board member for a registered dispensing organization or  
23 cultivation center that has had its registration revoked;

24 (5) one or more of the principal officers or board  
25 members is under 21 years of age;

26 (6) (blank); ~~a principal officer or board member of~~



~~the cultivation center has been convicted of a felony under the laws of this State, any other state, or the United States;~~

~~(7) (blank); or a principal officer or board member of the cultivation center has been convicted of any violation of Article 28 of the Criminal Code of 2012, or substantially similar laws of any other jurisdiction; or~~

(8) the person has submitted an application for a certificate under this Act which contains false information.

(f) Beginning January 1, 2026, the Department shall cease to issue or renew any medical cannabis cultivation permit at the next renewal period. Entities that hold dual medical cannabis cultivation permits and Adult use cultivation center licenses may continue all operations with a valid cultivation center license issued under the Cannabis Regulation and Tax Act. The Department may set up a process to transition medical cannabis cultivation permits into cultivation center licenses that includes issuing refunds or proration of renewal fees.

(g) This Section is repealed on January 1, 2027.

(Source: P.A. 102-538, eff. 8-20-21.)

(410 ILCS 130/90)

Sec. 90. Renewal of cultivation center registrations.

(a) Registrations shall be renewed annually. The registered cultivation center shall receive written notice 90

1 days prior to the expiration of its current registration that  
2 the registration will expire. The Department of Agriculture  
3 shall grant a renewal application within 45 days of its  
4 submission if the following conditions are satisfied:

5 (1) the registered cultivation center submits a  
6 renewal application and the required renewal fee  
7 established by the Department of Agriculture by rule; and

8 (2) the Department of Agriculture has not suspended  
9 the registration of the cultivation center or suspended or  
10 revoked the registration for violation of this Act or  
11 rules adopted under this Act.

12 (b) Beginning January 1, 2026, all cultivation center  
13 permits issued under Section 85 shall be renewed in accordance  
14 with Section 20-45 of the Cannabis Regulation and Tax Act and  
15 shall be subject to the requirements and prohibitions of the  
16 Cannabis Regulation and Tax Act.

17 (c) This Section is repealed on July 1, 2027.

18 (Source: P.A. 98-122, eff. 1-1-14.)

19 (410 ILCS 130/95)

20 Sec. 95. Background checks.

21 (a) The Department of Agriculture through the Illinois  
22 State Police shall conduct a background check of the  
23 prospective cultivation center agents. The Illinois State  
24 Police shall charge a fee for conducting the criminal history  
25 record check, which shall be deposited in the State Police

1 Services Fund and shall not exceed the actual cost of the  
2 record check. In order to carry out this provision, each  
3 person applying as a cultivation center agent shall submit a  
4 full set of fingerprints to the Illinois State Police for the  
5 purpose of obtaining a State and federal criminal records  
6 check. These fingerprints shall be checked against the  
7 fingerprint records now and hereafter, to the extent allowed  
8 by law, filed in the Illinois State Police and Federal Bureau  
9 of Investigation criminal history records databases. The  
10 Illinois State Police shall furnish, following positive  
11 identification, all Illinois conviction information to the  
12 Department of Agriculture.

13 (b) When applying for the initial permit, the background  
14 checks for the principal officer, board members, and  
15 registered agents shall be completed prior to submitting the  
16 application to the Department of Agriculture.

17 (c) This Section is repealed on July 1, 2027.

18 (Source: P.A. 102-538, eff. 8-20-21.)

19 (410 ILCS 130/100)

20 Sec. 100. Cultivation center agent identification card.

21 (a) The Department of Agriculture shall:

22 (1) verify the information contained in an application  
23 or renewal for a cultivation center identification card  
24 submitted under this Act, and approve or deny an  
25 application or renewal, within 30 days of receiving a

1 completed application or renewal application and all  
2 supporting documentation required by rule;

3 (2) issue a cultivation center agent identification  
4 card to a qualifying agent within 15 business days of  
5 approving the application or renewal;

6 (3) enter the registry identification number of the  
7 cultivation center where the agent works; and

8 (4) allow for an electronic application process, and  
9 provide a confirmation by electronic or other methods that  
10 an application has been submitted.

11 (b) A cultivation center agent must keep his or her  
12 identification card visible at all times when on the property  
13 of a cultivation center and during the transportation of  
14 medical cannabis to a registered dispensary organization.

15 (c) The cultivation center agent identification cards  
16 shall contain the following:

17 (1) the name of the cardholder;

18 (2) the date of issuance and expiration date of  
19 cultivation center agent identification cards;

20 (3) a random 10-digit alphanumeric identification  
21 number containing at least 4 numbers and at least 4  
22 letters that is unique to the holder; and

23 (4) a photograph of the cardholder.

24 (d) The cultivation center agent identification cards  
25 shall be immediately returned to the cultivation center upon  
26 termination of employment.

1 (e) Any card lost by a cultivation center agent shall be  
2 reported to the Illinois State Police and the Department of  
3 Agriculture immediately upon discovery of the loss.

4 (f) (Blank). ~~An applicant shall be denied a cultivation~~  
5 ~~center agent identification card if he or she has been~~  
6 ~~convicted of an excluded offense.~~

7 (g) An agent applicant may begin employment at a  
8 cultivation center while the agent applicant's identification  
9 card application is pending. Upon approval, the Department  
10 shall issue the agent's identification card to the agent. If  
11 denied, the cultivation center and the agent applicant shall  
12 be notified and the agent applicant must cease all activity at  
13 the cultivation center immediately.

14 (h) Beginning July 1, 2025, all cultivation center  
15 identification cards and renewals shall be renewed in  
16 accordance with Section 20-45 of the Cannabis Regulation and  
17 Tax Act.

18 (i) This Section is repealed on July 1, 2027.

19 (Source: P.A. 102-98, eff. 7-15-21; 102-538, eff. 8-20-21;  
20 102-813, eff. 5-13-22.)

21 (410 ILCS 130/105)

22 Sec. 105. Requirements; prohibitions; penalties for  
23 cultivation centers.

24 (a) The operating documents of a registered cultivation  
25 center shall include procedures for the oversight of the

1 cultivation center, a cannabis plant monitoring system  
2 including a physical inventory recorded weekly, a cannabis  
3 container system including a physical inventory recorded  
4 weekly, accurate record keeping, and a staffing plan.

5 (b) A registered cultivation center shall implement a  
6 security plan reviewed by the Illinois State Police and  
7 including but not limited to: facility access controls,  
8 perimeter intrusion detection systems, personnel  
9 identification systems, 24-hour surveillance system to monitor  
10 the interior and exterior of the registered cultivation center  
11 facility and accessible to authorized law enforcement and the  
12 Department of Agriculture in real-time.

13 (c) A registered cultivation center may not be located  
14 within 2,500 feet of the property line of a pre-existing  
15 public or private preschool or elementary or secondary school  
16 or day care center, day care home, group day care home, part  
17 day child care facility, or an area zoned for residential use.

18 (d) All cultivation of cannabis for distribution to a  
19 registered dispensing organization must take place in an  
20 enclosed, locked facility as it applies to cultivation centers  
21 at the physical address provided to the Department of  
22 Agriculture during the registration process. The cultivation  
23 center location shall only be accessed by the cultivation  
24 center agents working for the registered cultivation center,  
25 Department of Agriculture staff performing inspections,  
26 Department of Public Health staff performing inspections, law

1 enforcement or other emergency personnel, and contractors  
2 working on jobs unrelated to medical cannabis, such as  
3 installing or maintaining security devices or performing  
4 electrical wiring.

5 (e) A cultivation center may not sell or distribute any  
6 cannabis to any individual or entity other than another  
7 cultivation center, a dispensing organization registered under  
8 this Act, or a laboratory licensed by the Department of  
9 Agriculture.

10 (f) All harvested cannabis intended for distribution to a  
11 dispensing organization must be packaged in a labeled medical  
12 cannabis container and entered into a data collection system.

13 (g) (Blank). ~~No person who has been convicted of an~~  
14 ~~excluded offense may be a cultivation center agent.~~

15 (h) Registered cultivation centers are subject to random  
16 inspection by the Illinois State Police.

17 (i) Registered cultivation centers are subject to random  
18 inspections by the Department of Agriculture and the  
19 Department of Public Health.

20 (j) A cultivation center agent shall notify local law  
21 enforcement, the Illinois State Police, and the Department of  
22 Agriculture within 24 hours of the discovery of any loss or  
23 theft. Notification shall be made by phone or in-person, or by  
24 written or electronic communication.

25 (k) A cultivation center shall comply with all State and  
26 federal rules and regulations regarding the use of pesticides.

1       (1) This Section is repealed on January 1, 2026.

2       (Source: P.A. 101-363, eff. 8-9-19; 102-538, eff. 8-20-21.)

3               (410 ILCS 130/110)

4       Sec. 110. Suspension; revocation; other penalties for  
5       cultivation centers and agents. Notwithstanding any other  
6       criminal penalties related to the unlawful possession of  
7       cannabis, the Department of Agriculture may revoke, suspend,  
8       place on probation, reprimand, issue cease and desist orders,  
9       refuse to issue or renew a registration, or take any other  
10      disciplinary or non-disciplinary action as the Department of  
11      Agriculture may deem proper with regard to a registered  
12      cultivation center or cultivation center agent, including  
13      imposing fines not to exceed \$50,000 for each violation, for  
14      any violations of this Act and rules adopted under this Act.  
15      The procedures for disciplining a registered cultivation  
16      center or cultivation center agent and for administrative  
17      hearings shall be determined by rule. All final administrative  
18      decisions of the Department of Agriculture are subject to  
19      judicial review under the Administrative Review Law and its  
20      rules. The term "administrative decision" is defined as in  
21      Section 3-101 of the Code of Civil Procedure. This Section is  
22      repealed on January 1, 2026.

23      (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15.)

24               (410 ILCS 130/115)



1           Sec. 115. Registration of dispensing organizations.

2           (a)   The Department of Financial and Professional  
3 Regulation may issue up to 60 dispensing organization  
4 registrations for operation. The Department of Financial and  
5 Professional Regulation may not issue less than the 60  
6 registrations if there are qualified applicants who have  
7 applied with the Department of Financial and Professional  
8 Regulation. The organizations shall be geographically  
9 dispersed throughout the State to allow all registered  
10 qualifying patients reasonable proximity and access to a  
11 dispensing organization.

12           (a-5) The Department of Financial and Professional  
13 Regulation may ~~shall~~ adopt rules to create a registration  
14 process for Social Equity Justice Involved Applicants and  
15 Qualifying Applicants, a streamlined application, and a Social  
16 Equity Justice Involved Medical Lottery under Section 115.5 to  
17 issue the remaining available 5 dispensing organization  
18 registrations for operation. For purposes of this Section:

19           "Disproportionately Impacted Area" means a census tract or  
20 comparable geographic area that satisfies the following  
21 criteria as determined by the Department of Commerce and  
22 Economic Opportunity, that:

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

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

26                   (B) 75% or more of the children in the area

1           participate in the federal free lunch program  
2           according to reported statistics from the State Board  
3           of Education; or

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

7           (D) the area has an average unemployment rate, as  
8           determined by the Illinois Department of Employment  
9           Security, that is more than 120% of the national  
10          unemployment average, as determined by the United  
11          States Department of Labor, for a period of at least 2  
12          consecutive calendar years preceding the date of the  
13          application; and

14          (2) has high rates of arrest, conviction, and  
15          incarceration related to sale, possession, use,  
16          cultivation, manufacture, or transport of cannabis.

17          "Qualifying Applicant" means an applicant that: (i)  
18          submitted an application pursuant to Section 15-30 of the  
19          Cannabis Regulation and Tax Act that received at least 85% of  
20          250 application points available under Section 15-30 of the  
21          Cannabis Regulation and Tax Act as the applicant's final  
22          score; (ii) received points at the conclusion of the scoring  
23          process for meeting the definition of a "Social Equity  
24          Applicant" as set forth under the Cannabis Regulation and Tax  
25          Act; and (iii) is an applicant that did not receive a  
26          Conditional Adult Use Dispensing Organization License through

1 a Qualifying Applicant Lottery pursuant to Section 15-35 of  
2 the Cannabis Regulation and Tax Act or any Tied Applicant  
3 Lottery conducted under the Cannabis Regulation and Tax Act.

4 "Social Equity Justice Involved Applicant" means an  
5 applicant that is an Illinois resident and one of the  
6 following:

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

11 (2) an applicant with at least 51% of ownership and  
12 control by one or more individuals who have been arrested  
13 for, convicted of, or adjudicated delinquent for any  
14 offense that is eligible for expungement under subsection  
15 (i) of Section 5.2 of the Criminal Identification Act; or

16 (3) an applicant with at least 51% ownership and  
17 control by one or more members of an impacted family.

18 (b) A dispensing organization may only operate if it has  
19 been issued a registration from the Department of Financial  
20 and Professional Regulation. The Department of Financial and  
21 Professional Regulation shall adopt rules establishing the  
22 procedures for applicants for dispensing organizations.

23 (c) When applying for a dispensing organization  
24 registration, the applicant shall submit, at a minimum, the  
25 following in accordance with Department of Financial and  
26 Professional Regulation rules:

1           (1) a non-refundable application fee established by  
2       rule;

3           (2) the proposed legal name of the dispensing  
4       organization;

5           (3) the proposed physical address of the dispensing  
6       organization;

7           (4) the name, address, and date of birth of each  
8       principal officer and board member of the dispensing  
9       organization, provided that all those individuals shall be  
10      at least 21 years of age;

11          (5) (blank);

12          (6) (blank); and

13          (7) (blank).

14          (d) The Department of Financial and Professional  
15      Regulation shall conduct a background check of the prospective  
16      dispensing organization agents in order to carry out this  
17      Section. The Department of State Police shall charge a fee for  
18      conducting the criminal history record check, which shall be  
19      deposited in the State Police Services Fund and shall not  
20      exceed the actual cost of the record check. Each person  
21      applying as a dispensing organization agent shall submit a  
22      full set of fingerprints to the Department of State Police for  
23      the purpose of obtaining a State and federal criminal records  
24      check. These fingerprints shall be checked against the  
25      fingerprint records now and hereafter, to the extent allowed  
26      by law, filed in the Department of State Police and Federal

1 Bureau of Investigation criminal history records databases.  
2 The Department of State Police shall furnish, following  
3 positive identification, all Illinois conviction information  
4 to the Department of Financial and Professional Regulation.

5 (e) A dispensing organization must pay a registration fee  
6 set by the Department of Financial and Professional  
7 Regulation.

8 (f) An application for a medical cannabis dispensing  
9 organization registration must be denied if any of the  
10 following conditions are met:

11 (1) the applicant failed to submit the materials  
12 required by this Section, including if the applicant's  
13 plans do not satisfy the security, oversight, or  
14 recordkeeping rules issued by the Department of Financial  
15 and Professional Regulation;

16 (2) the applicant would not be in compliance with  
17 local zoning rules issued in accordance with Section 140;

18 (3) the applicant does not meet the requirements of  
19 Section 130;

20 (4) (blank) ~~one or more of the prospective principal~~  
21 ~~officers or board members has been convicted of an~~  
22 ~~excluded offense;~~

23 (5) one or more of the prospective principal officers  
24 or board members has served as a principal officer or  
25 board member for a registered medical cannabis dispensing  
26 organization that has had its registration revoked; and

1           (6) one or more of the principal officers or board  
2           members is under 21 years of age.

3           (g) This Section is repealed on July 1, 2026.

4           (Source: P.A. 101-363, eff. 8-9-19; 102-98, eff. 7-15-21.)

5           (410 ILCS 130/120)

6           Sec. 120. Dispensing organization agent identification  
7           card.

8           (a) The Department of Financial and Professional  
9           Regulation shall:

10           (1) verify the information contained in an application  
11           or renewal for a dispensing organization agent  
12           identification card submitted under this Act, and approve  
13           or deny an application or renewal, within 30 days of  
14           receiving a completed application or renewal application  
15           and all supporting documentation required by rule;

16           (2) issue a dispensing organization agent  
17           identification card to a qualifying agent within 15  
18           business days of approving the application or renewal;

19           (3) enter the registry identification number of the  
20           dispensing organization where the agent works; and

21           (4) allow for an electronic application process, and  
22           provide a confirmation by electronic or other methods that  
23           an application has been submitted.

24           (b) A dispensing agent must keep his or her identification  
25           card visible at all times when on the property of a dispensing

1 organization.

2 (c) The dispensing organization agent identification cards  
3 shall contain the following:

4 (1) the name of the cardholder;

5 (2) the date of issuance and expiration date of the  
6 dispensing organization agent identification cards;

7 (3) a random 10 digit alphanumeric identification  
8 number containing at least 4 numbers and at least 4  
9 letters; that is unique to the holder; and

10 (4) a photograph of the cardholder.

11 (d) The dispensing organization agent identification cards  
12 shall be immediately returned to the dispensing organization  
13 upon termination of employment.

14 (e) Any card lost by a dispensing organization agent shall  
15 be reported to the Illinois State Police and the Department of  
16 Financial and Professional Regulation immediately upon  
17 discovery of the loss.

18 (f) Agent renewal on and after January 1, 2026 shall be in  
19 accordance with Section 15-40 of the Cannabis Regulation Tax  
20 Act. ~~An applicant shall be denied a dispensing organization~~  
21 ~~agent identification card if he or she has been convicted of an~~  
22 ~~excluded offense.~~

23 (g) This Section is repealed on July 1, 2026.

24 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15.)

1       Sec. 125. Medical cannabis dispensing organization  
2       certification renewal.

3       (a) The registered dispensing organization shall receive  
4       written notice 90 days prior to the expiration of its current  
5       registration that the registration will expire. The Department  
6       of Financial and Professional Regulation shall grant a renewal  
7       application within 45 days of its submission if the following  
8       conditions are satisfied:

9           (1) the registered dispensing organization submits a  
10       renewal application and the required renewal fee  
11       established by the Department of Financial and  
12       Professional Regulation rules; and

13          (2) the Department of Financial and Professional  
14       Regulation has not suspended the registered dispensing  
15       organization or suspended or revoked the registration for  
16       violation of this Act or rules adopted under this Act.

17       (b) If a dispensing organization fails to renew its  
18       registration prior to expiration, the dispensing organization  
19       shall cease operations until registration is renewed.

20       (c) If a dispensing organization agent fails to renew his  
21       or her registration prior to its expiration, he or she shall  
22       cease to work or volunteer at a dispensing organization until  
23       his or her registration is renewed.

24       (d) Any dispensing organization that continues to operate  
25       or dispensing agent that continues to work or volunteer at a  
26       dispensing organization that fails to renew its registration



1 shall be subject to penalty as provided in Section 130.

2 (e) A dispensing organization licensed under this Act  
3 shall renew its license in accordance with Section 15-45 of  
4 the Cannabis Regulation Tax Act on and after January 1, 2026.

5 (f) This Section is repealed on July 1, 2026.

6 (Source: P.A. 98-122, eff. 1-1-14.)

7 (410 ILCS 130/130)

8 Sec. 130. Requirements; prohibitions; penalties;  
9 dispensing organizations.

10 (a) The Department of Financial and Professional  
11 Regulation shall implement the provisions of this Section by  
12 rule.

13 (b) A dispensing organization shall maintain operating  
14 documents which shall include procedures for the oversight of  
15 the registered dispensing organization and procedures to  
16 ensure accurate recordkeeping.

17 (c) A dispensing organization shall implement appropriate  
18 security measures, as provided by rule, to deter and prevent  
19 the theft of cannabis and unauthorized entrance into areas  
20 containing cannabis.

21 (d) A dispensing organization may not be located within  
22 1,000 feet of the property line of a pre-existing public or  
23 private preschool or elementary or secondary school or day  
24 care center, day care home, group day care home, or part day  
25 child care facility. A registered dispensing organization may

1 not be located in a house, apartment, condominium, or an area  
2 zoned for residential use. This subsection shall not apply to  
3 any dispensing organizations registered on or after July 1,  
4 2019.

5 (e) A dispensing organization is prohibited from acquiring  
6 cannabis from anyone other than a cultivation center, craft  
7 grower, infuser, processing organization, another dispensing  
8 organization, or transporting organization licensed or  
9 registered under this Act or the Cannabis Regulation and Tax  
10 Act. A dispensing organization is prohibited from obtaining  
11 cannabis from outside the State of Illinois.

12 (f) A registered dispensing organization is prohibited  
13 from dispensing cannabis for any purpose except to assist  
14 registered qualifying patients with the medical use of  
15 cannabis directly or through the qualifying patients'  
16 designated caregivers.

17 (g) The area in a dispensing organization where medical  
18 cannabis is stored can only be accessed by dispensing  
19 organization agents working for the dispensing organization,  
20 Department of Financial and Professional Regulation staff  
21 performing inspections, law enforcement or other emergency  
22 personnel, and contractors working on jobs unrelated to  
23 medical cannabis, such as installing or maintaining security  
24 devices or performing electrical wiring.

25 (h) A dispensing organization may not dispense more than  
26 2.5 ounces of cannabis to a registered qualifying patient,

1 directly or via a designated caregiver, in any 14-day period  
2 unless the qualifying patient has a Department of Public  
3 Health-approved quantity waiver. Any Department of Public  
4 Health-approved quantity waiver process must be made available  
5 to qualified veterans.

6 (i) Except as provided in subsection (i-5), before medical  
7 cannabis may be dispensed to a designated caregiver or a  
8 registered qualifying patient, a dispensing organization agent  
9 must determine that the individual is a current cardholder in  
10 the verification system and must verify each of the following:

11 (1) that the registry identification card presented to  
12 the registered dispensing organization is valid;

13 (2) that the person presenting the card is the person  
14 identified on the registry identification card presented  
15 to the dispensing organization agent;

16 (3) (blank); and

17 (4) that the registered qualifying patient has not  
18 exceeded his or her adequate supply.

19 (i-5) A dispensing organization may dispense medical  
20 cannabis to an Opioid Alternative Patient ~~Pilot~~ Program  
21 participant under Section 62 and to a person presenting proof  
22 of provisional registration under Section 55. Before  
23 dispensing medical cannabis, the dispensing organization shall  
24 comply with the requirements of Section 62 or Section 55,  
25 whichever is applicable, and verify the following:

26 (1) that the written certification presented to the

1 registered dispensing organization is valid and an  
2 original document;

3 (2) that the person presenting the written  
4 certification is the person identified on the written  
5 certification; and

6 (3) that the participant has not exceeded his or her  
7 adequate supply.

8 (j) Dispensing organizations shall ensure compliance with  
9 this limitation by maintaining internal, confidential records  
10 that include records specifying how much medical cannabis is  
11 dispensed to the registered qualifying patient and whether it  
12 was dispensed directly to the registered qualifying patient or  
13 to the designated caregiver. Each entry must include the date  
14 and time the cannabis was dispensed. Additional recordkeeping  
15 requirements may be set by rule.

16 (k) The health care professional-patient privilege as set  
17 forth by Section 8-802 of the Code of Civil Procedure shall  
18 apply between a qualifying patient and a registered dispensing  
19 organization and its agents with respect to communications and  
20 records concerning qualifying patients' debilitating  
21 conditions.

22 (l) A dispensing organization may not permit any person to  
23 consume cannabis on the property of a medical cannabis  
24 organization.

25 (m) A dispensing organization may not share office space  
26 with or refer patients to a certifying health care

1 professional.

2 (n) Notwithstanding any other criminal penalties related  
3 to the unlawful possession of cannabis, the Department of  
4 Financial and Professional Regulation may revoke, suspend,  
5 place on probation, reprimand, refuse to issue or renew, or  
6 take any other disciplinary or non-disciplinary action as the  
7 Department of Financial and Professional Regulation may deem  
8 proper with regard to the registration of any person issued  
9 under this Act to operate a dispensing organization or act as a  
10 dispensing organization agent, including imposing fines not to  
11 exceed \$10,000 for each violation, for any violations of this  
12 Act and rules adopted in accordance with this Act. The  
13 procedures for disciplining a registered dispensing  
14 organization shall be determined by rule. All final  
15 administrative decisions of the Department of Financial and  
16 Professional Regulation are subject to judicial review under  
17 the Administrative Review Law and its rules. The term  
18 "administrative decision" is defined as in Section 3-101 of  
19 the Code of Civil Procedure.

20 (o) Dispensing organizations are subject to random  
21 inspection and cannabis testing by the Department of Financial  
22 and Professional Regulation, the Illinois State Police, the  
23 Department of Revenue, the Department of Public Health, the  
24 Department of Agriculture, or as provided by rule.

25 (p) The Department of Financial and Professional  
26 Regulation shall adopt rules permitting returns, and potential

1 refunds, for damaged or inadequate products.

2 (q) The Department of Financial and Professional  
3 Regulation may issue nondisciplinary citations for minor  
4 violations which may be accompanied by a civil penalty not to  
5 exceed \$10,000 per violation. The penalty shall be a civil  
6 penalty or other condition as established by rule. The  
7 citation shall be issued to the licensee and shall contain the  
8 licensee's name, address, and license number, a brief factual  
9 statement, the Sections of the law or rule allegedly violated,  
10 and the civil penalty, if any, imposed. The citation must  
11 clearly state that the licensee may choose, in lieu of  
12 accepting the citation, to request a hearing. If the licensee  
13 does not dispute the matter in the citation with the  
14 Department of Financial and Professional Regulation within 30  
15 days after the citation is served, then the citation shall  
16 become final and shall not be subject to appeal.

17 (r) This Section is repealed on July 1, 2026.

18 (Source: P.A. 101-363, eff. 8-9-19; 102-98, eff. 7-15-21.)

19 (410 ILCS 130/140)

20 Sec. 140. Local ordinances. A unit of local government may  
21 enact reasonable zoning ordinances or resolutions, not in  
22 conflict with this Act or with Department of Agriculture or  
23 Department of Financial and Professional Regulation rules,  
24 regulating registered medical cannabis cultivation center or  
25 medical cannabis dispensing organizations. No unit of local

1 government, including a home rule unit, or school district may  
2 regulate registered medical cannabis organizations other than  
3 as provided in this Act and may not unreasonably prohibit the  
4 cultivation, dispensing, and use of medical cannabis  
5 authorized by this Act. This Section is a denial and  
6 limitation under subsection (i) of Section 6 of Article VII of  
7 the Illinois Constitution on the concurrent exercise by home  
8 rule units of powers and functions exercised by the State.

9 This Section is repealed on July 1, 2026.

10 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15.)

11 (410 ILCS 130/145)

12 Sec. 145. Confidentiality.

13 (a) The following information received and records kept by  
14 the Department of Public Health, Department of Financial and  
15 Professional Regulation, Department of Agriculture, Department  
16 of Commerce and Economic Opportunity, Office of Executive  
17 Inspector General, or Illinois State Police for purposes of  
18 administering this Act are subject to all applicable federal  
19 privacy laws, confidential, and exempt from the Freedom of  
20 Information Act, and not subject to disclosure to any  
21 individual or public or private entity, except as necessary  
22 for authorized employees of those authorized agencies to  
23 perform official duties under this Act and except as necessary  
24 to those involved in enforcing the State Officials and  
25 Employees Ethics Act, and the following information received

1 and records kept by Department of Public Health, Department of  
2 Agriculture, Department of Commerce and Economic Opportunity,  
3 Department of Financial and Professional Regulation, Office of  
4 Executive Inspector General, and Illinois State Police,  
5 excluding any existing or non-existing Illinois or national  
6 criminal history record information as defined in subsection  
7 (d), may be disclosed to each other upon request:

8 (1) Applications and renewals, their contents, and  
9 supporting information submitted by qualifying patients,  
10 provisional patients, and designated caregivers, including  
11 information regarding their designated caregivers and  
12 certifying health care professionals.

13 (2) Applications and renewals, their contents, and  
14 supporting information submitted by or on behalf of  
15 cultivation centers and dispensing organizations in  
16 compliance with this Act, including their physical  
17 addresses. This does not preclude the release of ownership  
18 information of cannabis business establishment licenses.

19 (3) The individual names and other information  
20 identifying persons to whom the Department of Public  
21 Health has issued registry identification cards.

22 (4) Any dispensing information required to be kept  
23 under Section 135, Section 150, or Department of Public  
24 Health, Department of Agriculture, or Department of  
25 Financial and Professional Regulation rules shall identify  
26 cardholders and registered cultivation centers by their



1 registry identification numbers and medical cannabis  
2 dispensing organizations by their registration number and  
3 not contain names or other personally identifying  
4 information.

5 (5) All medical records provided to the Department of  
6 Public Health in connection with an application for a  
7 registry card.

8 (b) Nothing in this Section precludes the following:

9 (1) Department of Agriculture, Department of Financial  
10 and Professional Regulation, or Public Health employees  
11 may notify law enforcement about falsified or fraudulent  
12 information submitted to the Departments if the employee  
13 who suspects that falsified or fraudulent information has  
14 been submitted conferred with his or her supervisor and  
15 both agree that circumstances exist that warrant  
16 reporting.

17 (2) If the employee conferred with his or her  
18 supervisor and both agree that circumstances exist that  
19 warrant reporting, Department of Public Health employees  
20 may notify the Department of Financial and Professional  
21 Regulation if there is reasonable cause to believe a  
22 certifying health care professional:

23 (A) issued a written certification without a bona  
24 fide health care professional-patient relationship  
25 under this Act;

26 (B) issued a written certification to a person who

1           was not under the certifying health care  
2           professional's care for the debilitating medical  
3           condition; or

4                 (C) failed to abide by the acceptable and  
5           prevailing standard of care when evaluating a  
6           patient's medical condition.

7           (3) The Department of Public Health, Department of  
8           Agriculture, and Department of Financial and Professional  
9           Regulation may notify State or local law enforcement about  
10          apparent criminal violations of this Act if the employee  
11          who suspects the offense has conferred with his or her  
12          supervisor and both agree that circumstances exist that  
13          warrant reporting.

14          (4) Medical cannabis cultivation center agents and  
15          medical cannabis dispensing organizations may notify the  
16          Department of Public Health, Department of Financial and  
17          Professional Regulation, or Department of Agriculture of a  
18          suspected violation or attempted violation of this Act or  
19          the rules issued under it.

20          (5) Each Department may verify registry identification  
21          cards under Section 150.

22          (6) The submission of the report to the General  
23          Assembly under Section 160.

24          (b-5) Each Department responsible for licensure under this  
25          Act shall publish on the Department's website a list of the  
26          ownership information of cannabis business establishment

1 licensees under the Department's jurisdiction. The list shall  
2 include, but shall not be limited to, the name of the person or  
3 entity holding each cannabis business establishment license  
4 and the address at which the entity is operating under this  
5 Act. This list shall be published and updated monthly.

6 (c) Except for any ownership information released pursuant  
7 to subsection (b-5) or as otherwise authorized or required by  
8 law, it is a Class B misdemeanor with a \$1,000 fine for any  
9 person, including an employee or official of the Department of  
10 Public Health, Department of Financial and Professional  
11 Regulation, or Department of Agriculture or another State  
12 agency or local government, to breach the confidentiality of  
13 information obtained under this Act.

14 (d) The Department of Public Health, the Department of  
15 Agriculture, the Illinois State Police, and the Department of  
16 Financial and Professional Regulation shall not share or  
17 disclose any existing or non-existing Illinois or national  
18 criminal history record information. For the purposes of this  
19 Section, "any existing or non-existing Illinois or national  
20 criminal history record information" means any Illinois or  
21 national criminal history record information, including but  
22 not limited to the lack of or non-existence of these records.

23 (Source: P.A. 101-363, eff. 8-9-19; 102-98, eff. 7-15-21;  
24 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

1       Sec. 150. Registry identification and registration  
2       certificate verification.

3       (a) The Department of Public Health shall maintain a  
4       confidential list of the persons to whom the Department of  
5       Public Health has issued registry identification cards and  
6       their addresses, phone numbers, and registry identification  
7       numbers. This confidential list may not be combined or linked  
8       in any manner with any other list or database except as  
9       provided in this Section.

10       (b) Within 180 days of the effective date of this Act, the  
11       Department of Public Health, Department of Financial and  
12       Professional Regulation, and Department of Agriculture shall  
13       together establish a computerized database or verification  
14       system. The database or verification system must allow law  
15       enforcement personnel and medical cannabis dispensary  
16       organization agents to determine whether or not the  
17       identification number corresponds with a current, valid  
18       registry identification card. The system shall only disclose  
19       whether the identification card is valid, whether the  
20       cardholder is a registered qualifying patient, an Opioid  
21       Alternative Patient Program participant, provisional patient,  
22       or a registered designated caregiver, ~~the registry~~  
23       ~~identification number of the registered medical cannabis~~  
24       ~~dispensing organization designated to serve the registered~~  
25       ~~qualifying patient who holds the card,~~ and the registry  
26       identification number of the patient who is assisted by a

1 registered designated caregiver who holds the card. The  
2 Department of Public Health, the Department of Agriculture,  
3 the Illinois State Police, and the Department of Financial and  
4 Professional Regulation shall not share or disclose any  
5 existing or non-existing Illinois or national criminal history  
6 record information. Notwithstanding any other requirements  
7 established by this subsection, the Department of Public  
8 Health shall issue registry cards to qualifying patients and  
9 Opioid Alternative Patient Program participants, the  
10 Department of Financial and Professional Regulation may issue  
11 registration to medical cannabis dispensing organizations for  
12 the period during which the database is being established, and  
13 the Department of Agriculture may issue registration cards to  
14 medical cannabis cultivation organizations for the period  
15 during which the database is being established.

16 (c) For the purposes of this Section, "any existing or  
17 non-existing Illinois or national criminal history record  
18 information" means any Illinois or national criminal history  
19 record information, including but not limited to the lack of  
20 or non-existence of these records.

21 (Source: P.A. 102-538, eff. 8-20-21.)

22 (410 ILCS 130/165)

23 Sec. 165. Administrative rulemaking.

24 (a) Not later than 120 days after the effective date of  
25 this Act, the Department of Public Health, Department of

1 Agriculture, and the Department of Financial and Professional  
2 Regulation shall develop rules in accordance to their  
3 responsibilities under this Act and file those rules with the  
4 Joint Committee on Administrative Rules.

5 (b) The Department of Public Health rules shall address,  
6 but not be limited to, the following:

7 (1) fees for applications for registration as a  
8 qualified patient or caregiver;

9 (2) establishing the form and content of registration  
10 and renewal applications submitted under this Act,  
11 including a standard form for written certifications;

12 (3) governing the manner in which it shall consider  
13 applications for and renewals of registry identification  
14 cards;

15 (4) the manufacture of medical cannabis-infused  
16 products;

17 (5) fees for the application and renewal of registry  
18 identification cards. Fee revenue may be offset or  
19 supplemented by private donations;

20 (6) any other matters as are necessary for the fair,  
21 impartial, stringent, and comprehensive administration of  
22 this Act; and

23 (7) reasonable rules concerning the medical use of  
24 cannabis at a nursing care institution, hospice, assisted  
25 living center, assisted living facility, assisted living  
26 home, residential care institution, or adult day health

1 care facility.

2 (c) The Department of Agriculture rules shall address, but  
3 not be limited to the following related to registered  
4 cultivation centers, with the goal of protecting against  
5 diversion and theft, without imposing an undue burden on the  
6 registered cultivation centers:

7 (1) oversight requirements for registered cultivation  
8 centers;

9 (2) recordkeeping requirements for registered  
10 cultivation centers;

11 (3) security requirements for registered cultivation  
12 centers, which shall include that each registered  
13 cultivation center location must be protected by a fully  
14 operational security alarm system;

15 (4) rules and standards for what constitutes an  
16 enclosed, locked facility under this Act;

17 (5) procedures for suspending or revoking the  
18 registration certificates or registry identification cards  
19 of registered cultivation centers and their agents that  
20 commit violations of the provisions of this Act or the  
21 rules adopted under this Section;

22 (6) rules concerning the intrastate transportation of  
23 medical cannabis from a cultivation center to a dispensing  
24 organization;

25 (7) standards concerning the testing, quality, and  
26 cultivation of medical cannabis;

1           (8) any other matters as are necessary for the fair,  
2           impartial, stringent, and comprehensive administration of  
3           this Act;

4           (9) application and renewal fees for cultivation  
5           center agents; and

6           (10) application, renewal, and registration fees for  
7           cultivation centers.

8           (d) The Department of Financial and Professional  
9           Regulation rules shall address, but not be limited to the  
10          following matters related to registered dispensing  
11          organizations, with the goal of protecting against diversion  
12          and theft, without imposing an undue burden on the registered  
13          dispensing organizations or compromising the confidentiality  
14          of cardholders:

15          (1) application and renewal and registration fees for  
16          dispensing organizations and dispensing organizations  
17          agents;

18          (2) medical cannabis dispensing agent-in-charge  
19          oversight requirements for dispensing organizations;

20          (3) recordkeeping requirements for dispensing  
21          organizations;

22          (4) security requirements for medical cannabis  
23          dispensing organizations, which shall include that each  
24          registered dispensing organization location must be  
25          protected by a fully operational security alarm system;

26          (5) procedures for suspending or revoking the



1       registrations of dispensing organizations and dispensing  
2       organization agents that commit violations of the  
3       provisions of this Act or the rules adopted under this  
4       Act;

5             (6) application and renewal fees for dispensing  
6       organizations; and

7             (7) application and renewal fees for dispensing  
8       organization agents.

9       (e) The Department of Public Health may establish a  
10      sliding scale of patient application and renewal fees based  
11      upon a qualifying patient's household income. The Department  
12      of Public health may accept donations from private sources to  
13      reduce application and renewal fees, and registry  
14      identification card fees shall include an additional fee set  
15      by rule which shall be used to develop and disseminate  
16      educational information about the health risks associated with  
17      the abuse of cannabis and prescription medications.

18      (f) During the rule-making process, each Department shall  
19      make a good faith effort to consult with stakeholders  
20      identified in the rule-making analysis as being impacted by  
21      the rules, including patients or a representative of an  
22      organization advocating on behalf of patients.

23      (g) The Department of Public Health shall develop and  
24      disseminate educational information about the health risks  
25      associated with the abuse of cannabis and prescription  
26      medications.

1 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15.)

2 (410 ILCS 130/180)

3 Sec. 180. Destruction of medical cannabis.

4 (a) All cannabis byproduct, scrap, and harvested cannabis  
5 not intended for distribution to a medical cannabis  
6 organization must be destroyed and disposed of pursuant to  
7 State law. Documentation of destruction and disposal shall be  
8 retained at the cultivation center for a period of not less  
9 than 5 years.

10 (b) A cultivation center shall prior to the destruction,  
11 notify the Department of Agriculture and the Illinois State  
12 Police.

13 (c) The cultivation center shall keep record of the date  
14 of destruction and how much was destroyed.

15 (d) A dispensary organization shall destroy all cannabis,  
16 including cannabis-infused products, that are not sold to  
17 registered qualifying patients. Documentation of destruction  
18 and disposal shall be retained at the dispensary organization  
19 for a period of not less than 5 years.

20 (e) A dispensary organization shall prior to the  
21 destruction, notify the Department of Financial and  
22 Professional Regulation and the Illinois State Police.

23 (f) This Section is repealed on July 1, 2026.

24 (Source: P.A. 102-538, eff. 8-20-21.)

1 (410 ILCS 130/200)

2 Sec. 200. Tax imposed.

3 (a) Beginning on January 1, 2014 and through June 30, 2025  
4 ~~the effective date of this Act,~~ a tax is imposed upon the  
5 privilege of cultivating medical cannabis at a rate of 7% of  
6 the sales price per ounce. Beginning July 1, 2025, a tax is  
7 imposed on the privilege of cultivating medical cannabis at  
8 the rate of 7% of the gross receipts from the first sale of  
9 medical cannabis by a cultivator. The sale of any product that  
10 contains any amount of medical cannabis or any derivative  
11 thereof is subject to the tax under this Section on the full  
12 selling price of the product. The Department may determine the  
13 selling price of the medical cannabis when the seller and  
14 purchaser are affiliated persons or when the sale and purchase  
15 of medical cannabis is not an arm's length transaction, and a  
16 value is not established for the medical cannabis. The value  
17 determined by the Department shall be commensurate with the  
18 actual price received for products of like quality, character,  
19 and use in the area. If there are no sales of medical cannabis  
20 of like quality, character, and use in the area, then the  
21 Department shall establish a reasonable value based on sales  
22 of products of like quality, character, and use in the other  
23 areas of the State, taking into consideration any other  
24 relevant factors. Beginning January 1, 2026, the privilege of  
25 cultivating cannabis shall be subject to the tax imposed under  
26 Section 60-10 of the Cannabis Regulation and Tax Act. Through

1 December 31, 2025, ~~The~~ proceeds from this tax shall be  
2 deposited into the Compassionate Use of Medical Cannabis Fund  
3 created under the Compassionate Use of Medical Cannabis  
4 Program Act. This tax shall be paid by a cultivation center and  
5 is not the responsibility of a dispensing organization or a  
6 qualifying patient.

7 (b) The tax imposed under this Act shall be in addition to  
8 all other occupation or privilege taxes imposed by the State  
9 of Illinois or by any municipal corporation or political  
10 subdivision thereof.

11 (Source: P.A. 101-363, eff. 8-9-19.)

12 (410 ILCS 130/205)

13 Sec. 205. Department enforcement.

14 (a) Every person subject to the tax under this Law shall  
15 apply to the Department (upon a form prescribed and furnished  
16 by the Department) for a certificate of registration under  
17 this Law. Application for a certificate of registration shall  
18 be made to the Department upon forms furnished by the  
19 Department. The certificate of registration which is issued by  
20 the Department to a retailer under the Retailers' Occupation  
21 Tax Act shall permit the taxpayer to engage in a business which  
22 is taxable under this Law without registering separately with  
23 the Department. Beginning January 1, 2026, a person licensed  
24 as a cultivation center or dispensing organization under the  
25 Cannabis Regulation and Tax Act shall be deemed to be

1 sufficiently licensed under this Law by virtue of his or her  
2 being properly licensed under the Cannabis Regulation and Tax  
3 Act.

4 (b) The Department shall have full power to administer and  
5 enforce this Law, to collect all taxes and penalties due  
6 hereunder, to dispose of taxes and penalties so collected in  
7 the manner hereinafter provided, and to determine all rights  
8 to credit memoranda, arising on account of the erroneous  
9 payment of tax or penalty hereunder. In the administration of,  
10 and compliance with, this Law, the Department and persons who  
11 are subject to this Law shall have the same rights, remedies,  
12 privileges, immunities, powers and duties, and be subject to  
13 the same conditions, restrictions, limitations, penalties and  
14 definitions of terms, and employ the same modes of procedure,  
15 as are prescribed in Sections 1, 1a, 2 through 2-65 (in respect  
16 to all provisions therein other than the State rate of tax),  
17 2a, 2b, 2c, 3 (except provisions relating to transaction  
18 returns and quarter monthly payments, and except for  
19 provisions that are inconsistent with this Law), 4, 5, 5a, 5b,  
20 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11,  
21 11a, 12 and 13 of the Retailers' Occupation Tax Act and Section  
22 3-7 of the Uniform Penalty and Interest Act as fully as if  
23 those provisions were set forth herein.

24 (Source: P.A. 98-122, eff. 1-1-14.)

1       Sec. 210. Returns.

2       (a) This subsection (a) applies to returns due on or  
3 before June 25, 2019 (the effective date of Public Act 101-27)  
4 ~~this amendatory Act of the 101st General Assembly~~. On or  
5 before the twentieth day of each calendar month, every person  
6 subject to the tax imposed under this Law during the preceding  
7 calendar month shall file a return with the Department,  
8 stating:

9           (1) The name of the taxpayer;

10          (2) The number of ounces of medical cannabis sold to a  
11 dispensing organization or a registered qualifying patient  
12 during the preceding calendar month;

13          (3) The amount of tax due;

14          (4) The signature of the taxpayer; and

15          (5) Such other reasonable information as the  
16 Department may require.

17       If a taxpayer fails to sign a return within 30 days after  
18 the proper notice and demand for signature by the Department,  
19 the return shall be considered valid and any amount shown to be  
20 due on the return shall be deemed assessed.

21       The taxpayer shall remit the amount of the tax due to the  
22 Department at the time the taxpayer files his or her return.

23       (b) Beginning on June 25, 2019 (the effective date of  
24 Public Act 101-27) ~~this amendatory Act of the 101st General~~  
25 ~~Assembly~~, Section 60-20 ~~65-20~~ of the Cannabis Regulation and  
26 Tax Act shall apply to returns filed and taxes paid under this

1 Act to the same extent as if those provisions were set forth in  
2 full in this Section.

3 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

4 (410 ILCS 130/80 rep.)

5 (410 ILCS 130/115.5 rep.)

6 (410 ILCS 130/135 rep.)

7 (410 ILCS 130/162 rep.)

8 Section 35. The Compassionate Use of Medical Cannabis  
9 Program Act is amended by repealing Sections 80, 115.5, 125,  
10 135, and 162.

11 Section 40. The Cannabis Regulation and Tax Act is amended  
12 by changing Sections 1-10, 5-10, 5-15, 7-10, 7-15, 10-10,  
13 10-15, 15-10, 15-15, 15-20, 15-25, 15-35, 15-35.10, 15-36,  
14 15-40, 15-45, 15-50, 15-60, 15-65, 15-70, 15-75, 15-85,  
15 15-100, 15-135, 15-145, the heading of Article 20, 20-10,  
16 20-15, 20-20, 20-21, 20-30, 20-35, 20-45, 25-35, 30-10, 30-30,  
17 30-35, 30-45, 35-25, 35-30, 40-25, 45-5, 50-5, 55-5, 55-10,  
18 55-30, 55-65, 55-85, 60-5, 60-10, 65-5, 65-10, 65-30, 65-38,  
19 and 65-42 and adding Sections 15-13, 15-17, 15-23, and 15-24  
20 as follows:

21 (410 ILCS 705/1-10)

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

23 "Adequate medical supply" means:

1           (1) 2.5 ounces of usable cannabis during a period of  
2           14 days and that is derived solely from an intrastate  
3           source.

4           (2) Subject to the rules of the Department of Public  
5           Health, a patient may apply for a waiver where a  
6           certifying health care professional provides a substantial  
7           medical basis in a signed, written statement asserting  
8           that, based on the patient's medical history, in the  
9           certifying health care professional's professional  
10           judgment, 2.5 ounces is an insufficient adequate medical  
11           supply for a 14-day period to properly alleviate the  
12           patient's debilitating medical condition or symptoms  
13           associated with the debilitating medical condition.

14           (3) This subsection may not be construed to authorize  
15           the possession of more than 2.5 ounces at any time without  
16           authority from the Department of Public Health.

17           (4) The premixed weight of medical cannabis used in  
18           making a cannabis-infused product shall apply toward the  
19           limit on the total amount of medical cannabis a registered  
20           qualifying patient may possess at any one time.

21           ~~"Adult Use~~ Cultivation Center License" means a license  
22           issued by the Department of Agriculture that permits a person  
23           to act as a cultivation center under this Act and any  
24           administrative rule made in furtherance of this Act.

25           "Adult Use Dispensing Organization License" means a  
26           license issued by the Department of Financial and Professional



1 Regulation that permits a person to act as a dispensing  
2 organization under this Act and any administrative rule made  
3 in furtherance of this Act.

4 "Advertise" means to engage in promotional activities  
5 including, but not limited to: newspaper, radio, Internet and  
6 electronic media, and television advertising; the distribution  
7 of fliers and circulars; billboard advertising; and the  
8 display of window and interior signs. "Advertise" does not  
9 mean exterior signage displaying only the name of the licensed  
10 cannabis business establishment.

11 "Application points" means the number of points a  
12 Dispensary Applicant receives on an application for a  
13 Conditional Adult Use Dispensing Organization License.

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

24 (1) Bloomington (DeWitt County; McLean County);

25 (2) Cape Girardeau (Alexander County);

26 (3) Carbondale-Marion (Jackson County; Williamson

1       County);

2           (4) Champaign-Urbana (Champaign County; Ford County;  
3       Piatt County);

4           (5) Chicago-Naperville-Elgin (Cook County; DeKalb  
5       County; DuPage County; Grundy County; Kane County; Kendall  
6       County; Lake County; McHenry County; Will County);

7           (6) Danville (Vermilion County);

8           (7) Davenport-Moline-Rock Island (Henry County; Mercer  
9       County; Rock Island County);

10          (8) Decatur (Macon County);

11          (9) Kankakee (Kankakee County);

12          (10) Peoria (Marshall County; Peoria County; Stark  
13       County; Tazewell County; Woodford County);

14          (11) Rockford (Boone County; Winnebago County);

15          (12) St. Louis (Bond County; Calhoun County; Clinton  
16       County; Jersey County; Madison County; Macoupin County;  
17       Monroe County; St. Clair County),

18          (13) Springfield (Menard County; Sangamon County);

19          (14) Northwest Illinois nonmetropolitan area (Bureau  
20       County; Carroll County; Jo Daviess County; LaSalle County;  
21       Lee County; Ogle County; Putnam County; Stephenson County;  
22       Whiteside County);

23          (15) West Central Illinois nonmetropolitan area (Adams  
24       County; Brown County; Cass County; Christian County;  
25       Fulton County; Greene County; Hancock County; Henderson  
26       County; Knox County; Livingston County; Logan County;

Mason County; McDonough County; Montgomery County; Morgan County; Moultrie County; Pike County; Schuyler County; Scott County; Shelby County; Warren County);

(16) East Central Illinois nonmetropolitan area (Clark County; Clay County; Coles County; Crawford County; Cumberland County; Douglas County; Edgar County; Effingham County; Fayette County; Iroquois County; Jasper County; Lawrence County; Marion County; Richland County); and

(17) Southern Illinois nonmetropolitan area (Edwards County; Franklin County; Gallatin County; Hamilton County; Hardin County; Jefferson County; Johnson County; Massac County; Perry County; Pope County; Pulaski County; Randolph County; Saline County; Union County; Wabash County; Wayne County; White County).

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

"Cannabis" means marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or

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

11 "Cannabis business establishment" means a cultivation  
12 center, craft grower, ~~processing organization~~, infuser  
13 organization, dispensing organization, or transporting  
14 organization.

15 "Cannabis concentrate" means a product derived from  
16 cannabis that is produced by extracting cannabinoids,  
17 including tetrahydrocannabinol (THC), from the plant through  
18 the use of propylene glycol, glycerin, butter, olive oil, or  
19 other typical cooking fats; water, ice, or dry ice; or butane,  
20 propane, CO<sub>2</sub>, ethanol, or isopropanol and with the intended  
21 use of smoking or making a cannabis-infused product. The use  
22 of any other solvent is expressly prohibited unless and until  
23 it is approved by the Department of Agriculture.

24 "Cannabis container" means a sealed or resealable,  
25 traceable, container, or package used for the purpose of  
26 containment of cannabis or cannabis-infused product during

1 transportation.

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

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

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

20 "Cannabis plant monitoring system" or "plant monitoring  
21 system" means a system that includes, but is not limited to,  
22 testing and data collection established and maintained by the  
23 cultivation center, craft grower, or infuser ~~processing~~  
24 organization and that is available to the Department of  
25 Revenue, the Department of Agriculture, the Department of  
26 Financial and Professional Regulation, and the Illinois State

1 Police for the purposes of documenting each cannabis plant and  
2 monitoring plant development throughout the life cycle of a  
3 cannabis plant cultivated for the intended use by a customer  
4 from seed planting to final packaging.

5 "Cannabis testing facility" means an entity licensed  
6 ~~registered~~ by the Department of Agriculture to test cannabis  
7 for potency and contaminants. Licensed cannabis testing  
8 facilities are authorized under this Act to transport cannabis  
9 from licensed cannabis business establishments to the licensed  
10 cannabis testing facility and are exempt from the transporting  
11 organization license requirements.

12 "Certifying health care professional" has the meaning  
13 given to that term under the Compassionate Use of Medical  
14 Cannabis Program Act.

15 "Clone" means a plant section from a female cannabis plant  
16 not yet rootbound, growing in a water solution or other  
17 propagation matrix, that is capable of developing into a new  
18 plant.

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

25 "Community College Cannabis Vocational Training Pilot  
26 Program faculty participant Agent Identification Card" means a

1 document issued by the Department of Agriculture that  
2 identifies a person as a Community College Cannabis Vocational  
3 Training Pilot Program faculty participant.

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

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

19 "Craft grower" means a facility operated by an  
20 organization or business that is licensed by the Department of  
21 Agriculture to cultivate, dry, cure, and package cannabis and  
22 perform other necessary activities to make cannabis available  
23 for sale at a dispensing organization or use at an infuser ~~a~~  
24 ~~processing~~ organization. A craft grower may contain up to  
25 14,000 ~~5,000~~ square feet of canopy space on its premises for  
26 plants in the flowering state. ~~The Department of Agriculture~~

1 ~~may authorize an increase or decrease of flowering stage~~  
2 ~~cultivation space in increments of 3,000 square feet by rule~~  
3 ~~based on market need, craft grower capacity, and the~~  
4 ~~licensee's history of compliance or noncompliance, with a~~  
5 ~~maximum space of 14,000 square feet for cultivating plants in~~  
6 ~~the flowering stage,~~ which must be cultivated in all stages of  
7 growth in an enclosed and secure area. A craft grower may share  
8 premises with an infuser ~~a processing~~ organization or a  
9 dispensing organization, or both, provided each licensee  
10 stores currency and cannabis or cannabis-infused products in a  
11 separate secured vault to which the other licensee does not  
12 have access or all licensees sharing a vault share more than  
13 50% of the same ownership.

14 "Craft grower agent" means a principal officer, board  
15 member, employee, or other agent of a craft grower who is 21  
16 years of age or older.

17 "Craft Grower Agent Identification Card" means a document  
18 issued by the Department of Agriculture that identifies a  
19 person as a craft grower agent.

20 "Cultivation center" means a facility operated by an  
21 organization or business that is licensed by the Department of  
22 Agriculture to cultivate, process, transport (unless otherwise  
23 limited by this Act), and perform other necessary activities  
24 to provide cannabis and cannabis-infused products to cannabis  
25 business establishments. As used in this Act, "cultivation  
26 center" includes any cultivation center which prior to January



1 1, 2026, was a cultivation center as defined in the  
2 Compassionate Use of Medical Cannabis Program Act.

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

6 "Cultivation Center Agent Identification Card" means a  
7 document issued by the Department of Agriculture that  
8 identifies a person as a cultivation center agent.

9 "Currency" means currency and coins ~~coin~~ of the United  
10 States.

11 "Designated caregiver" means a person who:

12 (1) is at least 21 years of age;

13 (2) has agreed to assist with a patient's medical use  
14 of cannabis; and

15 (3) assists no more than one registered qualifying  
16 patient with the patient's medical use of cannabis, except  
17 the parent of a registered qualifying patient may assist  
18 any children of that parent who are registered qualifying  
19 patients.

20 ~~"Dispensary" means a facility operated by a dispensing~~  
21 ~~organization at which activities licensed by this Act may~~  
22 ~~occur.~~

23 "Dispensary Applicant" means the Proposed Dispensing  
24 Organization Name as stated on an application for a  
25 Conditional Adult Use Dispensing Organization License.

26 "Dispensing organization" or "dispensary" means a facility

1 operated by an organization or business that is licensed by  
2 the Department of Financial and Professional Regulation to  
3 acquire cannabis from a cultivation center, craft grower,  
4 infuser ~~processing~~ organization licensed by the Department of  
5 Agriculture, or another dispensary licensed by the Department  
6 of Financial and Professional Regulation, for the purpose of  
7 selling or dispensing cannabis, cannabis-infused products,  
8 cannabis seeds, paraphernalia, or related supplies under this  
9 Act to purchasers or to qualified ~~registered medical cannabis~~  
10 patients, and designated caregivers, Opioid Alternative  
11 Patient Program participants, and provisional patients to  
12 purchase an adequate medical supply. As used in this Act,  
13 "dispensing organization" includes any dispensary which, prior  
14 to January 1, 2026, was a registered medical cannabis  
15 organization as defined in the Compassionate Use of Medical  
16 Cannabis Program Act or its successor Act or that ~~has~~ obtained  
17 an Early Approval Adult Use Dispensing Organization License or  
18 Early Approval Adult Use Dispensing Organization License at a  
19 Secondary Site under this Act.

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

23 "Dispensing organization agent identification card" means  
24 a document issued by the Department of Financial and  
25 Professional Regulation that identifies a person as a  
26 dispensing organization agent.

1 "Disproportionately Impacted Area" means a census tract or  
2 comparable geographic area that satisfies the following  
3 criteria as determined by the Department of Commerce and  
4 Economic Opportunity, that:

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

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

8 (B) 75% or more of the children in the area  
9 participate in the federal free lunch program  
10 according to reported statistics from the State Board  
11 of Education; or

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

15 (D) the area has an average unemployment rate, as  
16 determined by the Illinois Department of Employment  
17 Security, that is more than 120% of the national  
18 unemployment average, as determined by the United  
19 States Department of Labor, for a period of at least 2  
20 consecutive calendar years preceding the date of the  
21 application; and

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

25 "Early Approval Adult Use Cultivation Center License"  
26 means a license that permits a medical cannabis cultivation

1 center licensed under the Compassionate Use of Medical  
2 Cannabis Program Act as of the effective date of this Act to  
3 begin cultivating, infusing, packaging, transporting (unless  
4 otherwise provided in this Act), processing, and selling  
5 cannabis or cannabis-infused product to cannabis business  
6 establishments for resale to purchasers as permitted by this  
7 Act as of January 1, 2020.

8 "Early Approval Adult Use Dispensing Organization License"  
9 means a license that permits a medical cannabis dispensing  
10 organization licensed under the Compassionate Use of Medical  
11 Cannabis Program Act as of the effective date of this Act to  
12 begin selling cannabis or cannabis-infused product to  
13 purchasers as permitted by this Act as of January 1, 2020.

14 "Early Approval Adult Use Dispensing Organization at a  
15 secondary site" means a license that permits a medical  
16 cannabis dispensing organization licensed under the  
17 Compassionate Use of Medical Cannabis Program Act as of the  
18 effective date of this Act to begin selling cannabis or  
19 cannabis-infused product to purchasers as permitted by this  
20 Act on January 1, 2020 at a different dispensary location from  
21 its existing registered medical dispensary location.

22 "Eligible Tied Applicant" means a Tied Applicant that is  
23 eligible to participate in the process by which a remaining  
24 available license is distributed by lot pursuant to a Tied  
25 Applicant Lottery.

26 "Enclosed, locked facility" means a room, greenhouse,

1 building, or other enclosed area equipped with locks or other  
2 security devices that permit access only by cannabis business  
3 establishment agents working for the licensed cannabis  
4 business establishment or acting pursuant to this Act to  
5 cultivate, process, store, or distribute cannabis.

6 "Enclosed, locked space" means a closet, room, greenhouse,  
7 building, or other enclosed area equipped with locks or other  
8 security devices that permit access only by authorized  
9 individuals under this Act. "Enclosed, locked space" may  
10 include:

11 (1) a space within a residential building that (i) is  
12 the primary residence of the individual cultivating 5 or  
13 fewer cannabis plants that are more than 5 inches tall and  
14 (ii) includes sleeping quarters and indoor plumbing. The  
15 space must only be accessible by a key or code that is  
16 different from any key or code that can be used to access  
17 the residential building from the exterior; or

18 (2) a structure, such as a shed or greenhouse, that  
19 lies on the same plot of land as a residential building  
20 that (i) includes sleeping quarters and indoor plumbing  
21 and (ii) is used as a primary residence by the person  
22 cultivating 5 or fewer cannabis plants that are more than  
23 5 inches tall, such as a shed or greenhouse. The structure  
24 must remain locked when it is unoccupied by people.

25 "Financial institution" has the same meaning as "financial  
26 organization" as defined in Section 1501 of the Illinois

1 Income Tax Act, and also includes the holding companies,  
2 subsidiaries, and affiliates of such financial organizations.

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

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

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

13 "Individual" means a natural person.

14 "Infuser organization" or "infuser" means a facility  
15 operated by an organization or business that is licensed by  
16 the Department of Agriculture to directly incorporate cannabis  
17 or cannabis concentrate into a product formulation to produce  
18 a cannabis-infused product.

19 "Infuser organization agent" means a principal officer,  
20 board member, employee, or other agent of an infuser  
21 organization.

22 "Infuser organization agent identification card" means a  
23 document issued by the Department of Agriculture that  
24 identifies a person as an infuser organization agent.

25 "Kief" means the resinous crystal-like trichomes that are  
26 found on cannabis and that are accumulated, resulting in a

1 higher concentration of cannabinoids, untreated by heat or  
2 pressure, or extracted using a solvent.

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

22 "Limited access area" means a room or other area under the  
23 control of a cannabis dispensing organization licensed under  
24 this Act and upon the licensed premises where cannabis sales  
25 occur with access limited to purchasers, dispensing  
26 organization owners and other dispensing organization agents,

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

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

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

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

23 "Ownership and control" means ownership of at least 51% of  
24 the business, including corporate stock if a corporation, and  
25 control over the management and day-to-day operations of the  
26 business and an interest in the capital, assets, and profits



1 and losses of the business proportionate to percentage of  
2 ownership.

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

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

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

25 "Primary residence" means a dwelling where a person  
26 usually stays or stays more often than other locations. It may

1 be determined by, without limitation, presence, tax filings;  
2 address on an Illinois driver's license, an Illinois  
3 Identification Card, or an Illinois Person with a Disability  
4 Identification Card; or voter registration. No person may have  
5 more than one primary residence.

6 "Processor license" means a license issued to an infuser  
7 organization that is licensed by the Department of Agriculture  
8 under subsection (f) of Section 35-31 to extract raw materials  
9 from cannabis flower.

10 "Provisional registration" means a document issued by the  
11 Department of Public Health to a qualifying patient who has  
12 submitted (i) an online application and paid a fee to  
13 participate in Compassionate Use of Medical Cannabis Program  
14 pending approval or denial of the patient's application or  
15 (ii) a completed application for terminal illness.

16 "Provisional patient" means a qualifying patient who has  
17 received a provisional registration from the Department of  
18 Public Health.

19 ~~"Processing organization" or "processor" means a facility~~  
20 ~~operated by an organization or business that is licensed by~~  
21 ~~the Department of Agriculture to either extract constituent~~  
22 ~~chemicals or compounds to produce cannabis concentrate or~~  
23 ~~incorporate cannabis or cannabis concentrate into a product~~  
24 ~~formulation to produce a cannabis product.~~

25 ~~"Processing organization agent" means a principal officer,~~  
26 ~~board member, employee, or agent of a processing organization.~~

1       ~~"Processing organization agent identification card" means~~  
2       ~~a document issued by the Department of Agriculture that~~  
3       ~~identifies a person as a processing organization agent.~~

4       "Purchaser" means a person 21 years of age or older who  
5       acquires cannabis for a valuable consideration. "Purchaser"  
6       does not include a cardholder under the Compassionate Use of  
7       Medical Cannabis Program Act.

8       "Qualifying Applicant" means an applicant that submitted  
9       an application pursuant to Section 15-30 that received at  
10      least 85% of 250 application points available under Section  
11      15-30 as the applicant's final score and meets the definition  
12      of "Social Equity Applicant" as set forth under this Section.

13      "Qualifying patient" or "qualified patient" means a person  
14      who has been diagnosed by a certifying health care  
15      professional as having a debilitating medical condition as  
16      defined under the Compassionate Use of Medical Cannabis  
17      Program Act.

18      "Qualifying Social Equity Justice Involved Applicant"  
19      means an applicant that submitted an application pursuant to  
20      Section 15-30 that received at least 85% of 250 application  
21      points available under Section 15-30 as the applicant's final  
22      score and meets the criteria of either paragraph (1) or (2) of  
23      the definition of "Social Equity Applicant" as set forth under  
24      this Section.

25      "Qualified Social Equity Applicant" means a Social Equity  
26      Applicant who has been awarded a license or conditional

1 license under this Act to operate a cannabis business  
2 establishment.

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

6 "Resided" means an individual's primary residence was  
7 located within the relevant geographic area as established by  
8 2 of the following:

9 (1) a signed lease agreement that includes the  
10 applicant's name;

11 (2) a property deed that includes the applicant's  
12 name;

13 (3) school records;

14 (4) a voter registration card;

15 (5) an Illinois driver's license, an Illinois  
16 Identification Card, or an Illinois Person with a  
17 Disability Identification Card;

18 (6) a paycheck stub;

19 (7) a utility bill;

20 (8) tax records; or

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

23 "Smoking" means the inhalation of smoke caused by the  
24 combustion of cannabis.

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

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

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

7                   (i) have been arrested for, convicted of, or  
8                   adjudicated delinquent for any offense that is  
9                   eligible for expungement under this Act; or

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

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

14                   (i) currently reside in a Disproportionately  
15                   Impacted Area; or

16                   (ii) have been arrested for, convicted of, or  
17                   adjudicated delinquent for any offense that is  
18                   eligible for expungement under this Act or member of  
19                   an impacted family.

20           Nothing in this Act shall be construed to preempt or limit  
21           the duties of any employer under the Job Opportunities for  
22           Qualified Applicants Act. Nothing in this Act shall permit an  
23           employer to require an employee to disclose sealed or expunged  
24           offenses, unless otherwise required by law.

25           "Social Equity Criteria Lottery Licensee" means a holder  
26           of an adult use cannabis dispensary license awarded through a

1 lottery held under subsection (c) of Section 15-35.20.

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

13 "Tied Applicant Lottery" means the process established  
14 under 68 Ill. Adm. Code 1291.50 for awarding Conditional Adult  
15 Use Dispensing Organization Licenses pursuant to Sections  
16 15-25 and 15-30 among Eligible Tied Applicants.

17 "Tincture" means a cannabis-infused solution, typically  
18 composed ~~comprised~~ of alcohol, glycerin, or vegetable oils,  
19 derived either directly from the cannabis plant or from a  
20 processed cannabis extract. A tincture is not an alcoholic  
21 liquor as defined in the Liquor Control Act of 1934. A tincture  
22 shall include a calibrated dropper or other similar device  
23 capable of accurately measuring servings.

24 "Transporting organization" or "transporter" means an  
25 organization or business that is licensed by the Department of  
26 Agriculture to transport cannabis or cannabis-infused product

1 on behalf of a cannabis business establishment or a community  
2 college licensed under the Community College Cannabis  
3 Vocational Training Pilot Program.

4 "Transporting organization agent" means a principal  
5 officer, board member, employee, or agent of a transporting  
6 organization.

7 "Transporting organization agent identification card"  
8 means a document issued by the Department of Agriculture that  
9 identifies a person as a transporting organization agent.

10 "Unit of local government" means any county, city,  
11 village, or incorporated town.

12 "Vegetative stage" means the stage of cultivation in which  
13 a cannabis plant is propagated to produce additional cannabis  
14 plants or reach a sufficient size for production. This  
15 includes seedlings, clones, mothers, and other immature  
16 cannabis plants as follows:

17 (1) if the cannabis plant is in an area that has not  
18 been intentionally deprived of light for a period of time  
19 intended to produce flower buds and induce maturation, it  
20 has no more than 2 stigmas visible at each internode of the  
21 cannabis plant; or

22 (2) any cannabis plant that is cultivated solely for  
23 the purpose of propagating clones and is never used to  
24 produce cannabis.

25 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
26 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.

1 5-13-22.)

2 (410 ILCS 705/5-10)

3 Sec. 5-10. Department of Agriculture.

4 (a) The Department of Agriculture shall administer and  
5 enforce provisions of this Act relating to the oversight and  
6 registration of cultivation centers, craft growers, infuser  
7 organizations, and transporting organizations and agents,  
8 including the issuance of identification cards and  
9 establishing limits on potency or serving size for cannabis or  
10 cannabis products. The Department of Agriculture may suspend  
11 or revoke the license of, or impose other penalties upon  
12 cannabis testing facilities, cultivation centers, craft  
13 growers, infuser organizations, transporting organizations,  
14 and their principal officers, Agents-in-Charge, and agents for  
15 violations of this Act and any rules adopted under this Act.

16 (b) The Department of Agriculture may establish, by rule,  
17 market protections that protect against unfair business  
18 practices, including, but not limited to, price-fixing, bid  
19 rigging, boycotts, agreements to not compete, exclusive  
20 wholesale arrangements for cannabis concentrate, cannabis  
21 flower, cannabis-infused products, and any product that is  
22 licensed under this Act to ensure all license types have equal  
23 access to the market without unfair competition.

24 (Source: P.A. 101-27, eff. 6-25-19.)



1 (410 ILCS 705/5-15)

2 Sec. 5-15. Department of Financial and Professional  
3 Regulation.

4 (a) The Department of Financial and Professional  
5 Regulation shall enforce the provisions of this Act relating  
6 to the oversight and registration of dispensing organizations  
7 and agents, including the issuance of identification cards for  
8 dispensing organization agents. The Department of Financial  
9 and Professional Regulation may suspend or revoke the license  
10 of, or otherwise discipline dispensing organizations,  
11 principal officers, agents-in-charge, and agents for  
12 violations of this Act and any rules adopted under this Act.

13 (b) The Department of Financial and Professional  
14 Regulation may establish, by rule, market protections that  
15 protect against unfair business practices, including, but not  
16 limited to, price-fixing, bid rigging, boycotts, agreements to  
17 not compete, exclusive wholesale arrangements for cannabis  
18 concentrate, cannabis flower, cannabis-infused products, and  
19 any product that is licensed under this Act to ensure all  
20 license types have equal access to the market without unfair  
21 competition.

22 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

23 (410 ILCS 705/7-10)

24 Sec. 7-10. Cannabis Business Development Fund.

25 (a) There is created in the State treasury a special fund,

1 which shall be held separate and apart from all other State  
2 moneys, to be known as the Cannabis Business Development Fund.  
3 The Cannabis Business Development Fund shall be exclusively  
4 used for the following purposes:

5 (1) to provide low-interest rate loans to Qualified  
6 Social Equity Applicants and Social Equity Criteria  
7 Lottery Licensees to pay for ordinary and necessary  
8 expenses to start and operate a cannabis business  
9 establishment permitted by this Act;

10 (2) to provide grants to Qualified Social Equity  
11 Applicants to pay for ordinary and necessary expenses to  
12 start and operate a cannabis business establishment  
13 permitted by this Act;

14 (3) to compensate the Department of Commerce and  
15 Economic Opportunity for any costs related to the  
16 provision of low-interest loans and grants to Qualified  
17 Social Equity Applicants and Social Equity Criteria  
18 Lottery Licensees;

19 (4) to pay for outreach that may be provided or  
20 targeted to attract and support Social Equity Applicants,  
21 ~~and~~ Qualified Social Equity Applicants, and Social Equity  
22 Criteria Lottery Licensees;

23 (5) (blank);

24 (5.5) to provide financial assistance that supports  
25 lending to or private investment in Qualified Social  
26 Equity Applicants and Social Equity Criteria Lottery

1       Licensees or that facilitates access to the facilities  
2       needed to commence operations as a cannabis business  
3       establishment;

4           (6) to conduct any study or research concerning the  
5       participation of minorities, women, veterans, or people  
6       with disabilities in the cannabis industry, including,  
7       without limitation, barriers to such individuals entering  
8       the industry as equity owners of cannabis business  
9       establishments;

10          (7) (blank); and

11          (8) to assist with job training and technical  
12       assistance for residents in Disproportionately Impacted  
13       Areas.

14       (b) All moneys collected under Sections 15-15 and 15-20  
15       for Early Approval Adult Use Dispensing Organization Licenses  
16       issued before January 1, 2021 and remunerations made as a  
17       result of transfers of permits awarded to Qualified Social  
18       Equity Applicants shall be deposited into the Cannabis  
19       Business Development Fund.

20       (c) (Blank).

21       (c-5) In addition to any other transfers that may be  
22       provided for by law, on July 1, 2023, or as soon thereafter as  
23       practical, the State Comptroller shall direct and the State  
24       Treasurer shall transfer the sum of \$40,000,000 from the  
25       Compassionate Use of Medical Cannabis Fund to the Cannabis  
26       Business Development Fund.

1 (d) Notwithstanding any other law to the contrary, the  
2 Cannabis Business Development Fund is not subject to sweeps,  
3 administrative charge-backs, or any other fiscal or budgetary  
4 maneuver that would in any way transfer any amounts from the  
5 Cannabis Business Development Fund into any other fund of the  
6 State.

7 (Source: P.A. 103-8, eff. 6-7-23.)

8 (410 ILCS 705/7-15)

9 Sec. 7-15. Loans, financial assistance, ~~and~~ grants to  
10 Qualified Social Equity Applicants and Social Equity Criteria  
11 Lottery Licensees.

12 (a) The Department of Commerce and Economic Opportunity  
13 shall establish grant, ~~and~~ loan, and financial assistance  
14 programs, subject to appropriations from the Cannabis Business  
15 Development Fund, for the purposes of providing financial  
16 assistance, loans, grants, and technical assistance to  
17 Qualified Social Equity Applicants and Social Equity Criteria  
18 Lottery Licensees.

19 (b) The Department of Commerce and Economic Opportunity  
20 has the power to:

21 (1) provide Cannabis Social Equity loans, financial  
22 assistance, and grants from appropriations from the  
23 Cannabis Business Development Fund to assist Qualified  
24 Social Equity Applicants and Social Equity Criteria  
25 Lottery Licensees in gaining entry to, and successfully

operating in, the State's regulated cannabis marketplace;

(2) enter into agreements that set forth terms and conditions of the financial assistance, accept funds or grants, and engage in cooperation with private entities and agencies of State or local government to carry out the purposes of this Section;

(3) fix, determine, charge, and collect any premiums, fees, charges, costs and expenses, including application fees, commitment fees, program fees, financing charges, or publication fees in connection with its activities under this Section;

(4) coordinate assistance under these financial assistance ~~loan~~ programs with activities of the Illinois Department of Financial and Professional Regulation, the Illinois Department of Agriculture, and other agencies as needed to maximize the effectiveness and efficiency of this Act;

(5) provide staff, administration, and related support required to administer this Section;

(6) take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance provided under this Section, including the ability to recapture funds if the recipient is found to be noncompliant with the terms and conditions of the financial assistance

1 agreement;

2 (6.5) enter into financial intermediary agreements to  
3 facilitate lending to or investment in Qualified Social  
4 Equity Applicants, Social Equity Criteria Lottery  
5 Licensees, or their subsidiaries or affiliates to ensure  
6 the availability of facilities necessary to operate a  
7 cannabis business establishment;

8 (7) establish application, notification, contract, and  
9 other forms, procedures, or rules deemed necessary and  
10 appropriate; and

11 (8) utilize vendors or contract work to carry out the  
12 purposes of this Act.

13 (c) Loans made under this Section:

14 (1) shall only be made if, in the Department's  
15 judgment, the project furthers the goals set forth in this  
16 Act; ~~and~~

17 (2) shall be in such principal amount and form and  
18 contain such terms and provisions with respect to  
19 security, insurance, reporting, delinquency charges,  
20 default remedies, forgiveness, and other matters as the  
21 Department shall determine appropriate to protect the  
22 public interest and to be consistent with the purposes of  
23 this Section. The terms and provisions may be less than  
24 required for similar loans not covered by this Section;  
25 and;

26 (3) may be distributed by a lottery if the Department

1 determines that the amount of funding available is  
2 insufficient to provide an adequate amount of funding for  
3 all of the applicants eligible to receive a loan.

4 The Department may determine the number of loans available  
5 based on the amount of funding available and communicate the  
6 number of loans available on the loan application. The  
7 Department may use competitive criteria to establish which  
8 applicants are eligible to receive a grant, loan, or financial  
9 assistance.

10 (d) Grants made under this Section shall be awarded on a  
11 competitive and annual basis under the Grant Accountability  
12 and Transparency Act. Grants made under this Section shall  
13 further and promote the goals of this Act, including promotion  
14 of Social Equity Applicants, Qualified Social Equity  
15 Applicants, or Social Equity Criteria Lottery Licensees, job  
16 training and workforce development, and technical assistance  
17 to Social Equity Applicants. To the extent registration with  
18 the federal System for Award Management requires a grant  
19 applicant to certify compliance with all federal laws, the  
20 grant applicants under this Section shall not be required to  
21 register for a unique entity identifier through the federal  
22 System for Award Management to be qualified to receive a grant  
23 so long as federal law prohibits the cultivation and sale of  
24 cannabis.

25 (d-5) Financial intermediary agreements to provide  
26 financial assistance must further the goals set forth in this

1 Act and result in financing or lease costs that are affordable  
2 or below market rate.

3 (e) Beginning January 1, 2021 and each year thereafter,  
4 the Department shall annually report to the Governor and the  
5 General Assembly on the outcomes and effectiveness of this  
6 Section that shall include the following:

7 (1) the number of persons or businesses receiving  
8 financial assistance under this Section;

9 (2) the amount in financial assistance awarded in the  
10 aggregate, in addition to the amount of loans made that  
11 are outstanding and the amount of grants awarded;

12 (3) the location of the project engaged in by the  
13 person or business; and

14 (4) if applicable, the number of new jobs and other  
15 forms of economic output created as a result of the  
16 financial assistance.

17 (f) The Department of Commerce and Economic Opportunity  
18 shall include engagement with individuals with limited English  
19 proficiency as part of its outreach provided or targeted to  
20 attract and support Social Equity Applicants.

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

22 (410 ILCS 705/10-10)

23 Sec. 10-10. Possession limit.

24 (a) Except if otherwise authorized by this Act, for a  
25 person who is 21 years of age or older and a resident of this



1 State, the possession limit is as follows:

2 (1) 30 grams of cannabis flower;

3 (2) no more than 500 milligrams of THC contained in  
4 cannabis-infused product;

5 (3) 5 grams of cannabis concentrate; and

6 (4) for registered qualifying patients, any cannabis  
7 produced by cannabis plants grown under subsection (b) of  
8 Section 10-5, provided any amount of cannabis produced in  
9 excess of 30 grams of raw cannabis or its equivalent must  
10 remain secured within the residence or residential  
11 property in which it was grown.

12 (b) For a person who is 21 years of age or older and who is  
13 not a resident of this State, the possession limit is:

14 (1) 15 grams of cannabis flower;

15 (2) 2.5 grams of cannabis concentrate; and

16 (3) 250 milligrams of THC contained in a  
17 cannabis-infused product.

18 (c) The possession limits found in subsections (a) and (b)  
19 of this Section are to be considered cumulative.

20 (d) No person shall knowingly obtain, seek to obtain, or  
21 possess an amount of cannabis from a dispensing organization  
22 or craft grower that would cause him or her to exceed the  
23 possession limit under this Section, including cannabis that  
24 is cultivated by a person under this Act or obtained as a  
25 qualified registered medical patient, Opioid Alternative  
26 Patient Program participant, provisional patient, or

1 designated caregiver.

2 (d-1) No qualified registered patient, provisional  
3 patient, Opioid Alternative Patient Program participant, or  
4 designated caregiver shall knowingly obtain, seek to obtain,  
5 or possess, individually or collectively, an amount that would  
6 cause the individual to exceed their adequate medical supply  
7 under the Compassionate Use of Medical Cannabis Program Act.

8 (e) Cannabis and cannabis-derived substances regulated  
9 under the Industrial Hemp Act are not covered by this Act.

10 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

11 (410 ILCS 705/10-15)

12 Sec. 10-15. Persons under 21 years of age.

13 (a) Nothing in this Act is intended to permit the transfer  
14 of cannabis, with or without remuneration, to a person under  
15 21 years of age, or to allow a person under 21 years of age to  
16 purchase, possess, use, process, transport, grow, or consume  
17 cannabis except where authorized by this Act, the  
18 Compassionate Use of Medical Cannabis Program Act, or by the  
19 Community College Cannabis Vocational Pilot Program.

20 (b) Notwithstanding any other provisions of law  
21 authorizing ~~the~~ possession of ~~medical~~ cannabis or  
22 cannabis-infused products by a qualified registered medical  
23 patient, provisional patient, or designated caregiver, nothing  
24 in this Act authorizes a person who is under 21 years of age to  
25 possess cannabis. A person under 21 years of age with cannabis

1 in his or her possession is guilty of a civil law violation as  
2 outlined in paragraph (a) of Section 4 of the Cannabis Control  
3 Act.

4 (c) If the person under the age of 21 was in a motor  
5 vehicle at the time of the offense, the Secretary of State may  
6 suspend or revoke the driving privileges of any person for a  
7 violation of this Section under Section 6-206 of the Illinois  
8 Vehicle Code and the rules adopted under it.

9 (d) It is unlawful for any parent or guardian to knowingly  
10 permit his or her residence, any other private property under  
11 his or her control, or any vehicle, conveyance, or watercraft  
12 under his or her control to be used by an invitee of the  
13 parent's child or the guardian's ward, if the invitee is under  
14 the age of 21, in a manner that constitutes a violation of this  
15 Section. A parent or guardian is deemed to have knowingly  
16 permitted his or her residence, any other private property  
17 under his or her control, or any vehicle, conveyance, or  
18 watercraft under his or her control to be used in violation of  
19 this Section if he or she knowingly authorizes or permits  
20 consumption of cannabis by underage invitees. Any person who  
21 violates this subsection (d) is guilty of a Class A  
22 misdemeanor and the person's sentence shall include, but shall  
23 not be limited to, a fine of not less than \$500. If a violation  
24 of this subsection (d) directly or indirectly results in great  
25 bodily harm or death to any person, the person violating this  
26 subsection is guilty of a Class 4 felony. In this subsection

1 (d), where the residence or other property has an owner and a  
2 tenant or lessee, the trier of fact may infer that the  
3 residence or other property is occupied only by the tenant or  
4 lessee.

5 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

6 (410 ILCS 705/15-10)

7 Sec. 15-10. Medical cannabis dispensing organization  
8 exemption. This Article does not apply to medical cannabis  
9 dispensing organizations registered under the Compassionate  
10 Use of Medical Cannabis ~~Pilot~~ Program Act, except where  
11 otherwise specified. This Section is repealed on July 1, 2026.

12 (Source: P.A. 101-27, eff. 6-25-19.)

13 (410 ILCS 705/15-13 new)

14 Sec. 15-13. Adult Use and medical cannabis dispensing  
15 organization license merger; medical patient prioritization.

16 (a) Beginning January 1, 2026, all medical cannabis  
17 dispensing organizations registered under the Compassionate  
18 Use of Medical Cannabis Program Act and that have received an  
19 Early Approval Adult Use Dispensing Organization License shall  
20 be deemed to be an adult use dispensing organization licensed  
21 pursuant to Section 15-36 of this Act. In addition to selling  
22 cannabis and cannabis-infused products to persons 21 years of  
23 age or older, beginning January 1, 2026, but no later than  
24 April 1, 2026, all dispensing organizations licensed pursuant

1 to Section 15-36 of this Act shall also offer services to  
2 registered qualifying patients, provisional patients, Opioid  
3 Alternative Patient Program participants, and designated  
4 caregivers.

5 (b) Beginning January 1, 2026, all dispensing organization  
6 agents registered under the Compassionate Use of Medical  
7 Cannabis Program Act shall be deemed to be a dispensing  
8 organization agent as that term is defined in this Act. All  
9 dispensing organization agents registered under the  
10 Compassionate Use of Medical Cannabis Program Act shall have  
11 the same rights, privileges, duties, and responsibilities of  
12 dispensing organization agents licensed under this Act. All  
13 dispensing organization agents shall be subject to this Act  
14 and any administrative rules adopted under this Act.

15 (c) On and after January 1, 2026, any dispensing  
16 organization previously registered as an Early Approval Adult  
17 Use Dispensing Organization License or an Early Approval Adult  
18 Use Dispensing Organization at a secondary site shall renew  
19 pursuant to Section 15-45 of this Act. The Department shall  
20 prorate any dispensing organization previously registered as  
21 an Early Approval Adult Use Dispensing Organization License or  
22 an Early Approval Adult Use Dispensing Organization at a  
23 secondary site's first renewal fee due under Section 15-45.

24 (d) By April 1, 2026, all dispensing organizations shall  
25 pay a one-time fee of \$10,000 to be deposited into the  
26 Compassionate Use of Medical Cannabis Fund. After this

1 one-time fee, all dispensing organizations shall renew  
2 pursuant to the provisions of Section 15-45. The Department  
3 may approve payment plans that extend beyond April 1, 2026 for  
4 the fee paid under this subsection if the first payment under  
5 the payment plan is remitted by April 1, 2026.

6 (e) All dispensing organizations must maintain an adequate  
7 supply of cannabis and cannabis-infused products for purchase  
8 by qualifying patients, designated caregivers, and provisional  
9 patients. For the purposes of this subsection, the Department  
10 may promulgate administrative rules establishing what  
11 constitutes an adequate supply.

12 (f) If there is a shortage of cannabis or cannabis-infused  
13 products, a dispensing organization shall prioritize serving  
14 qualifying patients, designated caregivers, and provisional  
15 patients before serving purchasers.

16 (g) Beginning January 1, 2026, cannabis and  
17 cannabis-infused products purchased from a dispensing  
18 organization by a qualified patient, Opioid Alternative  
19 Patient Program participant, provisional patient, or  
20 designated caregiver are not subject to tax under Section  
21 65-10 of this Act.

22 (410 ILCS 705/15-15)

23 Sec. 15-15. Early Approval Adult Use Dispensing  
24 Organization License.

25 (a) Any medical cannabis dispensing organization holding a

1 valid registration under the Compassionate Use of Medical  
2 Cannabis Program Act as of the effective date of this Act may,  
3 within 60 days of the effective date of this Act, apply to the  
4 Department for an Early Approval Adult Use Dispensing  
5 Organization License to serve purchasers at any medical  
6 cannabis dispensing location in operation on the effective  
7 date of this Act, pursuant to this Section.

8 (b) A medical cannabis dispensing organization seeking  
9 issuance of an Early Approval Adult Use Dispensing  
10 Organization License to serve purchasers at any medical  
11 cannabis dispensing location in operation as of the effective  
12 date of this Act shall submit an application on forms provided  
13 by the Department. The application must be submitted by the  
14 same person or entity that holds the medical cannabis  
15 dispensing organization registration and include the  
16 following:

17 (1) Payment of a nonrefundable fee of \$30,000 to be  
18 deposited into the Cannabis Regulation Fund;

19 (2) Proof of registration as a medical cannabis  
20 dispensing organization that is in good standing;

21 (3) Certification that the applicant will comply with  
22 the requirements contained in the Compassionate Use of  
23 Medical Cannabis Program Act except as provided in this  
24 Act;

25 (4) The legal name of the dispensing organization;

26 (5) The physical address of the dispensing

1 organization;

2 (6) The name, address, social security number, and  
3 date of birth of each principal officer and board member  
4 of the dispensing organization, each of whom must be at  
5 least 21 years of age;

6 (7) A nonrefundable Cannabis Business Development Fee  
7 equal to 3% of the dispensing organization's total sales  
8 between June 1, 2018 to June 1, 2019, or \$100,000,  
9 whichever is less, to be deposited into the Cannabis  
10 Business Development Fund; and

11 (8) Identification of one of the following Social  
12 Equity Inclusion Plans to be completed by March 31, 2021:

13 (A) Make a contribution of 3% of total sales from  
14 June 1, 2018 to June 1, 2019, or \$100,000, whichever is  
15 less, to the Cannabis Business Development Fund. This  
16 is in addition to the fee required by item (7) of this  
17 subsection (b);

18 (B) Make a grant of 3% of total sales from June 1,  
19 2018 to June 1, 2019, or \$100,000, whichever is less,  
20 to a cannabis industry training or education program  
21 at an Illinois community college as defined in the  
22 Public Community College Act;

23 (C) Make a donation of \$100,000 or more to a  
24 program that provides job training services to persons  
25 recently incarcerated or that operates in a  
26 Disproportionately Impacted Area;



1           (D) Participate as a host in a cannabis business  
2           establishment incubator program approved by the  
3           Department of Commerce and Economic Opportunity, and  
4           in which an Early Approval Adult Use Dispensing  
5           Organization License holder agrees to provide a loan  
6           of at least \$100,000 and mentorship to incubate, for  
7           at least a year, a Social Equity Applicant intending  
8           to seek a license or a licensee that qualifies as a  
9           Social Equity Applicant. As used in this Section,  
10          "incubate" means providing direct financial assistance  
11          and training necessary to engage in licensed cannabis  
12          industry activity similar to that of the host  
13          licensee. The Early Approval Adult Use Dispensing  
14          Organization License holder or the same entity holding  
15          any other licenses issued pursuant to this Act shall  
16          not take an ownership stake of greater than 10% in any  
17          business receiving incubation services to comply with  
18          this subsection. If an Early Approval Adult Use  
19          Dispensing Organization License holder fails to find a  
20          business to incubate to comply with this subsection  
21          before its Early Approval Adult Use Dispensing  
22          Organization License expires, it may opt to meet the  
23          requirement of this subsection by completing another  
24          item from this subsection; or

25          (E) Participate in a sponsorship program for at  
26          least 2 years approved by the Department of Commerce

1 and Economic Opportunity in which an Early Approval  
2 Adult Use Dispensing Organization License holder  
3 agrees to provide an interest-free loan of at least  
4 \$200,000 to a Social Equity Applicant. The sponsor  
5 shall not take an ownership stake in any cannabis  
6 business establishment receiving sponsorship services  
7 to comply with this subsection.

8 (b-5) Beginning 90 days after the effective date of this  
9 amendatory Act of the 102nd General Assembly, an Early  
10 Approval Adult Use Dispensing Organization licensee whose  
11 license was issued pursuant to this Section may apply to  
12 relocate within the same geographic district where its  
13 existing associated medical cannabis dispensing organization  
14 dispensary licensed under the Compassionate Use of Medical  
15 Cannabis Program Act is authorized to operate. A request to  
16 relocate under this subsection is subject to approval by the  
17 Department. An Early Approval Adult Use Dispensing  
18 Organization's application to relocate its license under this  
19 subsection shall be deemed approved 30 days following the  
20 submission of a complete application to relocate, unless  
21 sooner approved or denied in writing by the Department. If an  
22 application to relocate is denied, the Department shall  
23 provide, in writing, the specific reason for denial.

24 An Early Approval Adult Use Dispensing Organization may  
25 request to relocate under this subsection if:

26 (1) its existing location is within the boundaries of

1 a unit of local government that prohibits the sale of  
2 adult use cannabis; or

3 (2) the Early Approval Adult Use Dispensing  
4 Organization has obtained the approval of the municipality  
5 or, if outside the boundaries of a municipality in an  
6 unincorporated area of the county, the approval of the  
7 county where the existing license is located to move to  
8 another location within that unit of local government.

9 At no time may an Early Approval Adult Use Dispensing  
10 Organization dispensary licensed under this Section operate in  
11 a separate facility from its associated medical cannabis  
12 dispensing organization dispensary licensed under the  
13 Compassionate Use of Medical Cannabis Program Act. The  
14 relocation of an Early Approval Adult Use Dispensing  
15 Organization License under this subsection shall be subject to  
16 Sections 55-25 and 55-28 of this Act.

17 (c) The license fee required by paragraph (1) of  
18 subsection (b) of this Section shall be in addition to any  
19 license fee required for the renewal of a registered medical  
20 cannabis dispensing organization license.

21 (d) Applicants must submit all required information,  
22 including the requirements in subsection (b) of this Section,  
23 to the Department. Failure by an applicant to submit all  
24 required information may result in the application being  
25 disqualified.

26 (e) If the Department receives an application that fails

1 to provide the required elements contained in subsection (b),  
2 the Department shall issue a deficiency notice to the  
3 applicant. The applicant shall have 10 calendar days from the  
4 date of the deficiency notice to submit complete information.  
5 Applications that are still incomplete after this opportunity  
6 to cure may be disqualified.

7 (f) If an applicant meets all the requirements of  
8 subsection (b) of this Section, the Department shall issue the  
9 Early Approval Adult Use Dispensing Organization License  
10 within 14 days of receiving a completed application unless:

11 (1) The licensee or a principal officer is delinquent  
12 in filing any required tax returns or paying any amounts  
13 owed to the State of Illinois;

14 (2) The Secretary of Financial and Professional  
15 Regulation determines there is reason, based on documented  
16 compliance violations, the licensee is not entitled to an  
17 Early Approval Adult Use Dispensing Organization License;  
18 or

19 (3) Any principal officer fails to register and remain  
20 in compliance with this Act or the Compassionate Use of  
21 Medical Cannabis Program Act.

22 (g) A registered medical cannabis dispensing organization  
23 that obtains an Early Approval Adult Use Dispensing  
24 Organization License may begin selling cannabis,  
25 cannabis-infused products, paraphernalia, and related items to  
26 purchasers under the rules of this Act no sooner than January

1 1, 2020.

2 (h) A dispensing organization holding a medical cannabis  
3 dispensing organization license issued under the Compassionate  
4 Use of Medical Cannabis Program Act must maintain an adequate  
5 supply of cannabis and cannabis-infused products for purchase  
6 by qualifying patients, designated caregivers, provisional  
7 patients, and Opioid Alternative Patient ~~Pilot~~ Program  
8 participants. For the purposes of this subsection, "adequate  
9 supply" means a monthly inventory level that is comparable in  
10 type and quantity to those medical cannabis products provided  
11 to qualified patients, Opioid Alternative Patient Program  
12 participants, provisional patients, and designated caregivers  
13 on an average monthly basis for the 6 months before the  
14 effective date of this Act.

15 (i) If there is a shortage of cannabis or cannabis-infused  
16 products, a dispensing organization holding both a dispensing  
17 organization license under the Compassionate Use of Medical  
18 Cannabis Program Act and this Act shall prioritize serving  
19 qualifying patients, designated caregivers, provisional  
20 patients, and Opioid Alternative Patient ~~Pilot~~ Program  
21 participants before serving purchasers.

22 (j) Notwithstanding any law or rule to the contrary, a  
23 person that holds a medical cannabis dispensing organization  
24 license issued under the Compassionate Use of Medical Cannabis  
25 Program Act and an Early Approval Adult Use Dispensing  
26 Organization License may permit purchasers into a limited

1 access area as that term is defined in administrative rules  
2 made under the authority in the Compassionate Use of Medical  
3 Cannabis Program Act.

4 (k) An Early Approval Adult Use Dispensing Organization  
5 License is valid until March 31, 2021. A dispensing  
6 organization that obtains an Early Approval Adult Use  
7 Dispensing Organization License shall receive written or  
8 electronic notice 90 days before the expiration of the license  
9 that the license will expire, and that informs the license  
10 holder that it may apply to renew its Early Approval Adult Use  
11 Dispensing Organization License on forms provided by the  
12 Department. The Department shall renew the Early Approval  
13 Adult Use Dispensing Organization License within 60 days of  
14 the renewal application being deemed complete if:

15 (1) the dispensing organization submits an application  
16 and the required nonrefundable renewal fee of \$30,000, to  
17 be deposited into the Cannabis Regulation Fund;

18 (2) the Department has not suspended or permanently  
19 revoked the Early Approval Adult Use Dispensing  
20 Organization License or a medical cannabis dispensing  
21 organization license on the same premises for violations  
22 of this Act, the Compassionate Use of Medical Cannabis  
23 Program Act, or rules adopted pursuant to those Acts;

24 (3) the dispensing organization has completed a Social  
25 Equity Inclusion Plan as provided by parts (A), (B), and  
26 (C) of paragraph (8) of subsection (b) of this Section or

1       has made substantial progress toward completing a Social  
2       Equity Inclusion Plan as provided by parts (D) and (E) of  
3       paragraph (8) of subsection (b) of this Section; and

4             (4) the dispensing organization is in compliance with  
5       this Act and rules.

6             (1) The Early Approval Adult Use Dispensing Organization  
7       License renewed pursuant to subsection (k) of this Section  
8       shall expire March 31, 2022. The Early Approval Adult Use  
9       Dispensing Organization Licensee shall receive written or  
10      electronic notice 90 days before the expiration of the license  
11      that the license will expire, and that informs the license  
12      holder that it may apply for an Adult Use Dispensing  
13      Organization License on forms provided by the Department. The  
14      Department shall grant an Adult Use Dispensing Organization  
15      License within 60 days of an application being deemed complete  
16      if the applicant has met all of the criteria in Section 15-36.

17            (m) If a dispensing organization fails to submit an  
18      application for renewal of an Early Approval Adult Use  
19      Dispensing Organization License or for an Adult Use Dispensing  
20      Organization License before the expiration dates provided in  
21      subsections (k) and (l) of this Section, the dispensing  
22      organization shall cease serving purchasers and cease all  
23      operations until it receives a renewal or an Adult Use  
24      Dispensing Organization License, as the case may be.

25            (n) A dispensing organization agent who holds a valid  
26      dispensing organization agent identification card issued under

1 the Compassionate Use of Medical Cannabis Program Act and is  
2 an officer, director, manager, or employee of the dispensing  
3 organization licensed under this Section may engage in all  
4 activities authorized by this Article to be performed by a  
5 dispensing organization agent.

6 (o) If the Department suspends, permanently revokes, or  
7 otherwise disciplines the Early Approval Adult Use Dispensing  
8 Organization License of a dispensing organization that also  
9 holds a medical cannabis dispensing organization license  
10 issued under the Compassionate Use of Medical Cannabis Program  
11 Act, the Department may consider the suspension, permanent  
12 revocation, or other discipline of the medical cannabis  
13 dispensing organization license.

14 (p) All fees collected pursuant to this Section shall be  
15 deposited into the Cannabis Regulation Fund, unless otherwise  
16 specified.

17 (q) On and after January 1, 2026, all dispensaries which  
18 were previously issued an Early Approval Adult Use Dispensing  
19 Organization License pursuant to this Section shall be deemed  
20 to be a dispensary pursuant to Section 15-36 of this Act.

21 (r) This Section is repealed on July 1, 2026.

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

24 (410 ILCS 705/15-17 new)

25 Sec. 15-17. Early Approval Adult Use Dispensing



1 Organization License merger with Adult Use Dispensing  
2 Organization License.

3 (a) On and after January 1, 2026, all dispensing  
4 organizations previously registered as an Early Approval Adult  
5 Use Dispensing Organization License shall be a dispensing  
6 organization or a dispensary under this Act and shall be an  
7 Adult Use Dispensing Organization License holder under Section  
8 15-36 of this Act.

9 (b) The BLS Region in which the dispensing organization  
10 licensee's Early Approval Adult Use Dispensing Organization  
11 License was originally issued shall be considered the  
12 licensee's BLS Region. The dispensing organization shall  
13 remain in that BLS Region even if the license or licensee  
14 changes its ownership, is sold, is relocated under Section  
15 15-24 of this Act, or receives authorization under subsection  
16 7 (e-5) of Section 15-25.

17 (410 ILCS 705/15-20)

18 Sec. 15-20. Early Approval Adult Use Dispensing  
19 Organization License; secondary site.

20 (a) Any medical cannabis dispensing organization holding a  
21 valid registration under the Compassionate Use of Medical  
22 Cannabis Program Act as of the effective date of this Act may,  
23 within 60 days of the effective date of this Act, apply to the  
24 Department for an Early Approval Adult Use Dispensing  
25 Organization License to operate a dispensing organization to

1 serve purchasers at a secondary site not within 1,500 feet of  
2 another medical cannabis dispensing organization or adult use  
3 dispensing organization. The Early Approval Adult Use  
4 Dispensing Organization secondary site shall be within any BLS  
5 Region that shares territory with the dispensing organization  
6 district to which the medical cannabis dispensing organization  
7 is assigned under the administrative rules for dispensing  
8 organizations under the Compassionate Use of Medical Cannabis  
9 Program Act.

10 (a-5) If, within 360 days of the effective date of this  
11 Act, a dispensing organization is unable to find a location  
12 within the BLS Regions prescribed in subsection (a) of this  
13 Section in which to operate an Early Approval Adult Use  
14 Dispensing Organization at a secondary site because no  
15 jurisdiction within the prescribed area allows the operation  
16 of an Adult Use ~~Cannabis~~ Dispensing Organization, the  
17 Department of Financial and Professional Regulation may waive  
18 the geographic restrictions of subsection (a) of this Section  
19 and specify another BLS Region into which the dispensary may  
20 be placed.

21 (b) (Blank).

22 (c) A medical cannabis dispensing organization seeking  
23 issuance of an Early Approval Adult Use Dispensing  
24 Organization License at a secondary site to serve purchasers  
25 at a secondary site as prescribed in subsection (a) of this  
26 Section shall submit an application on forms provided by the

1 Department. The application must meet or include the following  
2 qualifications:

3 (1) a payment of a nonrefundable application fee of  
4 \$30,000;

5 (2) proof of registration as a medical cannabis  
6 dispensing organization that is in good standing;

7 (3) submission of the application by the same person  
8 or entity that holds the medical cannabis dispensing  
9 organization registration;

10 (4) the legal name of the medical cannabis dispensing  
11 organization;

12 (5) the physical address of the medical cannabis  
13 dispensing organization and the proposed physical address  
14 of the secondary site;

15 (6) a copy of the current local zoning ordinance  
16 Sections relevant to dispensary operations and  
17 documentation of the approval, the conditional approval or  
18 the status of a request for zoning approval from the local  
19 zoning office that the proposed dispensary location is in  
20 compliance with the local zoning rules;

21 (7) a plot plan of the dispensary drawn to scale. The  
22 applicant shall submit general specifications of the  
23 building exterior and interior layout;

24 (8) a statement that the dispensing organization  
25 agrees to respond to the Department's supplemental  
26 requests for information;

1           (9) for the building or land to be used as the proposed  
2       dispensary:

3           (A) if the property is not owned by the applicant,  
4       a written statement from the property owner and  
5       landlord, if any, certifying consent that the  
6       applicant may operate a dispensary on the premises; or

7           (B) if the property is owned by the applicant,  
8       confirmation of ownership;

9       (10) a copy of the proposed operating bylaws;

10       (11) a copy of the proposed business plan that  
11       complies with the requirements in this Act, including, at  
12       a minimum, the following:

13           (A) a description of services to be offered; and

14           (B) a description of the process of dispensing  
15       cannabis;

16       (12) a copy of the proposed security plan that  
17       complies with the requirements in this Article, including:

18           (A) a description of the delivery process by which  
19       cannabis will be received from a transporting  
20       organization, including receipt of manifests and  
21       protocols that will be used to avoid diversion, theft,  
22       or loss at the dispensary acceptance point; and

23           (B) the process or controls that will be  
24       implemented to monitor the dispensary, secure the  
25       premises, agents, patients, and currency, and prevent  
26       the diversion, theft, or loss of cannabis; and

1 (C) the process to ensure that access to the  
2 restricted access areas is restricted to, registered  
3 agents, service professionals, transporting  
4 organization agents, Department inspectors, and  
5 security personnel;

6 (13) a proposed inventory control plan that complies  
7 with this Section;

8 (14) the name, address, social security number, and  
9 date of birth of each principal officer and board member  
10 of the dispensing organization; each of those individuals  
11 shall be at least 21 years of age;

12 (15) a nonrefundable Cannabis Business Development Fee  
13 equal to \$200,000, to be deposited into the Cannabis  
14 Business Development Fund; and

15 (16) a commitment to completing one of the following  
16 Social Equity Inclusion Plans in subsection (d).

17 (d) Before receiving an Early Approval Adult Use  
18 Dispensing Organization License at a secondary site, a  
19 dispensing organization shall indicate the Social Equity  
20 Inclusion Plan that the applicant plans to achieve before the  
21 expiration of the Early Approval Adult Use Dispensing  
22 Organization License from the list below:

23 (1) make a contribution of 3% of total sales from June  
24 1, 2018 to June 1, 2019, or \$100,000, whichever is less, to  
25 the Cannabis Business Development Fund. This is in  
26 addition to the fee required by paragraph (16) of

1 subsection (c) of this Section;

2 (2) make a grant of 3% of total sales from June 1, 2018  
3 to June 1, 2019, or \$100,000, whichever is less, to a  
4 cannabis industry training or education program at an  
5 Illinois community college as defined in the Public  
6 Community College Act;

7 (3) make a donation of \$100,000 or more to a program  
8 that provides job training services to persons recently  
9 incarcerated or that operates in a Disproportionately  
10 Impacted Area;

11 (4) participate as a host in a cannabis business  
12 establishment incubator program approved by the Department  
13 of Commerce and Economic Opportunity, and in which an  
14 Early Approval Adult Use Dispensing Organization License  
15 at a secondary site holder agrees to provide a loan of at  
16 least \$100,000 and mentorship to incubate, for at least a  
17 year, a Social Equity Applicant intending to seek a  
18 license or a licensee that qualifies as a Social Equity  
19 Applicant. In this paragraph (4), "incubate" means  
20 providing direct financial assistance and training  
21 necessary to engage in licensed cannabis industry activity  
22 similar to that of the host licensee. The Early Approval  
23 Adult Use Dispensing Organization License holder or the  
24 same entity holding any other licenses issued under this  
25 Act shall not take an ownership stake of greater than 10%  
26 in any business receiving incubation services to comply

1 with this subsection. If an Early Approval Adult Use  
2 Dispensing Organization License at a secondary site holder  
3 fails to find a business to incubate in order to comply  
4 with this subsection before its Early Approval Adult Use  
5 Dispensing Organization License at a secondary site  
6 expires, it may opt to meet the requirement of this  
7 subsection by completing another item from this subsection  
8 before the expiration of its Early Approval Adult Use  
9 Dispensing Organization License at a secondary site to  
10 avoid a penalty; or

11 (5) participate in a sponsorship program for at least  
12 2 years approved by the Department of Commerce and  
13 Economic Opportunity in which an Early Approval Adult Use  
14 Dispensing Organization License at a secondary site holder  
15 agrees to provide an interest-free loan of at least  
16 \$200,000 to a Social Equity Applicant. The sponsor shall  
17 not take an ownership stake of greater than 10% in any  
18 business receiving sponsorship services to comply with  
19 this subsection.

20 (e) The license fee required by paragraph (1) of  
21 subsection (c) of this Section is in addition to any license  
22 fee required for the renewal of a registered medical cannabis  
23 dispensing organization license.

24 (f) Applicants must submit all required information,  
25 including the requirements in subsection (c) of this Section,  
26 to the Department. Failure by an applicant to submit all

1 required information may result in the application being  
2 disqualified. Principal officers shall not be required to  
3 submit to the fingerprint and background check requirements of  
4 Section 5-20.

5 (g) If the Department receives an application that fails  
6 to provide the required elements contained in subsection (c),  
7 the Department shall issue a deficiency notice to the  
8 applicant. The applicant shall have 10 calendar days from the  
9 date of the deficiency notice to submit complete information.  
10 Applications that are still incomplete after this opportunity  
11 to cure may be disqualified.

12 (h) Once all required information and documents have been  
13 submitted, the Department will review the application. The  
14 Department may request revisions and retains final approval  
15 over dispensary features. Once the application is complete and  
16 meets the Department's approval, the Department shall  
17 conditionally approve the license. Final approval is  
18 contingent on the build-out and Department inspection.

19 (i) Upon submission of the Early Approval Adult Use  
20 Dispensing Organization at a secondary site application, the  
21 applicant shall request an inspection and the Department may  
22 inspect the Early Approval Adult Use Dispensing Organization's  
23 secondary site to confirm compliance with the application and  
24 this Act.

25 (j) The Department shall only issue an Early Approval  
26 Adult Use Dispensing Organization License at a secondary site



1 after the completion of a successful inspection.

2 (k) If an applicant passes the inspection under this  
3 Section, the Department shall issue the Early Approval Adult  
4 Use Dispensing Organization License at a secondary site within  
5 10 business days unless:

6 (1) the ~~The~~ licensee, any principal officer or board  
7 member of the licensee, or any person having a financial  
8 or voting interest of 5% or greater in the licensee is  
9 delinquent in filing any required tax returns or paying  
10 any amounts owed to the State of Illinois; or

11 (2) the ~~The~~ Secretary of Financial and Professional  
12 Regulation determines there is reason, based on documented  
13 compliance violations, the licensee is not entitled to an  
14 Early Approval Adult Use Dispensing Organization License  
15 at its secondary site.

16 (l) Once the Department has issued a license, the  
17 dispensing organization shall notify the Department of the  
18 proposed opening date.

19 (m) A registered medical cannabis dispensing organization  
20 that obtains an Early Approval Adult Use Dispensing  
21 Organization License at a secondary site may begin selling  
22 cannabis, cannabis-infused products, paraphernalia, and  
23 related items to purchasers under the rules of this Act no  
24 sooner than January 1, 2020.

25 (n) If there is a shortage of cannabis or cannabis-infused  
26 products, a dispensing organization holding both a dispensing

1 organization license under the Compassionate Use of Medical  
2 Cannabis Program Act and this Article shall prioritize serving  
3 qualifying patients, Opioid Alternative Patient Program  
4 participants, provisional patients, and designated caregivers  
5 before serving purchasers.

6 (o) An Early Approval Adult Use Dispensing Organization  
7 License at a secondary site is valid until March 31, 2021. A  
8 dispensing organization that obtains an Early Approval Adult  
9 Use Dispensing Organization License at a secondary site shall  
10 receive written or electronic notice 90 days before the  
11 expiration of the license that the license will expire, and  
12 inform the license holder that it may renew its Early Approval  
13 Adult Use Dispensing Organization License at a secondary site.  
14 The Department shall renew an Early Approval Adult Use  
15 Dispensing Organization License at a secondary site within 60  
16 days of submission of the renewal application being deemed  
17 complete if:

18 (1) the dispensing organization submits an application  
19 and the required nonrefundable renewal fee of \$30,000, to  
20 be deposited into the Cannabis Regulation Fund;

21 (2) the Department has not suspended or permanently  
22 revoked the Early Approval Adult Use Dispensing  
23 Organization License or a medical cannabis dispensing  
24 organization license held by the same person or entity for  
25 violating this Act or rules adopted under this Act or the  
26 Compassionate Use of Medical Cannabis Program Act or rules

1       adopted under that Act; and

2           (3) the dispensing organization has completed a Social  
3       Equity Inclusion Plan provided by paragraph (1), (2), or  
4       (3) of subsection (d) of this Section or has made  
5       substantial progress toward completing a Social Equity  
6       Inclusion Plan provided by paragraph (4) or (5) of  
7       subsection (d) of this Section.

8       (p) The Early Approval Adult Use Dispensing Organization  
9       Licensee at a secondary site renewed pursuant to subsection  
10      (o) shall receive written or electronic notice 90 days before  
11      the expiration of the license that the license will expire,  
12      and that informs the license holder that it may apply for an  
13      Adult Use Dispensing Organization License on forms provided by  
14      the Department. The Department shall grant an Adult Use  
15      Dispensing Organization License within 60 days of an  
16      application being deemed complete if the applicant has meet  
17      all of the criteria in Section 15-36.

18      (q) If a dispensing organization fails to submit an  
19      application for renewal of an Early Approval Adult Use  
20      Dispensing Organization License or for an Adult Use Dispensing  
21      Organization License before the expiration dates provided in  
22      subsections (o) and (p) of this Section, the dispensing  
23      organization shall cease serving purchasers until it receives  
24      a renewal or an Adult Use Dispensing Organization License.

25      (r) A dispensing organization agent who holds a valid  
26      dispensing organization agent identification card issued under

1 the Compassionate Use of Medical Cannabis Program Act and is  
2 an officer, director, manager, or employee of the dispensing  
3 organization licensed under this Section may engage in all  
4 activities authorized by this Article to be performed by a  
5 dispensing organization agent.

6 (s) If the Department suspends, permanently revokes, or  
7 otherwise disciplines the Early Approval Adult Use Dispensing  
8 Organization License of a dispensing organization that also  
9 holds a medical cannabis dispensing organization license  
10 issued under the Compassionate Use of Medical Cannabis Program  
11 Act, the Department may consider the suspension, permanent  
12 revocation, or other discipline as grounds to take  
13 disciplinary action against the medical cannabis dispensing  
14 organization.

15 (t) All fees collected pursuant to this Section shall be  
16 deposited into the Cannabis Regulation Fund, unless otherwise  
17 specified.

18 (u) On and after January 1, 2026, all dispensaries that  
19 were previously issued an Early Approval Adult Use Dispensing  
20 Organization at a secondary site license pursuant to this  
21 Section shall be deemed to be a dispensary pursuant to Section  
22 15-36 of this Act.

23 (v) This Section is repealed on July 1, 2026.

24 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
25 revised 7-19-24.)

1 (410 ILCS 705/15-23 new)

2 Sec. 15-23. Early Approval Adult Use Dispensing  
3 Organization at a secondary site license merger with Adult Use  
4 Dispensing Organization license.

5 (a) On and after January 1, 2026, all dispensing  
6 organizations previously registered as an Early Approval Adult  
7 Use Dispensing Organization at a secondary site license shall  
8 be a dispensing organization or a dispensary under this Act  
9 and shall be an Adult Use Dispensing Organization License  
10 holder under Section 15-36 of this Act.

11 (b) The BLS Region in which the dispensing organization  
12 licensee's Early Approval Adult Use Dispensing Organization at  
13 a secondary site license was originally issued shall be  
14 considered the licensee's BLS Region. The dispensing  
15 organization shall remain in that BLS Region even if the  
16 license or licensee changes its ownership, is sold, is  
17 relocated under Section 15-24 of this Act, or receives  
18 authorization under subsection (e-5) of Section 15-25.

19 (410 ILCS 705/15-24 new)

20 Sec. 15-24. Adult Use Dispensing Organization Licensee  
21 relocation.

22 (a) An Adult Use Dispensing Organization licensee may  
23 apply to relocate within the Licensee's specific BLS Region  
24 consistent with this Section. A request to relocate under this  
25 Section is subject to approval by the Department. An Adult Use

1 Dispensing Organization's application to relocate its license  
2 under this Section shall be considered to be approved 30 days  
3 following the submission of a complete application to  
4 relocate, unless the request is sooner approved or denied in  
5 writing by the Department. If an application to relocate is  
6 denied, the Department shall provide, in writing, the specific  
7 reason for denial. An Adult Use Dispensing Organization may  
8 request to relocate under this Section only if:

9 (1) the Adult Use Dispensing Organization's existing  
10 location is within the boundaries of a unit of local  
11 government that prohibits the sale of adult use cannabis;

12 (2) the Adult Use Dispensing Organization has obtained  
13 the zoning approval of a new location by the municipality  
14 it currently operates in if the new location is within  
15 that same municipality, or if outside the boundaries of a  
16 municipality in an unincorporated area of the county, the  
17 zoning approval of a new location by the county where it  
18 currently operates in if the new location is within the  
19 same county, to move to a different location within that  
20 unit of local government; or

21 (3) the Adult Use Dispensing Organization has obtained  
22 the approval, as evidenced by a letter of intent or full  
23 zoning approval, to operate within the boundaries of a new  
24 unit of local government, so long as the new unit of local  
25 government is within the dispensing organization's  
26 specific BLS Region.

1       (b) The relocation of an Adult Use Dispensing Organization  
2       Licensee under this Section shall be subject to Sections 55-25  
3       and 55-28.

4           (410 ILCS 705/15-25)

5           Sec. 15-25. Awarding of Conditional Adult Use Dispensing  
6       Organization Licenses prior to January 1, 2021.

7           (a) The Department shall issue up to 75 Conditional Adult  
8       Use Dispensing Organization Licenses before May 1, 2020.

9           (b) The Department shall make the application for a  
10       Conditional Adult Use Dispensing Organization License  
11       available no later than October 1, 2019 and shall accept  
12       applications no later than January 1, 2020.

13          (c) To ensure the geographic dispersion of Conditional  
14       Adult Use Dispensing Organization License holders, the  
15       following number of licenses shall be awarded in each BLS  
16       Region as determined by each region's percentage of the  
17       State's population:

18           (1) Bloomington: 1

19           (2) Cape Girardeau: 1

20           (3) Carbondale-Marion: 1

21           (4) Champaign-Urbana: 1

22           (5) Chicago-Naperville-Elgin: 47

23           (6) Danville: 1

24           (7) Davenport-Moline-Rock Island: 1

25           (8) Decatur: 1

(9) Kankakee: 1

(10) Peoria: 3

(11) Rockford: 2

(12) St. Louis: 4

(13) Springfield: 1

(14) Northwest Illinois nonmetropolitan: 3

(15) West Central Illinois nonmetropolitan: 3

(16) East Central Illinois nonmetropolitan: 2

(17) South Illinois nonmetropolitan: 2

(d) An applicant seeking issuance of a Conditional Adult Use Dispensing Organization License shall submit an application on forms provided by the Department. An applicant must meet the following requirements:

(1) Payment of a nonrefundable application fee of \$5,000 for each license for which the applicant is applying, which shall be deposited into the Cannabis Regulation Fund;

(2) Certification that the applicant will comply with the requirements contained in this Act;

(3) The legal name of the proposed dispensing organization;

(4) A statement that the dispensing organization agrees to respond to the Department's supplemental requests for information;

(5) From each principal officer, a statement indicating whether that person:



1           (A) has previously held or currently holds an  
2           ownership interest in a cannabis business  
3           establishment in Illinois; or

4           (B) has held an ownership interest in a dispensing  
5           organization or its equivalent in another state or  
6           territory of the United States that had the dispensing  
7           organization registration or license suspended,  
8           revoked, placed on probationary status, or subjected  
9           to other disciplinary action;

10          (6) Disclosure of whether any principal officer has  
11          ever filed for bankruptcy or defaulted on spousal support  
12          or child support obligation;

13          (7) A resume for each principal officer, including  
14          whether that person has an academic degree, certification,  
15          or relevant experience with a cannabis business  
16          establishment or in a related industry;

17          (8) A description of the training and education that  
18          will be provided to dispensing organization agents;

19          (9) A copy of the proposed operating bylaws;

20          (10) A copy of the proposed business plan that  
21          complies with the requirements in this Act, including, at  
22          a minimum, the following:

23                (A) A description of services to be offered; and

24                (B) A description of the process of dispensing  
25          cannabis;

26          (11) A copy of the proposed security plan that

1 complies with the requirements in this Article, including:

2 (A) The process or controls that will be  
3 implemented to monitor the dispensary, secure the  
4 premises, agents, and currency, and prevent the  
5 diversion, theft, or loss of cannabis; and

6 (B) The process to ensure that access to the  
7 restricted access areas is restricted to, registered  
8 agents, service professionals, transporting  
9 organization agents, Department inspectors, and  
10 security personnel;

11 (12) A proposed inventory control plan that complies  
12 with this Section;

13 (13) A proposed floor plan, a square footage estimate,  
14 and a description of proposed security devices, including,  
15 without limitation, cameras, motion detectors, servers,  
16 video storage capabilities, and alarm service providers;

17 (14) The name, address, social security number, and  
18 date of birth of each principal officer and board member  
19 of the dispensing organization; each of those individuals  
20 shall be at least 21 years of age;

21 (15) Evidence of the applicant's status as a Social  
22 Equity Applicant, if applicable, and whether a Social  
23 Equity Applicant plans to apply for a loan or grant issued  
24 by the Department of Commerce and Economic Opportunity;

25 (16) The address, telephone number, and email address  
26 of the applicant's principal place of business, if

1 applicable. A post office box is not permitted;

2 (17) Written summaries of any information regarding  
3 instances in which a business or not-for-profit that a  
4 prospective board member previously managed or served on  
5 were fined or censured, or any instances in which a  
6 business or not-for-profit that a prospective board member  
7 previously managed or served on had its registration  
8 suspended or revoked in any administrative or judicial  
9 proceeding;

10 (18) A plan for community engagement;

11 (19) Procedures to ensure accurate recordkeeping and  
12 security measures that are in accordance with this Article  
13 and Department rules;

14 (20) The estimated volume of cannabis it plans to  
15 store at the dispensary;

16 (21) A description of the features that will provide  
17 accessibility to purchasers as required by the Americans  
18 with Disabilities Act;

19 (22) A detailed description of air treatment systems  
20 that will be installed to reduce odors;

21 (23) A reasonable assurance that the issuance of a  
22 license will not have a detrimental impact on the  
23 community in which the applicant wishes to locate;

24 (24) The dated signature of each principal officer;

25 (25) A description of the enclosed, locked facility  
26 where cannabis will be stored by the dispensing

1 organization;

2 (26) Signed statements from each dispensing  
3 organization agent stating that he or she will not divert  
4 cannabis;

5 (27) The number of licenses it is applying for in each  
6 BLS Region;

7 (28) A diversity plan that includes a narrative of at  
8 least 2,500 words that establishes a goal of diversity in  
9 ownership, management, employment, and contracting to  
10 ensure that diverse participants and groups are afforded  
11 equality of opportunity;

12 (29) A contract with a private security contractor  
13 agency that is licensed under Section 10-5 of the Private  
14 Detective, Private Alarm, Private Security, Fingerprint  
15 Vendor, and Locksmith Act of 2004 in order for the  
16 dispensary to have adequate security at its facility; and

17 (30) Other information deemed necessary by the  
18 Illinois Cannabis Regulation Oversight Officer to conduct  
19 the disparity and availability study referenced in  
20 subsection (e) of Section 5-45.

21 (e) An applicant who receives a Conditional Adult Use  
22 Dispensing Organization License under this Section has 180  
23 days from the date of award to identify a physical location for  
24 the dispensing organization retail storefront. The applicant  
25 shall provide evidence that the location is not within 1,500  
26 feet of an existing dispensing organization, unless the

1 applicant is a Social Equity Applicant or Social Equity  
2 Justice Involved Applicant located or seeking to locate within  
3 1,500 feet of a dispensing organization licensed under Section  
4 15-15 or Section 15-20. However, the Department may approve  
5 locations to be within 1,500 feet of each other if both have  
6 received local government zoning approval for sites within  
7 1,500 feet of each other and the conditional licenses were  
8 issued pursuant to a lottery conducted under 68 Ill. Adm. Code  
9 1291.50, subsection (c) of Section 15-35.20, Section 15-35, or  
10 Section 15-35.10. If an applicant is unable to find a suitable  
11 physical address in the opinion of the Department within 180  
12 days of the issuance of the Conditional Adult Use Dispensing  
13 Organization License, the Department may extend the period for  
14 finding a physical address an additional 540 days if the  
15 Conditional Adult Use Dispensing Organization License holder  
16 demonstrates concrete attempts to secure a location and a  
17 hardship. If the Department denies the extension or the  
18 Conditional Adult Use Dispensing Organization License holder  
19 is unable to either find a location within 720 days of being  
20 awarded a conditional license and become operational within  
21 180 days thereafter, or become operational within 720 days of  
22 being awarded a conditional license, the Department may,  
23 considering the totality of the circumstances, rescind the  
24 conditional license. If the conditional license holder does  
25 not become operational within 365 days after having found a  
26 location, the Department may mandate a date by which the

1 conditional license holder shall become operational prior to  
2 the Department rescinding the conditional license. If the  
3 Department rescinds ~~shall rescind~~ the conditional license and  
4 award it to the next highest scoring applicant in the BLS  
5 Region for which the license was assigned, provided the  
6 applicant receiving the license: (i) confirms a continued  
7 interest in operating a dispensing organization; (ii) can  
8 provide evidence that the applicant continues to meet all  
9 requirements for holding a Conditional Adult Use Dispensing  
10 Organization License set forth in this Act; and (iii) has not  
11 otherwise become ineligible to be awarded a dispensing  
12 organization license. If the new awardee is unable to accept  
13 the Conditional Adult Use Dispensing Organization License, the  
14 Department may issue ~~shall award~~ the Conditional Adult Use  
15 Dispensing Organization License to the next highest scoring  
16 applicant in the same manner. The new awardee shall be subject  
17 to the same required deadlines as provided in this subsection.

18 (e-5) If, within 720 days of being awarded a Conditional  
19 Adult Use Dispensing Organization License, a dispensing  
20 organization is unable to find a location within the BLS  
21 Region in which it was awarded a Conditional Adult Use  
22 Dispensing Organization License because no jurisdiction within  
23 the BLS Region allows for the operation of an Adult Use  
24 Dispensing Organization, the Department of Financial and  
25 Professional Regulation may authorize the Conditional Adult  
26 Use Dispensing Organization License holder to transfer its

1 license to a BLS Region specified by the Department.

2 (f) A dispensing organization that is awarded a  
3 Conditional Adult Use Dispensing Organization License pursuant  
4 to the criteria in Section 15-30 shall not purchase, possess,  
5 sell, or dispense cannabis or cannabis-infused products until  
6 the person has received an Adult Use Dispensing Organization  
7 License issued by the Department pursuant to Section 15-36 of  
8 this Act.

9 (g) The Department shall conduct a background check of the  
10 prospective organization agents in order to carry out this  
11 Article. The Illinois State Police shall charge the applicant  
12 a fee for conducting the criminal history record check, which  
13 shall be deposited into the State Police Services Fund and  
14 shall not exceed the actual cost of the record check. Each  
15 person applying as a dispensing organization agent shall  
16 submit a full set of fingerprints to the Illinois State Police  
17 for the purpose of obtaining a State and federal criminal  
18 records check. These fingerprints shall be checked against the  
19 fingerprint records now and hereafter, to the extent allowed  
20 by law, filed in the Illinois State Police and Federal Bureau  
21 of Identification criminal history records databases. The  
22 Illinois State Police shall furnish, following positive  
23 identification, all Illinois conviction information to the  
24 Department.

25 (Source: P.A. 102-98, eff. 7-15-21; 102-538, eff. 8-20-21;  
26 102-813, eff. 5-13-22; 103-8, eff. 6-7-23.)

1 (410 ILCS 705/15-35)

2 Sec. 15-35. Qualifying Applicant Lottery for Conditional  
3 Adult Use Dispensing Organization Licenses.

4 (a) In addition to any of the licenses issued under  
5 Section 15-15, Section 15-20, Section 15-25, Section 15-30.20,  
6 or Section 15-35.10 of this Act, within 10 business days after  
7 the resulting final scores for all scored applications  
8 pursuant to Sections 15-25 and 15-30 are released, the  
9 Department shall issue up to 55 Conditional Adult Use  
10 Dispensing Organization Licenses by lot, pursuant to the  
11 application process adopted under this Section. In order to be  
12 eligible to be awarded a Conditional Adult Use Dispensing  
13 Organization License by lot under this Section, a Dispensary  
14 Applicant must be a Qualifying Applicant.

15 The licenses issued under this Section shall be awarded in  
16 each BLS Region in the following amounts:

- 17 (1) Bloomington: 1.  
18 (2) Cape Girardeau: 1.  
19 (3) Carbondale-Marion: 1.  
20 (4) Champaign-Urbana: 1.  
21 (5) Chicago-Naperville-Elgin: 36.  
22 (6) Danville: 1.  
23 (7) Davenport-Moline-Rock Island: 1.  
24 (8) Decatur: 1.  
25 (9) Kankakee: 1.



(10) Peoria: 2.

(11) Rockford: 1.

(12) St. Louis: 3.

(13) Springfield: 1.

(14) Northwest Illinois nonmetropolitan: 1.

(15) West Central Illinois nonmetropolitan: 1.

(16) East Central Illinois nonmetropolitan: 1.

(17) South Illinois nonmetropolitan: 1.

(a-5) Prior to issuing licenses under subsection (a), the Department may adopt rules through emergency rulemaking in accordance with subsection (kk) of Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare.

(b) The Department shall distribute the available licenses established under this Section subject to the following:

(1) The drawing by lot for all available licenses issued under this Section shall occur on the same day when practicable.

(2) Within each BLS Region, the first Qualifying Applicant drawn will have the first right to an available license. The second Qualifying Applicant drawn will have the second right to an available license. The same pattern will continue for each subsequent Qualifying Applicant drawn.

1           (3) The process for distributing available licenses  
2 under this Section shall be recorded by the Department in  
3 a format selected by the Department.

4           (4) A Dispensary Applicant is prohibited from becoming  
5 a Qualifying Applicant if a principal officer resigns  
6 after the resulting final scores for all scored  
7 applications pursuant to Sections 15-25 and 15-30 are  
8 released.

9           (5) No Qualifying Applicant may be awarded more than 2  
10 Conditional Adult Use Dispensing Organization Licenses at  
11 the conclusion of a lottery conducted under this Section.

12           (6) No individual may be listed as a principal officer  
13 of more than 2 Conditional Adult Use Dispensing  
14 Organization Licenses awarded under this Section.

15           (7) If, upon being selected for an available license  
16 established under this Section, a Qualifying Applicant  
17 exceeds the limits under paragraph (5) or (6), the  
18 Qualifying Applicant must choose which license to abandon  
19 and notify the Department in writing within 5 business  
20 days. If the Qualifying Applicant does not notify the  
21 Department as required, the Department shall refuse to  
22 issue the Qualifying Applicant all available licenses  
23 established under this Section obtained by lot in all BLS  
24 Regions.

25           (8) If, upon being selected for an available license  
26 established under this Section, a Qualifying Applicant has

1 a principal officer who is a principal officer in more  
2 than 10 Early Approval Adult Use Dispensing Organization  
3 Licenses, Conditional Adult Use Dispensing Organization  
4 Licenses, Adult Use Dispensing Organization Licenses, or  
5 any combination thereof, the licensees and the Qualifying  
6 Applicant listing that principal officer must choose which  
7 license to abandon pursuant to subsection (d) of Section  
8 15-36 and notify the Department in writing within 5  
9 business days. If the Qualifying Applicant or licensees do  
10 not notify the Department as required, the Department  
11 shall refuse to issue the Qualifying Applicant all  
12 available licenses established under this Section obtained  
13 by lot in all BLS Regions.

14 (9) All available licenses that have been abandoned  
15 under paragraph (7) or (8) shall be distributed to the  
16 next Qualifying Applicant drawn by lot.

17 Any and all rights conferred or obtained under this  
18 Section shall be limited to the provisions of this Section.

19 (c) An applicant who receives a Conditional Adult Use  
20 Dispensing Organization License under this Section has 180  
21 days from the date it is awarded to identify a physical  
22 location for the dispensing organization's retail storefront.  
23 The applicant shall provide evidence that the location is not  
24 within 1,500 feet of an existing dispensing organization,  
25 unless the applicant is a Social Equity Applicant or Social  
26 Equity Justice Involved Applicant located or seeking to locate

1 within 1,500 feet of a dispensing organization licensed under  
2 Section 15-15 or Section 15-20. If an applicant is unable to  
3 find a suitable physical address in the opinion of the  
4 Department within 180 days from the issuance of the  
5 Conditional Adult Use Dispensing Organization License, the  
6 Department may extend the period for finding a physical  
7 address an additional 540 days if the Conditional Adult Use  
8 Dispensing Organization License holder demonstrates a concrete  
9 attempt to secure a location and a hardship. If the Department  
10 denies the extension or the Conditional Adult Use Dispensing  
11 Organization License holder is unable to either find a  
12 location within 720 days of being awarded a conditional  
13 license and become operational within 180 days thereafter, or  
14 become operational within 720 days of being awarded a  
15 Conditional Adult Use Dispensing Organization License under  
16 this Section, the Department may, considering the totality of  
17 the circumstances, rescind the conditional license. If the  
18 conditional license holder does not become operational within  
19 365 days after having found a location, the Department may  
20 mandate a date by which the conditional license holder shall  
21 become operational prior to the Department rescinding the  
22 conditional license. If the Department rescinds ~~shall rescind~~  
23 the Conditional Adult Use Dispensing Organization License, it  
24 may issue ~~and award~~ it pursuant to subsection (b), provided  
25 the applicant receiving the Conditional Adult Use Dispensing  
26 Organization License: (i) confirms a continued interest in

1 operating a dispensing organization; (ii) can provide evidence  
2 that the applicant continues to meet all requirements for  
3 holding a Conditional Adult Use Dispensing Organization  
4 License set forth in this Act; and (iii) has not otherwise  
5 become ineligible to be awarded a Conditional Adult Use  
6 Dispensing Organization License. If the new awardee is unable  
7 to accept the Conditional Adult Use Dispensing Organization  
8 License, the Department may issue ~~shall award~~ the Conditional  
9 Adult Use Dispensing Organization License pursuant to  
10 subsection (b). The new conditional license holder ~~awardee~~  
11 shall be subject to the same required deadlines as provided in  
12 this subsection. However, the Department may approve locations  
13 to be within 1,500 feet of each other if both have received  
14 local government zoning approval for sites within 1,500 feet  
15 of each other and the conditional licenses were issued  
16 pursuant to a lottery conducted under 68 Ill. Adm. Code  
17 1291.50, subsection (c) of Section 15-35.20, Section 15-35, or  
18 Section 15-35.10.

19 (d) If, within 720 days of being awarded a Conditional  
20 Adult Use Dispensing Organization License, a dispensing  
21 organization is unable to find a location within the BLS  
22 Region in which it was awarded a Conditional Adult Use  
23 Dispensing Organization License because no jurisdiction within  
24 the BLS Region allows for the operation of an Adult Use  
25 Dispensing Organization, the Department may authorize the  
26 Conditional Adult Use Dispensing Organization License holder

1 to transfer its Conditional Adult Use Dispensing Organization  
2 License to a BLS Region specified by the Department.

3 (e) A dispensing organization that is awarded a  
4 Conditional Adult Use Dispensing Organization License under  
5 this Section shall not purchase, possess, sell, or dispense  
6 cannabis or cannabis-infused products until the dispensing  
7 organization has received an Adult Use Dispensing Organization  
8 License issued by the Department pursuant to Section 15-36.

9 (f) The Department shall conduct a background check of the  
10 prospective dispensing organization agents in order to carry  
11 out this Article. The Illinois State Police shall charge the  
12 applicant a fee for conducting the criminal history record  
13 check, which shall be deposited into the State Police Services  
14 Fund and shall not exceed the actual cost of the record check.  
15 Each person applying as a dispensing organization agent shall  
16 submit a full set of fingerprints to the Illinois State Police  
17 for the purpose of obtaining a State and federal criminal  
18 records check. These fingerprints shall be checked against the  
19 fingerprint records now and hereafter, to the extent allowed  
20 by law, filed with the Illinois State Police and the Federal  
21 Bureau of Investigation criminal history records databases.  
22 The Illinois State Police shall furnish, following positive  
23 identification, all Illinois conviction information to the  
24 Department.

25 (g) The Department may verify information contained in  
26 each application and accompanying documentation to assess the

1 applicant's veracity and fitness to operate a dispensing  
2 organization.

3 (h) The Department may, in its discretion, refuse to issue  
4 authorization to an applicant who meets any of the following  
5 criteria:

6 (1) An applicant who is unqualified to perform the  
7 duties required of the applicant.

8 (2) An applicant who fails to disclose or states  
9 falsely any information called for in the application.

10 (3) An applicant who has been found guilty of a  
11 violation of this Act, who has had any disciplinary order  
12 entered against the applicant by the Department, who has  
13 entered into a disciplinary or nondisciplinary agreement  
14 with the Department, whose medical cannabis dispensing  
15 organization, medical cannabis cultivation organization,  
16 Early Approval Adult Use Dispensing Organization License,  
17 Early Approval Adult Use Dispensing Organization License  
18 at a secondary site, Early Approval Cultivation Center  
19 License, Conditional Adult Use Dispensing Organization  
20 License, or Adult Use Dispensing Organization License was  
21 suspended, restricted, revoked, or denied for just cause,  
22 or whose cannabis business establishment license was  
23 suspended, restricted, revoked, or denied in any other  
24 state.

25 (4) An applicant who has engaged in a pattern or  
26 practice of unfair or illegal practices, methods, or

1 activities in the conduct of owning a cannabis business  
2 establishment or other business.

3 (i) The Department shall deny issuance of a license under  
4 this Section if any principal officer, board member, or person  
5 having a financial or voting interest of 5% or greater in the  
6 licensee is delinquent in filing any required tax return or  
7 paying any amount owed to the State of Illinois.

8 (j) The Department shall verify an applicant's compliance  
9 with the requirements of this Article and rules adopted under  
10 this Article before issuing a Conditional Adult Use Dispensing  
11 Organization License under this Section.

12 (k) If an applicant is awarded a Conditional Adult Use  
13 Dispensing Organization License under this Section, the  
14 information and plans provided in the application, including  
15 any plans submitted for bonus points, shall become a condition  
16 of the Conditional Adult Use Dispensing Organization License  
17 and any Adult Use Dispensing Organization License issued to  
18 the holder of the Conditional Adult Use Dispensing  
19 Organization License, except as otherwise provided by this Act  
20 or by rule. A dispensing organization has a duty to disclose  
21 any material changes to the application. The Department shall  
22 review all material changes disclosed by the dispensing  
23 organization and may reevaluate its prior decision regarding  
24 the awarding of a Conditional Adult Use Dispensing  
25 Organization License, including, but not limited to,  
26 suspending or permanently revoking a Conditional Adult Use



1 Dispensing Organization License. Failure to comply with the  
2 conditions or requirements in the application may subject the  
3 dispensing organization to discipline up to and including  
4 suspension or permanent revocation of its authorization or  
5 Conditional Adult Use Dispensing Organization License by the  
6 Department.

7 (1) If an applicant has not begun operating as a  
8 dispensing organization within one year after the issuance of  
9 the Conditional Adult Use Dispensing Organization License  
10 under this Section, the Department may permanently revoke the  
11 Conditional Adult Use Dispensing Organization License and  
12 award it to the next highest scoring applicant in the BLS  
13 Region if a suitable applicant indicates a continued interest  
14 in the Conditional Adult Use Dispensing Organization License  
15 or may begin a new selection process to award a Conditional  
16 Adult Use Dispensing Organization License.

17 (Source: P.A. 102-98, eff. 7-15-21; 103-8, eff. 6-7-23.)

18 (410 ILCS 705/15-35.10)

19 Sec. 15-35.10. Social Equity Justice Involved Lottery for  
20 Conditional Adult Use Dispensing Organization Licenses.

21 (a) In addition to any of the licenses issued under  
22 Section 15-15, Section 15-20, Section 15-25, Section 15-30.20,  
23 or Section 15-35, within 10 business days after the resulting  
24 final scores for all scored applications pursuant to Sections  
25 15-25 and 15-30 are released, the Department shall issue up to

1 55 Conditional Adult Use Dispensing Organization Licenses by  
2 lot, pursuant to the application process adopted under this  
3 Section. In order to be eligible to be awarded a Conditional  
4 Adult Use Dispensing Organization License by lot, a Dispensary  
5 Applicant must be a Qualifying Social Equity Justice Involved  
6 Applicant.

7 The licenses issued under this Section shall be awarded in  
8 each BLS Region in the following amounts:

- 9 (1) Bloomington: 1.
- 10 (2) Cape Girardeau: 1.
- 11 (3) Carbondale-Marion: 1.
- 12 (4) Champaign-Urbana: 1.
- 13 (5) Chicago-Naperville-Elgin: 36.
- 14 (6) Danville: 1.
- 15 (7) Davenport-Moline-Rock Island: 1.
- 16 (8) Decatur: 1.
- 17 (9) Kankakee: 1.
- 18 (10) Peoria: 2.
- 19 (11) Rockford: 1.
- 20 (12) St. Louis: 3.
- 21 (13) Springfield: 1.
- 22 (14) Northwest Illinois nonmetropolitan: 1.
- 23 (15) West Central Illinois nonmetropolitan: 1.
- 24 (16) East Central Illinois nonmetropolitan: 1.
- 25 (17) South Illinois nonmetropolitan: 1.

26 (a-5) Prior to issuing licenses under subsection (a), the

1 Department may adopt rules through emergency rulemaking in  
2 accordance with subsection (kk) of Section 5-45 of the  
3 Illinois Administrative Procedure Act. The General Assembly  
4 finds that the adoption of rules to regulate cannabis use is  
5 deemed an emergency and necessary for the public interest,  
6 safety, and welfare.

7 (b) The Department shall distribute the available licenses  
8 established under this Section subject to the following:

9 (1) The drawing by lot for all available licenses  
10 established under this Section shall occur on the same day  
11 when practicable.

12 (2) Within each BLS Region, the first Qualifying  
13 Social Equity Justice Involved Applicant drawn will have  
14 the first right to an available license. The second  
15 Qualifying Social Equity Justice Involved Applicant drawn  
16 will have the second right to an available license. The  
17 same pattern will continue for each subsequent applicant  
18 drawn.

19 (3) The process for distributing available licenses  
20 under this Section shall be recorded by the Department in  
21 a format selected by the Department.

22 (4) A Dispensary Applicant is prohibited from becoming  
23 a Qualifying Social Equity Justice Involved Applicant if a  
24 principal officer resigns after the resulting final scores  
25 for all scored applications pursuant to Sections 15-25 and  
26 15-30 are released.

1           (5) No Qualifying Social Equity Justice Involved  
2           Applicant may be awarded more than 2 Conditional Adult Use  
3           Dispensing Organization Licenses at the conclusion of a  
4           lottery conducted under this Section.

5           (6) No individual may be listed as a principal officer  
6           of more than 2 Conditional Adult Use Dispensing  
7           Organization Licenses awarded under this Section.

8           (7) If, upon being selected for an available license  
9           established under this Section, a Qualifying Social Equity  
10          Justice Involved Applicant exceeds the limits under  
11          paragraph (5) or (6), the Qualifying Social Equity Justice  
12          Involved Applicant must choose which license to abandon  
13          and notify the Department in writing within 5 business  
14          days on forms prescribed by the Department. If the  
15          Qualifying Social Equity Justice Involved Applicant does  
16          not notify the Department as required, the Department  
17          shall refuse to issue the Qualifying Social Equity Justice  
18          Involved Applicant all available licenses established  
19          under this Section obtained by lot in all BLS Regions.

20          (8) If, upon being selected for an available license  
21          established under this Section, a Qualifying Social Equity  
22          Justice Involved Applicant has a principal officer who is  
23          a principal officer in more than 10 Early Approval Adult  
24          Use Dispensing Organization Licenses, Conditional Adult  
25          Use Dispensing Organization Licenses, Adult Use Dispensing  
26          Organization Licenses, or any combination thereof, the

1 licensees and the Qualifying Social Equity Justice  
2 Involved Applicant listing that principal officer must  
3 choose which license to abandon pursuant to subsection (d)  
4 of Section 15-36 and notify the Department in writing  
5 within 5 business days on forms prescribed by the  
6 Department. If the Dispensary Applicant or licensees do  
7 not notify the Department as required, the Department  
8 shall refuse to issue the Qualifying Social Equity Justice  
9 Involved Applicant all available licenses established  
10 under this Section obtained by lot in all BLS Regions.

11 (9) All available licenses that have been abandoned  
12 under paragraph (7) or (8) shall be distributed to the  
13 next Qualifying Social Equity Justice Involved Applicant  
14 drawn by lot.

15 Any and all rights conferred or obtained under this  
16 subsection shall be limited to the provisions of this  
17 subsection.

18 (c) An applicant who receives a Conditional Adult Use  
19 Dispensing Organization License under this Section has 180  
20 days from the date of the award to identify a physical location  
21 for the dispensing organization's retail storefront. The  
22 applicant shall provide evidence that the location is not  
23 within 1,500 feet of an existing dispensing organization,  
24 unless the applicant is a Social Equity Applicant or Social  
25 Equity Justice Involved Applicant located or seeking to locate  
26 within 1,500 feet of a dispensing organization licensed under

1 Section 15-15 or Section 15-20. If an applicant is unable to  
2 find a suitable physical address in the opinion of the  
3 Department within 180 days from the issuance of the  
4 Conditional Adult Use Dispensing Organization License, the  
5 Department may extend the period for finding a physical  
6 address an additional 540 days if the Conditional Adult Use  
7 Dispensing Organization License holder demonstrates a concrete  
8 attempt to secure a location and a hardship. If the Department  
9 denies the extension or the Conditional Adult Use Dispensing  
10 Organization License holder is unable to either find a  
11 location within 720 days of being awarded a conditional  
12 license and become operational within 180 days thereafter, or  
13 become operational within 720 days of being awarded a  
14 Conditional Adult Use Dispensing Organization License under  
15 this Section, the Department may, considering the totality of  
16 the circumstances, rescind the conditional license. If the  
17 conditional license holder does not become operational within  
18 365 days after having found a location, the Department may  
19 mandate a date by which the conditional license holder shall  
20 become operational prior to the Department rescinding the  
21 conditional license. If the Department rescinds ~~shall rescind~~  
22 the Conditional Adult Use Dispensing Organization License, it  
23 may issue ~~and award~~ it pursuant to subsection (b) and notify  
24 the new awardee at the email address provided in the awardee's  
25 application, provided the applicant receiving the Conditional  
26 Adult Use Dispensing Organization License: (i) confirms a

1 continued interest in operating a dispensing organization;  
2 (ii) can provide evidence that the applicant continues to meet  
3 all requirements for holding a Conditional Adult Use  
4 Dispensing Organization License set forth in this Act; and  
5 (iii) has not otherwise become ineligible to be awarded a  
6 Conditional Adult Use Dispensing Organization License. If the  
7 new awardee is unable to accept the Conditional Adult Use  
8 Dispensing Organization License, the Department may issue  
9 ~~shall award~~ the Conditional Adult Use Dispensing Organization  
10 License pursuant to subsection (b). The new conditional  
11 license holder ~~awardee~~ shall be subject to the same required  
12 deadlines as provided in this subsection. However, the  
13 Department may approve locations to be within 1,500 feet of  
14 each other if both have received local government zoning  
15 approval for sites within 1,500 feet of each other and the  
16 conditional licenses were issued pursuant to a lottery  
17 conducted under 68 Ill. Adm. Code 1291.50, subsection (c) of  
18 Section 15-35.20, Section 15-35, or Section 15-35.10.

19 (d) If, within 720 ~~180~~ days of being awarded a Conditional  
20 Adult Use Dispensing Organization License, a dispensing  
21 organization is unable to find a location within the BLS  
22 Region in which it was awarded a Conditional Adult Use  
23 Dispensing Organization License under this Section because no  
24 jurisdiction within the BLS Region allows for the operation of  
25 an Adult Use Dispensing Organization, the Department may  
26 authorize the Conditional Adult Use Dispensing Organization

1 License holder to transfer its Conditional Adult Use  
2 Dispensing Organization License to a BLS Region specified by  
3 the Department.

4 (e) A dispensing organization that is awarded a  
5 Conditional Adult Use Dispensing Organization License under  
6 this Section shall not purchase, possess, sell, or dispense  
7 cannabis or cannabis-infused products until the dispensing  
8 organization has received an Adult Use Dispensing Organization  
9 License issued by the Department pursuant to Section 15-36.

10 (f) The Department shall conduct a background check of the  
11 prospective dispensing organization agents in order to carry  
12 out this Article. The Illinois State Police shall charge the  
13 applicant a fee for conducting the criminal history record  
14 check, which shall be deposited into the State Police Services  
15 Fund and shall not exceed the actual cost of the record check.  
16 Each person applying as a dispensing organization agent shall  
17 submit a full set of fingerprints to the Illinois State Police  
18 for the purpose of obtaining a State and federal criminal  
19 records check. These fingerprints shall be checked against the  
20 fingerprint records now and hereafter, to the extent allowed  
21 by law, filed with the Illinois State Police and the Federal  
22 Bureau of Investigation criminal history records databases.  
23 The Illinois State Police shall furnish, following positive  
24 identification, all Illinois conviction information to the  
25 Department.

26 (g) The Department may verify information contained in



1 each application and accompanying documentation to assess the  
2 applicant's veracity and fitness to operate a dispensing  
3 organization.

4 (h) The Department may, in its discretion, refuse to issue  
5 an authorization to an applicant who meets any of the  
6 following criteria:

7 (1) An applicant who is unqualified to perform the  
8 duties required of the applicant.

9 (2) An applicant who fails to disclose or states  
10 falsely any information called for in the application.

11 (3) An applicant who has been found guilty of a  
12 violation of this Act, who has had any disciplinary order  
13 entered against the applicant by the Department, who has  
14 entered into a disciplinary or nondisciplinary agreement  
15 with the Department, whose medical cannabis dispensing  
16 organization, medical cannabis cultivation organization,  
17 Early Approval Adult Use Dispensing Organization License,  
18 Early Approval Adult Use Dispensing Organization License  
19 at a secondary site, Early Approval Cultivation Center  
20 License, Conditional Adult Use Dispensing Organization  
21 License, or Adult Use Dispensing Organization License was  
22 suspended, restricted, revoked, or denied for just cause,  
23 or whose cannabis business establishment license was  
24 suspended, restricted, revoked, or denied in any other  
25 state.

26 (4) An applicant who has engaged in a pattern or

1 practice of unfair or illegal practices, methods, or  
2 activities in the conduct of owning a cannabis business  
3 establishment or other business.

4 (i) The Department shall deny the license if any principal  
5 officer, board member, or person having a financial or voting  
6 interest of 5% or greater in the licensee is delinquent in  
7 filing any required tax return or paying any amount owed to the  
8 State of Illinois.

9 (j) The Department shall verify an applicant's compliance  
10 with the requirements of this Article and rules adopted under  
11 this Article before issuing a Conditional Adult Use Dispensing  
12 Organization License.

13 (k) If an applicant is awarded a Conditional Adult Use  
14 Dispensing Organization License under this Section, the  
15 information and plans provided in the application, including  
16 any plans submitted for bonus points, shall become a condition  
17 of the Conditional Adult Use Dispensing Organization License  
18 and any Adult Use Dispensing Organization License issued to  
19 the holder of the Conditional Adult Use Dispensing  
20 Organization License, except as otherwise provided by this Act  
21 or by rule. Dispensing organizations have a duty to disclose  
22 any material changes to the application. The Department shall  
23 review all material changes disclosed by the dispensing  
24 organization and may reevaluate its prior decision regarding  
25 the awarding of a Conditional Adult Use Dispensing  
26 Organization License, including, but not limited to,

1 suspending or permanently revoking a Conditional Adult Use  
2 Dispensing Organization License. Failure to comply with the  
3 conditions or requirements in the application may subject the  
4 dispensing organization to discipline up to and including  
5 suspension or permanent revocation of its authorization or  
6 Conditional Adult Use Dispensing Organization License by the  
7 Department.

8 (1) If an applicant has not begun operating as a  
9 dispensing organization within one year after the issuance of  
10 the Conditional Adult Use Dispensing Organization License  
11 under this Section, the Department may permanently revoke the  
12 Conditional Adult Use Dispensing Organization License and  
13 award it to the next highest scoring applicant in the BLS  
14 Region if a suitable applicant indicates a continued interest  
15 in the Conditional Adult Use Dispensing Organization License  
16 or may begin a new selection process to award a Conditional  
17 Adult Use Dispensing Organization License.

18 (Source: P.A. 102-98, eff. 7-15-21; 103-8, eff. 6-7-23.)

19 (410 ILCS 705/15-36)

20 Sec. 15-36. Adult Use Dispensing Organization License.

21 (a) A person is only eligible to receive or hold an Adult  
22 Use Dispensing Organization License if the person has been  
23 issued ~~awarded~~ a Conditional Adult Use Dispensing Organization  
24 License pursuant to this Act or its administrative rules, was  
25 issued an Early Approval Adult Use Dispensing Organization

1 License, an Early Approval Adult Use Dispensing Organization  
2 License at a Secondary Site, or was a registered medical  
3 dispensing organization as defined under the Compassionate Use  
4 of Medical Cannabis Act ~~or has renewed its license pursuant to~~  
5 ~~subsection (k) of Section 15-15 or subsection (p) of Section~~  
6 ~~15-20.~~

7 (a-5) Beginning January 1, 2026, all dispensing  
8 organizations registered under the Compassionate Use of  
9 Medical Cannabis Program Act and Sections 15-15 and 15-20 of  
10 this Act shall be a dispensing organization or a dispensary as  
11 those terms are defined in this Act and shall be an Adult Use  
12 Dispensing Organization License holder under this Section.  
13 Beginning January 1, 2026, all dispensing organizations  
14 registered under the Compassionate Use of Medical Cannabis  
15 Program Act and Sections 15-15 and 15-20 of this Act shall have  
16 the same rights, privileges, duties, and responsibilities of  
17 dispensing organizations licensed pursuant to this Section and  
18 shall be subject to any administrative rules adopted under  
19 this Act.

20 (a-10) In addition to selling cannabis and  
21 cannabis-infused products to persons 21 years of age or older,  
22 beginning January 1, 2026, but no later than April 1, 2026, all  
23 dispensing organizations licensed pursuant to this Act shall  
24 also offer cannabis and cannabis-infused products for sale to  
25 registered qualifying patients, Opioid Alternative Patient  
26 Program participants, provisional patients, and designated

1 caregivers.

2 (a-15) By April 1, 2026, all dispensing organizations  
3 licensed under Section 15-36 shall pay the fee under  
4 subsection (d) of Section 15-13 of this Act or shall have  
5 entered into an approved payment plan with the Department to  
6 pay the fee.

7 (b) The Department shall not issue an Adult Use Dispensing  
8 Organization License until:

9 (1) the Department has inspected the dispensary site  
10 and proposed operations and verified that they are in  
11 compliance with this Act and local zoning laws;

12 (2) the Conditional Adult Use Dispensing Organization  
13 License holder has paid a license fee of \$70,000 ~~\$60,000~~  
14 or a prorated amount accounting for the difference of time  
15 between when the Adult Use Dispensing Organization License  
16 is issued and March 31 of the next even-numbered year;  
17 \$60,000 (or the proportional prorated amount paid) of the  
18 fee shall be remitted into the Cannabis Regulation Fund,  
19 and \$10,000 (or the proportional prorated amount paid) of  
20 the fee shall be remitted into the Compassionate Use of  
21 Medical Cannabis Fund; and

22 (3) the Conditional Adult Use Dispensing Organization  
23 License holder has met all the requirements in this Act  
24 and rules.

25 (c) No person or entity shall hold any legal, equitable,  
26 ownership, or beneficial interest, directly or indirectly, of

1 more than 10 dispensing organizations licensed under this  
2 Article. Further, no person or entity that is:

3 (1) employed by, is an agent of, or participates in  
4 the management of a dispensing organization or registered  
5 medical cannabis dispensing organization;

6 (2) a principal officer of a dispensing organization  
7 or registered medical cannabis dispensing organization; or

8 (3) an entity controlled by or affiliated with a  
9 principal officer of a dispensing organization or  
10 registered medical cannabis dispensing organization;

11 shall hold any legal, equitable, ownership, or beneficial  
12 interest, directly or indirectly, in a dispensing organization  
13 that would result in such person or entity owning or  
14 participating in the management of more than 10 Early Approval  
15 Adult Use Dispensing Organization Licenses, Early Approval  
16 Adult Use Dispensing Organization Licenses at a secondary  
17 site, Conditional Adult Use Dispensing Organization Licenses,  
18 or Adult Use Dispensing Organization Licenses. For the purpose  
19 of this subsection, participating in management may include,  
20 without limitation, controlling decisions regarding staffing,  
21 pricing, purchasing, marketing, store design, hiring, and  
22 website design.

23 (d) The Department shall deny an application if granting  
24 that application would result in a person or entity obtaining  
25 direct or indirect financial interest in more than 10 Early  
26 Approval Adult Use Dispensing Organization Licenses,

1 Conditional Adult Use Dispensing Organization Licenses, Adult  
2 Use Dispensing Organization Licenses, or any combination  
3 thereof. If a person or entity is awarded a Conditional Adult  
4 Use Dispensing Organization License that would cause the  
5 person or entity to be in violation of this subsection, he,  
6 she, or it shall choose which license application it wants to  
7 abandon and such licenses shall become available to the next  
8 qualified applicant in the region in which the abandoned  
9 license was awarded.

10 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
11 revised 7-19-24.)

12 (410 ILCS 705/15-40)

13 Sec. 15-40. Dispensing organization agent identification  
14 card; agent training.

15 (a) The Department shall:

16 (1) verify the information contained in an application  
17 or renewal for a dispensing organization agent  
18 identification card submitted under this Article, and  
19 approve or deny an application or renewal, within 30 days  
20 of receiving a completed application or renewal  
21 application and all supporting documentation required by  
22 rule;

23 (2) issue a dispensing organization agent  
24 identification card to a qualifying agent within 15  
25 business days of approving the application or renewal;

1           (3) enter the registry identification number of the  
2           dispensing organization where the agent works;

3           (4) within one year from the effective date of this  
4           Act, allow for an electronic application process and  
5           provide a confirmation by electronic or other methods that  
6           an application has been submitted; and

7           (5) collect a \$100 nonrefundable fee from the  
8           applicant to be deposited into the Cannabis Regulation  
9           Fund.

10          (b) A dispensing organization agent must keep his or her  
11          identification card visible at all times when in the  
12          dispensary.

13          (c) The dispensing organization agent identification cards  
14          shall contain the following:

15               (1) the name of the cardholder;

16               (2) the date of issuance and expiration date of the  
17               dispensing organization agent identification cards;

18               (3) a random 10-digit alphanumeric identification  
19               number containing at least 4 numbers and at least 4  
20               letters that is unique to the cardholder; and

21               (4) a photograph of the cardholder.

22          (d) The dispensing organization agent identification cards  
23          shall be immediately returned to the dispensing organization  
24          upon termination of employment.

25          (e) The Department shall not issue an agent identification  
26          card if the applicant is delinquent in filing any required tax



1 returns or paying any amounts owed to the State of Illinois.

2 (f) Any card lost by a dispensing organization agent shall  
3 be reported to the Illinois State Police and the Department  
4 immediately upon discovery of the loss.

5 (g) An applicant shall be denied a dispensing organization  
6 agent identification card renewal if he or she fails to  
7 complete the training provided for in this Section.

8 (h) A dispensing organization agent shall only be required  
9 to hold one card for the same employer regardless of what type  
10 of dispensing organization license the employer holds.

11 (i) Cannabis retail sales training requirements.

12 (1) Within 90 days of September 1, 2019, or 90 days of  
13 employment, whichever is later, all owners, managers,  
14 employees, and agents involved in the handling or sale of  
15 cannabis or cannabis-infused product employed by an adult  
16 use dispensing organization or medical cannabis dispensing  
17 organization as defined in Section 10 of the Compassionate  
18 Use of Medical Cannabis Program Act shall attend and  
19 successfully complete a Responsible Vendor Program.

20 (2) Each owner, manager, employee, and agent of an  
21 adult use dispensing organization or medical cannabis  
22 dispensing organization shall successfully complete the  
23 program annually.

24 (3) Responsible Vendor Program Training modules shall  
25 include at least 2 hours of instruction time approved by  
26 the Department including:

1 (i) Health and safety concerns of cannabis use,  
2 including the responsible use of cannabis, its  
3 physical effects, onset of physiological effects,  
4 recognizing signs of impairment, and appropriate  
5 responses in the event of overconsumption.

6 (ii) Training on laws and regulations on driving  
7 while under the influence and operating a watercraft  
8 or snowmobile while under the influence.

9 (iii) Sales to minors prohibition. Training shall  
10 cover all relevant Illinois laws and rules.

11 (iv) Quantity limitations on sales to purchasers.  
12 Training shall cover all relevant Illinois laws and  
13 rules.

14 (v) Acceptable forms of identification. Training  
15 shall include:

16 (I) How to check identification; and

17 (II) Common mistakes made in verification;

18 (vi) Safe storage of cannabis;

19 (vii) Compliance with all inventory tracking  
20 system regulations;

21 (viii) Waste handling, management, and disposal;

22 (ix) Health and safety standards;

23 (x) Maintenance of records;

24 (xi) Security and surveillance requirements;

25 (xii) Permitting inspections by State and local  
26 licensing and enforcement authorities;

1           (xiii) Privacy issues, including, but not limited  
2           to, the safe storage and handling of confidential  
3           information such as qualifying patient information;

4           (xiv) Packaging and labeling requirement for sales  
5           to purchasers; ~~and~~

6           (xv) Prioritizing the needs of a qualifying  
7           patient, provisional patient, Opioid Alternative  
8           Patient Program participant, or designated caregiver;  
9           and

10          (xvi) Other areas as determined by rule.

11          (j) Blank.

12          (k) Upon the successful completion of the Responsible  
13          Vendor Program, the provider shall deliver proof of completion  
14          either through mail or electronic communication to the  
15          dispensing organization, which shall retain a copy of the  
16          certificate.

17          (l) The license of a dispensing organization or medical  
18          cannabis dispensing organization whose owners, managers,  
19          employees, or agents fail to comply with this Section may be  
20          suspended or permanently revoked under Section 15-145 or may  
21          face other disciplinary action.

22          (m) The regulation of dispensing organization and medical  
23          cannabis dispensing employer and employee training is an  
24          exclusive function of the State, and regulation by a unit of  
25          local government, including a home rule unit, is prohibited.  
26          This subsection (m) is a denial and limitation of home rule

1 powers and functions under subsection (h) of Section 6 of  
2 Article VII of the Illinois Constitution.

3 (n) Persons seeking Department approval to offer the  
4 training required by paragraph (3) of subsection (i) may apply  
5 for such approval between August 1 and August 15 of each  
6 odd-numbered year in a manner prescribed by the Department.

7 (o) Persons seeking Department approval to offer the  
8 training required by paragraph (3) of subsection (i) shall  
9 submit a nonrefundable application fee of \$2,000 to be  
10 deposited into the Cannabis Regulation Fund or a fee as may be  
11 set by rule. Any changes made to the training module shall be  
12 approved by the Department.

13 (p) The Department shall not unreasonably deny approval of  
14 a training module that meets all the requirements of paragraph  
15 (3) of subsection (i). A denial of approval shall include a  
16 detailed description of the reasons for the denial.

17 (q) Any person approved to provide the training required  
18 by paragraph (3) of subsection (i) shall submit an application  
19 for re-approval between August 1 and August 15 of each  
20 odd-numbered year and include a nonrefundable application fee  
21 of \$2,000 to be deposited into the Cannabis Regulation Fund or  
22 a fee as may be set by rule.

23 (r) All persons applying to become or renewing their  
24 registrations to be agents, including agents-in-charge and  
25 principal officers, shall disclose any disciplinary action  
26 taken against them that may have occurred in Illinois, another

1 state, or another country in relation to their employment at a  
2 cannabis business establishment or at any cannabis cultivation  
3 center, ~~processor~~, infuser, dispensary, or other cannabis  
4 business establishment.

5 (s) An agent applicant may begin employment at a  
6 dispensing organization while the agent applicant's  
7 identification card application is pending. Upon approval, the  
8 Department shall issue the agent's identification card to the  
9 agent. If denied, the dispensing organization and the agent  
10 applicant shall be notified and the agent applicant must cease  
11 all activity at the dispensing organization immediately.

12 (t) The Department and the Department of Agriculture may  
13 develop and implement an integrated system to issue an agent  
14 identification card which identifies a dispensary agent  
15 licensed by the Department as well as any cultivator, craft  
16 grower, transporter, community college program or infuser  
17 license or registration the agent may simultaneously hold.

18 (u) Beginning January 1, 2026, all dispensing organization  
19 agents registered under the Compassionate Use of Medical  
20 Cannabis Program Act shall, subject to the agent being in good  
21 standing with all licensing requirements, be deemed to be an  
22 agent under this Act. The Department shall issue all agents  
23 previously registered as an agent under the Compassionate Use  
24 of Medical Cannabis Program Act a new license number at the  
25 time of their first renewal on or after January 1, 2026.

26 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;

1 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
2 5-13-22.)

3 (410 ILCS 705/15-45)

4 Sec. 15-45. Renewal.

5 (a) Adult Use Dispensing Organization Licenses shall  
6 expire on March 31 of even-numbered years.

7 (b) Agent identification cards shall expire one year from  
8 the date they are issued.

9 (c) Licensees and dispensing agents shall submit a renewal  
10 application as provided by the Department and pay the required  
11 renewal fee. The Department shall require an agent, employee,  
12 contracting, and subcontracting diversity report and an  
13 environmental impact report with its renewal application. No  
14 license or agent identification card shall be renewed if it is  
15 currently under revocation or suspension for violation of this  
16 Article or any rules that may be adopted under this Article or  
17 the licensee, principal officer, board member, person having a  
18 financial or voting interest of 5% or greater in the licensee,  
19 or agent is delinquent in filing any required tax returns or  
20 paying any amounts owed to the State of Illinois.

21 (d) Renewal fees are:

22 (1) For a dispensing organization, \$60,000, to be  
23 deposited into the Cannabis Regulation Fund; and \$10,000  
24 to be deposited into Compassionate Use of Medical Cannabis  
25 Fund.

1           (2) For an agent identification card, \$100, to be  
2           deposited into the Cannabis Regulation Fund.

3           (e) If a dispensing organization fails to renew its  
4           license before expiration, the dispensing organization shall  
5           cease operations until the license is renewed.

6           (f) If a dispensing organization agent fails to renew his  
7           or her registration before its expiration, he or she shall  
8           cease to perform duties authorized by this Article at a  
9           dispensing organization until his or her registration is  
10          renewed.

11          (g) Any dispensing organization that continues to operate  
12          or dispensing agent that continues to perform duties  
13          authorized by this Article at a dispensing organization that  
14          fails to renew its license is subject to penalty as provided in  
15          this Article, or any rules that may be adopted pursuant to this  
16          Article.

17          (h) The Department shall not renew a license if the  
18          applicant is delinquent in filing any required tax returns or  
19          paying any amounts owed to the State of Illinois. The  
20          Department shall not renew a dispensing agent identification  
21          card if the applicant is delinquent in filing any required tax  
22          returns or paying any amounts owed to the State of Illinois.

23          (Source: P.A. 101-27, eff. 6-25-19.)

24               (410 ILCS 705/15-50)

25               Sec. 15-50. Disclosure of ownership and control.

1       (a) Each dispensing organization applicant and licensee  
2 shall file and maintain a Table of Organization, Ownership,  
3 and Control with the Department. The Table of Organization,  
4 Ownership, and Control shall contain the information required  
5 by this Section in sufficient detail to identify all owners,  
6 directors, and principal officers, and the title of each  
7 principal officer or business entity that, through direct or  
8 indirect means, manages, owns, or controls the applicant or  
9 licensee.

10       (b) The Table of Organization, Ownership, and Control  
11 shall identify the following information:

12           (1) The management structure, ownership, and control  
13 of the applicant or license holder including the name of  
14 each principal officer or business entity, the office or  
15 position held, and the percentage ownership interest, if  
16 any. If the business entity has a parent company, the name  
17 of each owner, board member, and officer of the parent  
18 company and his or her percentage ownership interest in  
19 the parent company and the dispensing organization.

20           (2) If the applicant or licensee is a business entity  
21 with publicly traded stock, the identification of  
22 ownership shall be provided as required in subsection (c).

23       (c) If a business entity identified in subsection (b) is a  
24 publicly traded company, the following information shall be  
25 provided in the Table of Organization, Ownership, and Control:

26           (1) The name and percentage of ownership interest of



1 each individual or business entity with ownership of more  
2 than 5% of the voting shares of the entity, to the extent  
3 such information is known or contained in 13D or 13G  
4 Securities and Exchange Commission filings.

5 (2) To the extent known, the names and percentage of  
6 interest of ownership of persons who are relatives of one  
7 another and who together exercise control over or own more  
8 than 10% of the voting shares of the entity.

9 (d) A dispensing organization with a parent company or  
10 companies, or partially owned or controlled by another entity  
11 must disclose to the Department the relationship and all  
12 owners, board members, officers, or individuals with control  
13 or management of those entities. A dispensing organization  
14 shall not shield its ownership or control from the Department.

15 (e) All principal officers must submit a complete online  
16 application with the Department within 14 days of the  
17 dispensing organization being licensed by the Department or  
18 within 14 days of Department notice of approval as a new  
19 principal officer.

20 (f) A principal officer may not allow his or her  
21 registration to expire.

22 (g) A dispensing organization separating with a principal  
23 officer must do so under this Act. The principal officer must  
24 communicate the separation to the Department within 5 business  
25 days.

26 (h) A principal officer not in compliance with the

1 requirements of this Act shall be removed from his or her  
2 position with the dispensing organization or shall otherwise  
3 terminate his or her affiliation. Failure to do so may subject  
4 the dispensing organization to discipline, suspension, or  
5 revocation of its license by the Department.

6 (i) It is the responsibility of the dispensing  
7 organization and its principal officers to promptly notify the  
8 Department of any change of the principal place of business  
9 address, hours of operation, change in ownership or control,  
10 or a change of the dispensing organization's primary or  
11 secondary contact information. Any changes must be made to the  
12 Department in writing.

13 (Source: P.A. 101-27, eff. 6-25-19.)

14 (410 ILCS 705/15-60)

15 Sec. 15-60. Changes to a dispensing organization.

16 (a) A license shall be issued to the specific dispensing  
17 organization identified on the application and for the  
18 specific location proposed. The license is valid only as  
19 designated on the license and for the location for which it is  
20 issued.

21 (b) A dispensing organization may only add principal  
22 officers after being approved by the Department.

23 (c) A dispensing organization shall provide written notice  
24 of the removal of a principal officer within 5 business days  
25 after removal. The notice shall include the written agreement

1 of the principal officer being removed, unless otherwise  
2 approved by the Department, and allocation of ownership shares  
3 after removal in an updated ownership chart.

4 (d) A dispensing organization shall provide a written  
5 request to the Department for the addition of principal  
6 officers. A dispensing organization shall submit proposed  
7 principal officer applications on forms approved by the  
8 Department.

9 (e) All proposed new principal officers shall be subject  
10 to the requirements of this Act, this Article, and any rules  
11 that may be adopted pursuant to this Act.

12 (f) The Department may prohibit the addition of a  
13 principal officer to a dispensing organization for failure to  
14 comply with this Act, this Article, and any rules that may be  
15 adopted pursuant to this Act.

16 (g) A dispensing organization may not assign a license.

17 (h) A dispensing organization may not transfer a license  
18 without prior Department approval. Such approval may be  
19 withheld if the person to whom the license is being  
20 transferred does not commit to the same or a similar community  
21 engagement plan provided as part of the dispensing  
22 organization's application under paragraph (18) of subsection  
23 (d) of Section 15-25, and such transferee's license shall be  
24 conditional upon that commitment.

25 (i) With the addition or removal of principal officers,  
26 the Department will review the ownership structure to

1 determine whether the change in ownership has had the effect  
2 of a transfer of the license. The dispensing organization  
3 shall supply all ownership documents requested by the  
4 Department.

5 (j) A dispensing organization may apply to the Department  
6 to approve a sale of the dispensing organization. A request to  
7 sell the dispensing organization must be on application forms  
8 provided by the Department. A request for an approval to sell a  
9 dispensing organization must comply with the following:

10 (1) New application materials shall comply with this  
11 Act and any rules that may be adopted pursuant to this Act;

12 (2) Application materials shall include a change of  
13 ownership fee of \$5,000 to be deposited into the Cannabis  
14 Regulation Fund;

15 (3) The application materials shall provide proof that  
16 the transfer of ownership will not have the effect of  
17 granting any of the owners or principal officers direct or  
18 indirect ownership or control of more than 10 adult use  
19 dispensing organization licenses;

20 (4) New principal officers shall each complete the  
21 proposed new principal officer application;

22 (5) If the Department approves the application  
23 materials and proposed new principal officer applications,  
24 it will perform an inspection before approving the sale  
25 and issuing the dispensing organization license;

26 (6) If a new license is approved, the Department will

1       issue a new license number and certificate to the new  
2       dispensing organization.

3       (k) The dispensing organization shall provide the  
4       Department with the personal information for all new  
5       dispensing organizations agents as required in this Article  
6       and all new dispensing organization agents shall be subject to  
7       the requirements of this Article. A dispensing organization  
8       agent must obtain an agent identification card from the  
9       Department before beginning work at a dispensary.

10       (1) Before remodeling, expansion, reduction, or other  
11       physical, noncosmetic alteration of a dispensary, the  
12       dispensing organization must notify the Department and confirm  
13       the alterations are in compliance with this Act and any rules  
14       that may be adopted pursuant to this Act.

15       (Source: P.A. 101-27, eff. 6-25-19.)

16       (410 ILCS 705/15-65)

17       Sec. 15-65. Administration.

18       (a) A dispensing organization shall establish, maintain,  
19       and comply with written policies and procedures as submitted  
20       in the Business, Financial and Operating plan as required in  
21       this Article or by rules established by the Department, and  
22       approved by the Department, for the security, storage,  
23       inventory, and distribution of cannabis. These policies and  
24       procedures shall include methods for identifying, recording,  
25       and reporting diversion, theft, or loss, and for correcting

1 errors and inaccuracies in inventories. At a minimum,  
2 dispensing organizations shall ensure the written policies and  
3 procedures provide for the following:

4 (1) Mandatory and voluntary recalls of cannabis  
5 products. The policies shall be adequate to deal with  
6 recalls due to any action initiated at the request of the  
7 Department and any voluntary action by the dispensing  
8 organization to remove defective or potentially defective  
9 cannabis from the market or any action undertaken to  
10 promote public health and safety, including:

11 (i) A mechanism reasonably calculated to contact  
12 purchasers who have, or likely have, obtained the  
13 product from the dispensary, including information on  
14 the policy for return of the recalled product;

15 (ii) A mechanism to identify and contact the ~~adult~~  
16 ~~use~~ cultivation center, craft grower, or infuser that  
17 manufactured the cannabis;

18 (iii) Policies for communicating with the  
19 Department, the Department of Agriculture, and the  
20 Department of Public Health within 24 hours of  
21 discovering defective or potentially defective  
22 cannabis; and

23 (iv) Policies for destruction of any recalled  
24 cannabis product;

25 (2) Responses to local, State, or national  
26 emergencies, including natural disasters, that affect the

1 security or operation of a dispensary;

2 (3) Segregation and destruction of outdated, damaged,  
3 deteriorated, misbranded, or adulterated cannabis. This  
4 procedure shall provide for written documentation of the  
5 cannabis disposition;

6 (4) Ensure the oldest stock of a cannabis product is  
7 distributed first. The procedure may permit deviation from  
8 this requirement, if such deviation is temporary and  
9 appropriate;

10 (5) Training of dispensing organization agents in the  
11 provisions of this Act and rules, to effectively operate  
12 the point-of-sale system and the State's verification  
13 system, proper inventory handling and tracking, specific  
14 uses of cannabis or cannabis-infused products, instruction  
15 regarding regulatory inspection preparedness and law  
16 enforcement interaction, awareness of the legal  
17 requirements for maintaining status as an agent, and other  
18 topics as specified by the dispensing organization or the  
19 Department. The dispensing organization shall maintain  
20 evidence of all training provided to each agent in its  
21 files that is subject to inspection and audit by the  
22 Department. The dispensing organization shall ensure  
23 agents receive a minimum of 8 hours of training subject to  
24 the requirements in subsection (i) of Section 15-40  
25 annually, unless otherwise approved by the Department;

26 (6) Maintenance of business records consistent with

1 industry standards, including bylaws, consents, manual or  
2 computerized records of assets and liabilities, audits,  
3 monetary transactions, journals, ledgers, and supporting  
4 documents, including agreements, checks, invoices,  
5 receipts, and vouchers. Records shall be maintained in a  
6 manner consistent with this Act and shall be retained for  
7 5 years;

8 (7) Inventory control, including:

9 (i) Tracking purchases and denials of sale;

10 (ii) Disposal of unusable or damaged cannabis as  
11 required by this Act and rules; and

12 (8) Purchaser education and support, including:

13 (i) Whether possession of cannabis is illegal  
14 under federal law;

15 (ii) Current educational information issued by the  
16 Department of Public Health about the health risks  
17 associated with the use or abuse of cannabis;

18 (iii) Information about possible side effects;

19 (iv) Prohibition on smoking cannabis in public  
20 places; and

21 (v) Offering any other appropriate purchaser  
22 education or support materials.

23 (b) Blank.

24 (c) A dispensing organization shall maintain copies of the  
25 policies and procedures on the dispensary premises and provide  
26 copies to the Department upon request. The dispensing



1 organization shall review the dispensing organization policies  
2 and procedures at least once every 12 months from the issue  
3 date of the license and update as needed due to changes in  
4 industry standards or as requested by the Department.

5 (d) A dispensing organization shall ensure that each  
6 principal officer and each dispensing organization agent has a  
7 current agent identification card in the agent's immediate  
8 possession when the agent is at the dispensary.

9 (e) A dispensing organization shall provide prompt written  
10 notice to the Department, including the date of the event,  
11 when a dispensing organization agent no longer is employed by  
12 the dispensing organization.

13 (f) A dispensing organization shall promptly document and  
14 report any loss or theft of cannabis from the dispensary to the  
15 Illinois State Police and the Department. It is the duty of any  
16 dispensing organization agent who becomes aware of the loss or  
17 theft to report it as provided in this Article.

18 (g) A dispensing organization shall post the following  
19 information in a conspicuous location in an area of the  
20 dispensary accessible to consumers:

21 (1) The dispensing organization's license;

22 (2) The hours of operation.

23 (h) Signage that shall be posted inside the premises.

24 (1) All dispensing organizations must display a  
25 placard that states the following: "Cannabis consumption  
26 can impair cognition and driving, is for adult use only,

1       may be habit forming, and should not be used by pregnant or  
2       breastfeeding women.".

3       (2) Any dispensing organization that sells edible  
4       cannabis-infused products must display a placard that  
5       states the following:

6               (A) "Edible cannabis-infused products were  
7       produced in a kitchen that may also process common  
8       food allergens."; and

9               (B) "The effects of cannabis products can vary  
10      from person to person, and it can take as long as two  
11      hours to feel the effects of some cannabis-infused  
12      products. Carefully review the portion size  
13      information and warnings contained on the product  
14      packaging before consuming.".

15      (3) All of the required signage in this subsection (h)  
16      shall be no smaller than 24 inches tall by 36 inches wide,  
17      with typed letters no smaller than 2 inches. The signage  
18      shall be clearly visible and readable by customers. The  
19      signage shall be placed in the area where cannabis and  
20      cannabis-infused products are sold and may be translated  
21      into additional languages as needed. The Department may  
22      require a dispensary to display the required signage in a  
23      different language, other than English, if the Secretary  
24      deems it necessary.

25      (i) A dispensing organization shall prominently post  
26      notices inside the dispensing organization that state

1 activities that are strictly prohibited and punishable by law,  
2 including, but not limited to:

3 (1) no minors permitted on the premises unless the  
4 minor is a minor qualifying patient under the  
5 Compassionate Use of Medical Cannabis Program Act;

6 (2) distribution to persons under the age of 21 is  
7 prohibited;

8 (3) transportation of cannabis or cannabis products  
9 across state lines is prohibited.

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

12 (410 ILCS 705/15-70)

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

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

17 (b) Beginning January 1, 2026, but no later than April 1,  
18 2026, all dispensaries shall have a patient prioritization  
19 plan demonstrating that the dispensary is prioritizing  
20 qualifying patients, provisional patients, Opioid Alternative  
21 Patient Program participants, and designated caregivers.  
22 Prioritization may include, but is not limited to, the  
23 following: a dedicated service line for patients or  
24 caregivers; a dedicated time of the day for patients or  
25 caregivers, so long as the dispensary remains open at all

1 other hours of operation to serve patients and caregivers; and  
2 a dedicated register for patients or caregivers. A dispensing  
3 organization must include the legal name of the dispensary on  
4 the packaging of any cannabis product it sells.

5 (c) All cannabis, cannabis-infused products, and cannabis  
6 seeds must be obtained from an Illinois registered ~~adult use~~  
7 cultivation center, craft grower, infuser, or another  
8 dispensary.

9 (c-5) A dispensing organization may sell cannabis and  
10 cannabis-infused products purchased from any cultivation  
11 center, craft grower, infuser, or other dispensary to persons  
12 over 21 years of age and to qualifying patients, Opioid  
13 Alternative Patient Program Participants, designated  
14 caregivers, and provisional patients.

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

18 (e) A dispensing organization shall inspect and count  
19 product received from a transporting organization, adult use  
20 cultivation center, craft grower, infuser organization, or  
21 other dispensing organization before dispensing it.

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

26 (g) A dispensing organization shall maintain compliance

1 with State and local building, fire, and zoning requirements  
2 or regulations.

3 (h) A dispensing organization shall submit a list to the  
4 Department of the names of all service professionals that will  
5 work at the dispensary. The list shall include a description  
6 of the type of business or service provided. Changes to the  
7 service professional list shall be promptly provided. No  
8 service professional shall work in the dispensary until the  
9 name is provided to the Department on the service professional  
10 list.

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

13 (j) All dispensaries' hours of operation may be A  
14 ~~dispensary may operate~~ between 6 a.m. and 10 p.m. local time.

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

18 (l) A dispensing organization must keep all air treatment  
19 systems that will be installed to reduce odors in good working  
20 order.

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

26 (n) A dispensing organization shall ensure that any

1 building or equipment used by a dispensing organization for  
2 the storage or sale of cannabis is maintained in a clean and  
3 sanitary condition.

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

6 (p) A dispensing organization shall not:

7 (1) Produce or manufacture cannabis;

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

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

15 (4) Sell cannabis or cannabis-infused products to a  
16 purchaser unless the purchaser has been verified to be 21  
17 years of age or older, or beginning January 1, 2026, the  
18 person is verified to be a qualifying patient, Opioid  
19 Alternative Patient Program participant, provisional  
20 patient, or designated caregiver ~~the dispensing~~  
21 ~~organization is licensed under the Compassionate Use of~~  
22 ~~Medical Cannabis Program Act, and the individual is~~  
23 ~~registered under the Compassionate Use of Medical Cannabis~~  
24 ~~Program or the purchaser has been verified to be 21 years~~  
25 ~~of age or older;~~

26 (5) Enter into an exclusive agreement with any ~~adult~~

1 ~~use~~ cultivation center, craft grower, or infuser.  
2 Dispensaries shall provide consumers an assortment of  
3 products from various cannabis business establishment  
4 licensees such that the inventory available for sale at  
5 any dispensary from any single cultivation center, craft  
6 grower, ~~processor~~, transporter, or infuser entity shall  
7 not be more than 40% of the total inventory available for  
8 sale. For the purpose of this subsection, a cultivation  
9 center, craft grower, ~~processor~~, or infuser shall be  
10 considered part of the same entity if the licensees share  
11 at least one principal officer. The Department may request  
12 that a dispensary diversify its products as needed or  
13 otherwise discipline a dispensing organization for  
14 violating this requirement;

15 (6) Refuse to conduct business with an ~~adult-use~~  
16 cultivation center, craft grower, transporting  
17 organization, or infuser that has the ability to properly  
18 deliver the product and is permitted by the Department of  
19 Agriculture, on the same terms as other ~~adult-use~~  
20 cultivation centers, craft growers, infusers, or  
21 transporters with whom it is dealing;

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

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

25 (9) Transport cannabis to residences or transport  
26 cannabis to other locations where purchasers may be for

1        delivery, except for the limited circumstances provided in  
2        paragraph (5.5) of subsection (c) of Section 15-100;

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

6            (11) Operate a dispensary if its video surveillance  
7        equipment is inoperative;

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

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

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

14          (15) Be located within 1,500 feet of the property line  
15        of a pre-existing dispensing organization, unless the  
16        applicant is a Social Equity Applicant or Social Equity  
17        Justice Involved Applicant located or seeking to locate  
18        within 1,500 feet of a dispensing organization licensed  
19        under Section 15-15 or Section 15-20; however, the  
20        Department may approve locations to be within 1,500 feet  
21        of each other if both have received local government  
22        zoning approval for sites within 1,500 feet of each other  
23        and the conditional licenses were issued pursuant to a  
24        lottery conducted under 68 Ill. Adm. Code 1291.50,  
25        subsection (c) of Section 15-35.20, Section 15-35, or  
26        Section 15-35.10;



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

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

8 (18) Have a certifying health care professional  
9 on-site at the dispensary, make referrals to a certifying  
10 health care professional, include links to a certifying  
11 health care professional on the dispensary's website, or  
12 otherwise direct patients to a certifying health care  
13 professional;

14 (19) Beginning January 1, 2026, fail to prioritize  
15 qualifying patients, provisional patients, Opioid  
16 Alternative Patient Program participants, and designated  
17 caregivers; or

18 (20) Violate any other requirements or prohibitions  
19 set by Department rules.

20 (q) It is unlawful for any person having an Early Approval  
21 Adult Use ~~Cannabis~~ Dispensing Organization License, a  
22 Conditional Adult Use ~~Cannabis~~ Dispensing Organization  
23 License, an Adult Use Dispensing Organization License, or a  
24 medical cannabis dispensing organization license issued under  
25 the Compassionate Use of Medical Cannabis Program Act or any  
26 officer, associate, member, representative, or agent of such

1 licensee to accept, receive, or borrow money or anything else  
2 of value or accept or receive credit (other than merchandising  
3 credit in the ordinary course of business for a period not to  
4 exceed 30 days) directly or indirectly from any ~~adult-use~~  
5 cultivation center, craft grower, infuser, or transporting  
6 organization in exchange for preferential placement on the  
7 dispensing organization's shelves, display cases, or website.  
8 This includes anything received or borrowed or from any  
9 stockholders, officers, agents, or persons connected with ~~a an~~  
10 ~~adult-use~~ cultivation center, craft grower, infuser, or  
11 transporting organization.

12 (r) It is unlawful for any person having an Early Approval  
13 Adult Use ~~Cannabis~~ Dispensing Organization License, a  
14 Conditional Adult Use ~~Cannabis~~ Dispensing Organization  
15 License, an Adult Use Dispensing Organization License, or a  
16 medical cannabis dispensing organization license issued under  
17 the Compassionate Use of Medical Cannabis Program to enter  
18 into any contract with any person licensed to cultivate,  
19 process, or transport cannabis whereby such dispensing  
20 organization agrees not to sell any cannabis cultivated,  
21 processed, transported, manufactured, or distributed by any  
22 other cultivator, transporter, or infuser, and any provision  
23 in any contract violative of this Section shall render the  
24 whole of such contract void and no action shall be brought  
25 thereon in any court.

26 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;

102-98, eff. 7-15-21; revised 7-23-24.)

(410 ILCS 705/15-75)

Sec. 15-75. Inventory control system.

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

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

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

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

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

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

1 (iii) The name and registry identification number  
2 of the licensed ~~adult-use~~ cultivation center, craft  
3 grower, infuser, or transporting agent delivering the  
4 cannabis;

5 (iv) The name and registry identification number  
6 of the dispensing organization agent receiving the  
7 cannabis; and

8 (v) The date of acquisition.

9 (3) The disposal of cannabis, including:

10 (i) A description of the products, including the  
11 quantity, strain, variety, batch number, and reason  
12 for the cannabis being disposed;

13 (ii) The method of disposal; and

14 (iii) The date and time of disposal.

15 (c) Upon cannabis delivery, a dispensing organization  
16 shall confirm the product's name, strain name, weight, and  
17 identification number on the manifest matches the information  
18 on the cannabis product label and package. The product name  
19 listed and the weight listed in the State's verification  
20 system shall match the product packaging.

21 (d) The agent-in-charge shall conduct daily inventory  
22 reconciliation documenting and balancing cannabis inventory by  
23 confirming the State's verification system matches the  
24 dispensing organization's point-of-sale system and the amount  
25 of physical product at the dispensary.

26 (1) A dispensing organization must receive Department

1 approval before completing an inventory adjustment. It  
2 shall provide a detailed reason for the adjustment.  
3 Inventory adjustment documentation shall be kept at the  
4 dispensary for 2 years from the date performed.

5 (2) If the dispensing organization identifies an  
6 imbalance in the amount of cannabis after the daily  
7 inventory reconciliation due to mistake, the dispensing  
8 organization shall determine how the imbalance occurred  
9 and immediately upon discovery take and document  
10 corrective action. If the dispensing organization cannot  
11 identify the reason for the mistake within 2 calendar days  
12 after first discovery, it shall inform the Department  
13 immediately in writing of the imbalance and the corrective  
14 action taken to date. The dispensing organization shall  
15 work diligently to determine the reason for the mistake.

16 (3) If the dispensing organization identifies an  
17 imbalance in the amount of cannabis after the daily  
18 inventory reconciliation or through other means due to  
19 theft, criminal activity, or suspected criminal activity,  
20 the dispensing organization shall immediately determine  
21 how the reduction occurred and take and document  
22 corrective action. Within 24 hours after the first  
23 discovery of the reduction due to theft, criminal  
24 activity, or suspected criminal activity, the dispensing  
25 organization shall inform the Department and the Illinois  
26 State Police in writing.

1           (4) The dispensing organization shall file an annual  
2        compilation report with the Department, including a  
3        financial statement that shall include, but not be limited  
4        to, an income statement, balance sheet, profit and loss  
5        statement, statement of cash flow, wholesale cost and  
6        sales, and any other documentation requested by the  
7        Department in writing. The financial statement shall  
8        include any other information the Department deems  
9        necessary in order to effectively administer this Act and  
10       all rules, orders, and final decisions promulgated under  
11       this Act. Statements required by this Section shall be  
12       filed with the Department within 60 days after the end of  
13       the calendar year. The compilation report shall include a  
14       letter authored by a licensed certified public accountant  
15       that it has been reviewed and is accurate based on the  
16       information provided. The dispensing organization,  
17       financial statement, and accompanying documents are not  
18       required to be audited unless specifically requested by  
19       the Department.

20       (e) A dispensing organization shall:

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

24           (2) Provide any documentation required to be  
25        maintained in this Section to the Department for review  
26        upon request; and

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

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

7 (g) Beginning January 1, 2026, all dispensing  
8 organizations shall maintain internal, confidential records  
9 that record a registered qualifying patient, provisional  
10 patient, or designated caregiver's transactions for the  
11 patient's adequate medical supply and whether it was dispensed  
12 directly to the patient, the Opioid Alternative Patient  
13 Program participant, or to the designated caregiver. Each  
14 entry must include the amount and the date and time the  
15 cannabis was dispensed. Additional recordkeeping requirements  
16 may be set by rule.

17 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
18 102-538, eff. 8-20-21.)

19 (410 ILCS 705/15-85)

20 Sec. 15-85. Dispensing cannabis.

21 (a) Before a dispensing organization agent dispenses  
22 cannabis to a purchaser, the agent shall:

23 (1) Verify the age of the purchaser by checking a  
24 government-issued identification card by use of an  
25 electronic reader or electronic scanning device to scan a

1 purchaser's government-issued identification, if  
2 applicable, to determine the purchaser's age and the  
3 validity of the identification;

4 (2) Verify the validity of the government-issued  
5 identification card by use of an electronic reader or  
6 electronic scanning device to scan a purchaser's  
7 government-issued identification, if applicable, to  
8 determine the purchaser's age and the validity of the  
9 identification;

10 (3) Offer any appropriate purchaser education or  
11 support materials;

12 (3-5) Verify the qualifying patient, Opioid  
13 Alternative Patient Program participant, provisional  
14 patient, or designated caregiver's registration card, if  
15 purchasing as a patient or caregiver;

16 (4) Enter the following information into the State's  
17 cannabis electronic verification system:

18 (i) The dispensing organization agent's  
19 identification number, or if the agent's card  
20 application is pending the Department's approval, a  
21 temporary and unique identifier until the agent's card  
22 application is approved or denied by the Department;

23 (ii) The dispensing organization's identification  
24 number;

25 (iii) The amount, type (including strain, if  
26 applicable) of cannabis or cannabis-infused product



1 dispensed;

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

3 (b) A dispensing organization shall refuse to sell  
4 cannabis or cannabis-infused products to any person unless the  
5 person produces a valid identification showing that the person  
6 is 21 years of age or older or a qualifying patient,  
7 provisional patient, Opioid Alternative Patient Program  
8 participant, or designated caregivers registered under the  
9 Compassionate Use of Medical Cannabis Program Act. ~~A medical~~  
10 ~~cannabis dispensing organization may sell cannabis or~~  
11 ~~cannabis-infused products to a person who is under 21 years of~~  
12 ~~age if the sale complies with the provisions of the~~  
13 ~~Compassionate Use of Medical Cannabis Program Act and rules.~~

14 (c) For the purposes of this Section, valid identification  
15 must:

16 (1) Be valid and unexpired;

17 (2) Contain a photograph and the date of birth of the  
18 person.

19 (d) A dispensing organization shall not dispense to a  
20 registered qualifying patient, Opioid Alternative Patient  
21 Program participant, provisional patient, or a designated  
22 caregiver, an amount exceeding the patient's adequate medical  
23 supply unless the qualifying patient has a Department of  
24 Public Health-approved quantity waiver.

25 (e) Notwithstanding any other provision of law, a  
26 dispensing organization may offer pickup or drive-through

1 locations for cannabis or cannabis-infused products to  
2 purchasers over 21 years of age, qualifying patients,  
3 provisional patients, and designated caregivers in accordance  
4 with Section 15-100 of this Act.

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

7 (410 ILCS 705/15-100)

8 Sec. 15-100. Security.

9 (a) A dispensing organization shall implement security  
10 measures to deter and prevent entry into and theft of cannabis  
11 or currency.

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

16 (c) The dispensing organization shall implement security  
17 measures to protect the premises, purchasers, and dispensing  
18 organization agents including, but not limited to the  
19 following:

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

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

25 (3) Develop a policy that addresses the maximum

1 capacity and purchaser flow in the waiting rooms and  
2 limited access areas;

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

5 (5) During hours of operation, store ~~and dispense~~ all  
6 cannabis in ~~from~~ the restricted access area. ~~During~~  
7 ~~operational hours, cannabis shall be stored~~ in an enclosed  
8 locked room or cabinet and accessible only to specifically  
9 authorized dispensing organization agents;

10 (5.5) During hours of operation, dispense all cannabis  
11 from the restricted access area, including a drive-through  
12 window, or from a pickup location in close proximity to  
13 the restricted access area. Orders in the pickup or  
14 drive-through location may only be placed by the purchaser  
15 or patient in advance, and the dispensing organization  
16 shall, prior to dispensing the cannabis, confirm that the  
17 purchaser, registered qualifying patient, Opioid  
18 Alternative Patient Program participant, provisional  
19 patient, or designated caregiver is in compliance with  
20 Section 15-85 of this Act. As used in this paragraph,  
21 "pickup location in close proximity" means an area  
22 contiguous to the real property of the dispensary, such as  
23 a sidewalk or parking lot;

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. The health care  
8 professional-patient privilege as set forth by Section  
9 8-802 of the Code of Civil Procedure shall apply between a  
10 qualifying patient, provisional patient, and a dispensing  
11 organization and its agents with respect to communications  
12 and records concerning patients' debilitating conditions.

13 (d) The Department may request or approve alternative  
14 security provisions that it determines are an adequate  
15 substitute for a security requirement specified in this  
16 Article. Any additional protections may be considered by the  
17 Department in evaluating overall security measures.

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

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

1 (g) Restricted access areas.

2 (1) All restricted access areas must be identified by  
3 the posting of a sign that is a minimum of 12 inches by 12  
4 inches and that states "Do Not Enter - Restricted Access  
5 Area - Authorized Personnel Only" in lettering no smaller  
6 than one inch in height.

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

13 (3) All restricted access areas must be secure, with  
14 locking devices that prevent access from the limited  
15 access areas.

16 (h) Security and alarm.

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

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

26 (ii) Security shatterproof tinted film on exterior

1 windows;

2 (iii) A failure notification system that provides  
3 an audible, text, or visual notification of any  
4 failure in the surveillance system, including, but not  
5 limited to, panic buttons, alarms, and video  
6 monitoring system. The failure notification system  
7 shall provide an alert to designated dispensing  
8 organization agents within 5 minutes after the  
9 failure, either by telephone or text message;

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

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

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

1           (3) Access to surveillance monitoring recording  
2 equipment shall be limited to persons who are essential to  
3 surveillance operations, law enforcement authorities  
4 acting within their jurisdiction, security system service  
5 personnel, and the Department. A current list of  
6 authorized dispensing organization agents and service  
7 personnel that have access to the surveillance equipment  
8 must be available to the Department upon request.

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

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

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

19           (i) To monitor the dispensary, the dispensing organization  
20 shall incorporate continuous electronic video monitoring  
21 including the following:

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

23           (2) Unobstructed video surveillance of all enclosed  
24 dispensary areas, unless prohibited by law, including all  
25 points of entry and exit that shall be appropriate for the  
26 normal lighting conditions of the area under surveillance.



1       The cameras shall be directed so all areas are captured,  
2       including, but not limited to, safes, vaults, sales areas,  
3       and areas where cannabis is stored, handled, dispensed, or  
4       destroyed. Cameras shall be angled to allow for facial  
5       recognition, the capture of clear and certain  
6       identification of any person entering or exiting the  
7       dispensary area and in lighting sufficient during all  
8       times of night or day;

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

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

26      (5) The ability to immediately produce a clear, color

1 still photo from the surveillance video, either live or  
2 recorded;

3 (6) A date and time stamp embedded on all video  
4 surveillance recordings. The date and time shall be  
5 synchronized and set correctly and shall not significantly  
6 obscure the picture;

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

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

22 (9) The video surveillance system shall be operational  
23 during a power outage with a 4-hour minimum battery  
24 backup;

25 (10) A video camera or cameras recording at each  
26 point-of-sale location allowing for the identification of

1 the dispensing organization agent distributing the  
2 cannabis and any purchaser. The camera or cameras shall  
3 capture the sale, the individuals and the computer  
4 monitors used for the sale;

5 (11) A failure notification system that provides an  
6 audible and visual notification of any failure in the  
7 electronic video monitoring system; and

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

13 (j) The requirements contained in this Act are minimum  
14 requirements for operating a dispensing organization. The  
15 Department may establish additional requirements by rule.

16 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
17 102-538, eff. 8-20-21.)

18 (410 ILCS 705/15-135)

19 Sec. 15-135. Investigations.

20 (a) Dispensing organizations are subject to random and  
21 unannounced dispensary inspections and cannabis testing by the  
22 Department, the Department of Agriculture, the Department of  
23 Revenue, the Department of Public Health, the Illinois State  
24 Police, local law enforcement, local health officials, or as  
25 provided by rule.

1           (b) The Department and its authorized representatives may  
2 enter any place, including a vehicle, in which cannabis is  
3 held, stored, dispensed, sold, produced, delivered,  
4 transported, manufactured, or disposed of and inspect, in a  
5 reasonable manner, the place and all pertinent equipment,  
6 containers and labeling, and all things including records,  
7 files, financial data, sales data, shipping data, pricing  
8 data, personnel data, research, papers, processes, controls,  
9 and facility, and inventory any stock of cannabis and obtain  
10 samples of any cannabis or cannabis-infused product, any  
11 labels or containers for cannabis, or paraphernalia.

12           (c) The Department may conduct an investigation of an  
13 applicant, application, dispensing organization, principal  
14 officer, dispensary agent, third party vendor, or any other  
15 party associated with a dispensing organization for an alleged  
16 violation of this Act or rules or to determine qualifications  
17 to be granted a registration by the Department.

18           (d) The Department may require an applicant or holder of  
19 any license issued pursuant to this Article to produce  
20 documents, records, or any other material pertinent to the  
21 investigation of an application or alleged violations of this  
22 Act or rules. Failure to provide the required material may be  
23 grounds for denial or discipline.

24           (e) Every person charged with preparation, obtaining, or  
25 keeping records, logs, reports, or other documents in  
26 connection with this Act and rules and every person in charge,

1 or having custody, of those documents shall, upon request by  
2 the Department, make the documents immediately available for  
3 inspection and copying by the Department, the Department's  
4 authorized representative, or others authorized by law to  
5 review the documents.

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

8 (410 ILCS 705/15-145)

9 Sec. 15-145. Grounds for discipline.

10 (a) The Department may deny issuance, refuse to renew or  
11 restore, or may reprimand, place on probation, suspend,  
12 revoke, or take other disciplinary or nondisciplinary action  
13 against any license or agent identification card or may impose  
14 a fine for any of the following:

15 (1) Material misstatement in furnishing information to  
16 the Department;

17 (2) Violations of this Act or rules;

18 (3) Obtaining an authorization or license by fraud or  
19 misrepresentation;

20 (4) A pattern of conduct that demonstrates  
21 incompetence or that the applicant has engaged in conduct  
22 or actions that would constitute grounds for discipline  
23 under this Act;

24 (5) Aiding or assisting another person in violating  
25 any provision of this Act or rules;

1           (6) Failing to respond to a written request for  
2 information by the Department within 30 days;

3           (7) Engaging in unprofessional, dishonorable, or  
4 unethical conduct of a character likely to deceive,  
5 defraud, or harm the public;

6           (8) Adverse action by another United States  
7 jurisdiction or foreign nation;

8           (9) A finding by the Department that the licensee,  
9 after having his or her license placed on suspended or  
10 probationary status, has violated the terms of the  
11 suspension or probation;

12           (10) Conviction, entry of a plea of guilty, nolo  
13 contendere, or the equivalent in a State or federal court  
14 of a principal officer or agent-in-charge of a felony  
15 offense in accordance with Sections 2105-131, 2105-135,  
16 and 2105-205 of the Department of Professional Regulation  
17 Law of the Civil Administrative Code of Illinois;

18           (11) Excessive use of or addiction to alcohol,  
19 narcotics, stimulants, or any other chemical agent or  
20 drug;

21           (12) A finding by the Department of a discrepancy in a  
22 Department audit of cannabis;

23           (13) A finding by the Department of a discrepancy in a  
24 Department audit of capital or funds;

25           (14) A finding by the Department of acceptance of  
26 cannabis from a source other than a cultivation center ~~an~~

1     ~~Adult Use Cultivation Center~~, craft grower, infuser, or  
2     transporting organization licensed by the Department of  
3     Agriculture, or a dispensing organization licensed by the  
4     Department;

5           (15) An inability to operate using reasonable  
6     judgment, skill, or safety due to physical or mental  
7     illness or other impairment or disability, including,  
8     without limitation, deterioration through the aging  
9     process or loss of motor skills or mental incompetence;

10          (16) Failing to report to the Department within the  
11     time frames established, or if not identified, 14 days, of  
12     any adverse action taken against the dispensing  
13     organization or an agent by a licensing jurisdiction in  
14     any state or any territory of the United States or any  
15     foreign jurisdiction, any governmental agency, any law  
16     enforcement agency or any court defined in this Section;

17          (17) Any violation of the dispensing organization's  
18     policies and procedures submitted to the Department  
19     annually as a condition for licensure;

20          (18) Failure to inform the Department of any change of  
21     address within 10 business days;

22          (19) Disclosing customer names, personal information,  
23     or protected health information in violation of any State  
24     or federal law;

25          (20) Operating a dispensary before obtaining a license  
26     from the Department;

1 (21) Performing duties authorized by this Act prior to  
2 receiving a license to perform such duties;

3 (22) Dispensing cannabis when prohibited by this Act  
4 or rules;

5 (23) Any fact or condition that, if it had existed at  
6 the time of the original application for the license,  
7 would have warranted the denial of the license;

8 (24) Permitting a person without a valid agent  
9 identification card to perform licensed activities under  
10 this Act;

11 (25) Failure to assign an agent-in-charge as required  
12 by this Article;

13 (26) Failure to provide the training required by  
14 paragraph (3) of subsection (i) of Section 15-40 within  
15 the provided timeframe;

16 (27) Personnel insufficient in number or unqualified  
17 in training or experience to properly operate the  
18 dispensary business;

19 (28) Any pattern of activity that causes a harmful  
20 impact on the community; ~~and~~

21 (29) Failing to prevent diversion, theft, or loss of  
22 cannabis; and -

23 (30) Engaging in a pattern of nonpayment or late  
24 payment for goods or services to a cannabis business  
25 establishment.

26 (b) All fines and fees imposed under this Section shall be



1 paid within 60 days after the effective date of the order  
2 imposing the fine or as otherwise specified in the order.

3 (c) A circuit court order establishing that an  
4 agent-in-charge or principal officer holding an agent  
5 identification card is subject to involuntary admission as  
6 that term is defined in Section 1-119 or 1-119.1 of the Mental  
7 Health and Developmental Disabilities Code shall operate as a  
8 suspension of that card.

9 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

10 (410 ILCS 705/Art. 20 heading)

11 Article 20.

12 ~~Adult Use~~ Cultivation Centers

13 (Source: P.A. 101-27, eff. 6-25-19.)

14 (410 ILCS 705/20-10)

15 Sec. 20-10. Early Approval of Adult Use Cultivation Center  
16 License.

17 (a) Any medical cannabis cultivation center registered and  
18 in good standing under the Compassionate Use of Medical  
19 Cannabis Program Act as of the effective date of this Act may,  
20 within 60 days of the effective date of this Act but no later  
21 than 180 days from the effective date of this Act, apply to the  
22 Department of Agriculture for an Early Approval Adult Use  
23 Cultivation Center License to produce cannabis and  
24 cannabis-infused products at its existing facilities as of the

1 effective date of this Act.

2 (b) A medical cannabis cultivation center seeking issuance  
3 of an Early Approval Adult Use Cultivation Center License  
4 shall submit an application on forms provided by the  
5 Department of Agriculture. The application must meet or  
6 include the following qualifications:

7 (1) Payment of a nonrefundable application fee of  
8 \$100,000 to be deposited into the Cannabis Regulation  
9 Fund;

10 (2) Proof of registration as a medical cannabis  
11 cultivation center that is in good standing;

12 (3) Submission of the application by the same person  
13 or entity that holds the medical cannabis cultivation  
14 center registration;

15 (4) Certification that the applicant will comply with  
16 the requirements of Section 20-30;

17 (5) The legal name of the cultivation center;

18 (6) The physical address of the cultivation center;

19 (7) The name, address, social security number, and  
20 date of birth of each principal officer and board member  
21 of the cultivation center; each of those individuals shall  
22 be at least 21 years of age;

23 (8) A nonrefundable Cannabis Business Development Fee  
24 equal to 5% of the cultivation center's total sales  
25 between June 1, 2018 to June 1, 2019 or \$750,000,  
26 whichever is less, but at not less than \$250,000, to be

1 deposited into the Cannabis Business Development Fund; and

2 (9) A commitment to completing one of the following  
3 Social Equity Inclusion Plans provided for in this  
4 subsection (b) before the expiration of the Early Approval  
5 Adult Use Cultivation Center License:

6 (A) A contribution of 5% of the cultivation  
7 center's total sales from June 1, 2018 to June 1, 2019,  
8 or \$100,000, whichever is less, to one of the  
9 following:

10 (i) the Cannabis Business Development Fund.  
11 This is in addition to the fee required by item (8)  
12 of this subsection (b);

13 (ii) a cannabis industry training or education  
14 program at an Illinois community college as  
15 defined in the Public Community College Act;

16 (iii) a program that provides job training  
17 services to persons recently incarcerated or that  
18 operates in a Disproportionately Impacted Area.

19 (B) Participate as a host in a cannabis business  
20 incubator program for at least one year approved by  
21 the Department of Commerce and Economic Opportunity,  
22 and in which an Early Approval Adult Use Cultivation  
23 Center License holder agrees to provide a loan of at  
24 least \$100,000 and mentorship to incubate, for at  
25 least a year, a Social Equity Applicant intending to  
26 seek a license or a licensee that qualifies as a Social

1 Equity Applicant. As used in this Section, "incubate"  
2 means providing direct financial assistance and  
3 training necessary to engage in licensed cannabis  
4 industry activity similar to that of the host  
5 licensee. The Early Approval Adult Use Cultivation  
6 Center License holder or the same entity holding any  
7 other licenses issued pursuant to this Act shall not  
8 take an ownership stake of greater than 10% in any  
9 business receiving incubation services to comply with  
10 this subsection. If an Early Approval Adult Use  
11 Cultivation Center License holder fails to find a  
12 business to incubate to comply with this subsection  
13 before its Early Approval Adult Use Cultivation Center  
14 License expires, it may opt to meet the requirement of  
15 this subsection by completing another item from this  
16 subsection prior to the expiration of its Early  
17 Approval Adult Use Cultivation Center License to avoid  
18 a penalty.

19 (c) An Early Approval Adult Use Cultivation Center License  
20 is valid until March 31, 2021. A cultivation center that  
21 obtains an Early Approval Adult Use Cultivation Center License  
22 shall receive written or electronic notice 90 days before the  
23 expiration of the license that the license will expire, and  
24 inform the license holder that it may renew its Early Approval  
25 Adult Use Cultivation Center License. The Department of  
26 Agriculture shall grant a renewal of an Early Approval Adult

1 Use Cultivation Center License within 60 days of submission of  
2 an application if:

3 (1) the cultivation center submits an application and  
4 the required renewal fee of \$100,000 for an Early Approval  
5 Adult Use Cultivation Center License;

6 (2) the Department of Agriculture has not suspended  
7 the license of the cultivation center or suspended or  
8 revoked the license for violating this Act or rules  
9 adopted under this Act; and

10 (3) the cultivation center has completed a Social  
11 Equity Inclusion Plan as required by item (9) of  
12 subsection (b) of this Section.

13 (c-5) The Early Approval Adult Use Cultivation Center  
14 License renewed pursuant to subsection (c) of this Section  
15 shall expire March 31, 2022. The Early Approval Adult Use  
16 Cultivation Center Licensee shall receive written or  
17 electronic notice 90 days before the expiration of the license  
18 that the license will expire, and inform the license holder  
19 that it may apply for a ~~an Adult Use~~ Cultivation Center  
20 License. The Department of Agriculture shall grant a  
21 Cultivation Center ~~an Adult Use Dispensing Organization~~  
22 License within 60 days of an application being deemed complete  
23 if the applicant meets all of the criteria in Section 20-21.

24 (d) The license fee required by paragraph (1) of  
25 subsection (c) of this Section shall be in addition to any  
26 license fee required for the renewal of a registered medical

1 cannabis cultivation center license that expires during the  
2 effective period of the Early Approval Adult Use Cultivation  
3 Center License.

4 (e) Applicants must submit all required information,  
5 including the requirements in subsection (b) of this Section,  
6 to the Department of Agriculture. Failure by an applicant to  
7 submit all required information may result in the application  
8 being disqualified.

9 (f) If the Department of Agriculture receives an  
10 application with missing information, the Department may issue  
11 a deficiency notice to the applicant. The applicant shall have  
12 10 calendar days from the date of the deficiency notice to  
13 submit complete information. Applications that are still  
14 incomplete after this opportunity to cure may be disqualified.

15 (g) If an applicant meets all the requirements of  
16 subsection (b) of this Section, the Department of Agriculture  
17 shall issue the Early Approval Adult Use Cultivation Center  
18 License within 14 days of receiving the application unless:

19 (1) The licensee; principal officer, board member, or  
20 person having a financial or voting interest of 5% or  
21 greater in the licensee; or agent is delinquent in filing  
22 any required tax returns or paying any amounts owed to the  
23 State of Illinois;

24 (2) The Director of Agriculture determines there is  
25 reason, based on an inordinate number of documented  
26 compliance violations, the licensee is not entitled to an

1 Early Approval Adult Use Cultivation Center License; or

2 (3) The licensee fails to commit to the Social Equity  
3 Inclusion Plan.

4 (h) A cultivation center may begin producing cannabis and  
5 cannabis-infused products once the Early Approval Adult Use  
6 Cultivation Center License is approved. A cultivation center  
7 that obtains an Early Approval Adult Use Cultivation Center  
8 License may begin selling cannabis and cannabis-infused  
9 products on December 1, 2019.

10 (i) An Early Approval Adult Use Cultivation Center License  
11 holder must continue to produce and provide an adequate supply  
12 of cannabis and cannabis-infused products for purchase by  
13 qualifying patients and caregivers. For the purposes of this  
14 subsection, "adequate supply" means a monthly production level  
15 that is comparable in type and quantity to those medical  
16 cannabis products produced for patients and caregivers on an  
17 average monthly basis for the 6 months before the effective  
18 date of this Act.

19 (j) If there is a shortage of cannabis or cannabis-infused  
20 products, a license holder shall prioritize patients  
21 registered under the Compassionate Use of Medical Cannabis  
22 Program Act over adult use purchasers.

23 (k) If an Early Approval Adult Use Cultivation Center  
24 licensee fails to submit an application for a ~~an Adult Use~~  
25 Cultivation Center License before the expiration of the Early  
26 Approval Adult Use Cultivation Center License pursuant to

1 subsection (c-5) of this Section, the cultivation center shall  
2 cease all ~~adult use~~ cultivation until it receives a ~~an Adult~~  
3 ~~Use~~ Cultivation Center License.

4 (1) A cultivation center agent who holds a valid  
5 cultivation center agent identification card issued under the  
6 Compassionate Use of Medical Cannabis Program Act and is an  
7 officer, director, manager, or employee of the cultivation  
8 center licensed under this Section may engage in all  
9 activities authorized by this Article to be performed by a  
10 cultivation center agent.

11 (m) If the Department of Agriculture suspends or revokes  
12 the Early Approval Adult Use Cultivation Center License of a  
13 cultivation center that also holds a medical cannabis  
14 cultivation center license issued under the Compassionate Use  
15 of Medical Cannabis Program Act, the Department of Agriculture  
16 may suspend or revoke the medical cannabis cultivation center  
17 license concurrently with the Early Approval Adult Use  
18 Cultivation Center License.

19 (n) All fees or fines collected from an Early Approval  
20 Adult Use Cultivation Center License holder as a result of a  
21 disciplinary action in the enforcement of this Act shall be  
22 deposited into the Cannabis Regulation Fund.

23 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

24 (410 ILCS 705/20-15)

25 Sec. 20-15. Conditional ~~Adult Use~~ Cultivation Center



1 application.

2 (a) If the Department of Agriculture makes available  
3 additional cultivation center licenses pursuant to Section  
4 20-5, applicants for a Conditional ~~Adult-Use~~ Cultivation  
5 Center License shall electronically submit the following in  
6 such form as the Department of Agriculture may direct:

7 (1) the nonrefundable application fee set by rule by  
8 the Department of Agriculture, to be deposited into the  
9 Cannabis Regulation Fund;

10 (2) the legal name of the cultivation center;

11 (3) the proposed physical address of the cultivation  
12 center;

13 (4) the name, address, social security number, and  
14 date of birth of each principal officer and board member  
15 of the cultivation center; each principal officer and  
16 board member shall be at least 21 years of age;

17 (5) the details of any administrative or judicial  
18 proceeding in which any of the principal officers or board  
19 members of the cultivation center (i) pled guilty, were  
20 convicted, were fined, or had a registration or license  
21 suspended or revoked, or (ii) managed or served on the  
22 board of a business or non-profit organization that pled  
23 guilty, was convicted, was fined, or had a registration or  
24 license suspended or revoked;

25 (6) proposed operating bylaws that include procedures  
26 for the oversight of the cultivation center, including the

1 development and implementation of a plant monitoring  
2 system, accurate recordkeeping, staffing plan, and  
3 security plan approved by the Illinois State Police that  
4 are in accordance with the rules issued by the Department  
5 of Agriculture under this Act. A physical inventory shall  
6 be performed of all plants and cannabis on a weekly basis  
7 by the cultivation center;

8 (7) verification from the Illinois State Police that  
9 all background checks of the prospective principal  
10 officers, board members, and agents of the cannabis  
11 business establishment have been conducted;

12 (8) a copy of the current local zoning ordinance or  
13 permit and verification that the proposed cultivation  
14 center is in compliance with the local zoning rules and  
15 distance limitations established by the local  
16 jurisdiction;

17 (9) proposed employment practices, in which the  
18 applicant must demonstrate a plan of action to inform,  
19 hire, and educate minorities, women, veterans, and persons  
20 with disabilities, engage in fair labor practices, and  
21 provide worker protections;

22 (10) whether an applicant can demonstrate experience  
23 in or business practices that promote economic empowerment  
24 in Disproportionately Impacted Areas;

25 (11) experience with the cultivation of agricultural  
26 or horticultural products, operating an agriculturally

1 related business, or operating a horticultural business;

2 (12) a description of the enclosed, locked facility  
3 where cannabis will be grown, harvested, manufactured,  
4 processed, packaged, or otherwise prepared for  
5 distribution to a dispensing organization;

6 (13) a survey of the enclosed, locked facility,  
7 including the space used for cultivation;

8 (14) cultivation, processing, inventory, and packaging  
9 plans;

10 (15) a description of the applicant's experience with  
11 agricultural cultivation techniques and industry  
12 standards;

13 (16) a list of any academic degrees, certifications,  
14 or relevant experience of all prospective principal  
15 officers, board members, and agents of the related  
16 business;

17 (17) the identity of every person having a financial  
18 or voting interest of 5% or greater in the cultivation  
19 center operation with respect to which the license is  
20 sought, whether a trust, corporation, partnership, limited  
21 liability company, or sole proprietorship, including the  
22 name and address of each person;

23 (18) a plan describing how the cultivation center will  
24 address each of the following:

25 (i) energy needs, including estimates of monthly  
26 electricity and gas usage, to what extent it will

1 procure energy from a local utility or from on-site  
2 generation, and if it has or will adopt a sustainable  
3 energy use and energy conservation policy;

4 (ii) water needs, including estimated water draw  
5 and if it has or will adopt a sustainable water use and  
6 water conservation policy; and

7 (iii) waste management, including if it has or  
8 will adopt a waste reduction policy;

9 (19) a diversity plan that includes a narrative of not  
10 more than 2,500 words that establishes a goal of diversity  
11 in ownership, management, employment, and contracting to  
12 ensure that diverse participants and groups are afforded  
13 equality of opportunity;

14 (20) any other information required by rule;

15 (21) a recycling plan:

16 (A) Purchaser packaging, including cartridges,  
17 shall be accepted by the applicant and recycled.

18 (B) Any recyclable waste generated by the cannabis  
19 cultivation facility shall be recycled per applicable  
20 State and local laws, ordinances, and rules.

21 (C) Any cannabis waste, liquid waste, or hazardous  
22 waste shall be disposed of in accordance with 8 Ill.  
23 Adm. Code 1000.460, except, to the greatest extent  
24 feasible, all cannabis plant waste will be rendered  
25 unusable by grinding and incorporating the cannabis  
26 plant waste with compostable mixed waste to be

1 disposed of in accordance with 8 Ill. Adm. Code  
2 1000.460 (g) (1);

3 (22) commitment to comply with local waste provisions:  
4 a cultivation facility must remain in compliance with  
5 applicable State and federal environmental requirements,  
6 including, but not limited to:

7 (A) storing, securing, and managing all  
8 recyclables and waste, including organic waste  
9 composed of or containing finished cannabis and  
10 cannabis products, in accordance with applicable State  
11 and local laws, ordinances, and rules; and

12 (B) disposing liquid waste containing cannabis or  
13 byproducts of cannabis processing in compliance with  
14 all applicable State and federal requirements,  
15 including, but not limited to, the cannabis  
16 cultivation facility's permits under Title X of the  
17 Environmental Protection Act; and

18 (23) a commitment to a technology standard for  
19 resource efficiency of the cultivation center facility.

20 (A) A cannabis cultivation facility commits to use  
21 resources efficiently, including energy and water. For  
22 the following, a cannabis cultivation facility commits  
23 to meet or exceed the technology standard identified  
24 in items (i), (ii), (iii), and (iv), which may be  
25 modified by rule:

26 (i) lighting systems, including light bulbs;

1 (ii) HVAC system;

2 (iii) water application system to the crop;

3 and

4 (iv) filtration system for removing  
5 contaminants from wastewater.

6 (B) Lighting. The Lighting Power Densities (LPD)  
7 for cultivation space commits to not exceed an average  
8 of 36 watts per gross square foot of active and growing  
9 space canopy, or all installed lighting technology  
10 shall meet a photosynthetic photon efficacy (PPE) of  
11 no less than 2.2 micromoles per joule fixture and  
12 shall be featured on the DesignLights Consortium (DLC)  
13 Horticultural Specification Qualified Products List  
14 (QPL). In the event that DLC requirement for minimum  
15 efficacy exceeds 2.2 micromoles per joule fixture,  
16 that PPE shall become the new standard.

17 (C) HVAC. The ~~(i) For cannabis grow operations~~  
18 ~~with less than 6,000 square feet of canopy, the~~  
19 licensee commits that all HVAC units will be  
20 high-efficiency ductless split HVAC units, or other  
21 more energy efficient equipment.

22 ~~(ii) For cannabis grow operations with 6,000~~  
23 ~~square feet of canopy or more, the licensee~~  
24 ~~commits that all HVAC units will be variable~~  
25 ~~refrigerant flow HVAC units, or other more energy~~  
26 ~~efficient equipment.~~

1 (D) Water application.

2 (i) The cannabis cultivation facility commits  
3 to use automated watering systems, including, but  
4 not limited to, drip irrigation and flood tables,  
5 to irrigate cannabis crops ~~crop~~.

6 (ii) The cannabis cultivation facility commits  
7 to measure runoff from watering events and report  
8 this volume in its water usage plan, and that on  
9 average, watering events shall have no more than  
10 20% of runoff of water.

11 (E) Filtration. The cultivator commits that HVAC  
12 condensate, dehumidification water, excess runoff, and  
13 other wastewater produced by the cannabis cultivation  
14 facility shall be captured and filtered to the best of  
15 the facility's ability to achieve the quality needed  
16 to be reused in subsequent watering rounds.

17 (F) Reporting energy use and efficiency as  
18 required by rule.

19 (b) Applicants must submit all required information,  
20 including the information required in Section 20-10, to the  
21 Department of Agriculture. Failure by an applicant to submit  
22 all required information may result in the application being  
23 disqualified.

24 (c) If the Department of Agriculture receives an  
25 application with missing information, the Department of  
26 Agriculture may issue a deficiency notice to the applicant.

1 The applicant shall have 10 calendar days from the date of the  
2 deficiency notice to resubmit the incomplete information.  
3 Applications that are still incomplete after this opportunity  
4 to cure will not be scored and will be disqualified.

5 (d) (Blank).

6 (e) A cultivation center that is awarded a Conditional  
7 Adult Use Cultivation Center License pursuant to the criteria  
8 in Section 20-20 shall not grow, purchase, possess, or sell  
9 cannabis or cannabis-infused products until the person has  
10 received an Adult Use Cultivation Center License issued by the  
11 Department of Agriculture pursuant to Section 20-21 of this  
12 Act.

13 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
14 102-538, eff. 8-20-21; revised 7-23-24.)

15 (410 ILCS 705/20-20)

16 Sec. 20-20. Conditional Cultivation Center ~~Adult Use~~  
17 License scoring applications.

18 (a) The Department of Agriculture shall by rule develop a  
19 system to score cultivation center applications to  
20 administratively rank applications based on the clarity,  
21 organization, and quality of the applicant's responses to  
22 required information. Applicants shall be awarded points based  
23 on the following categories:

24 (1) Suitability of the proposed facility;

25 (2) Suitability of employee training plan;



1           (3) Security and recordkeeping;

2           (4) Cultivation plan;

3           (5) Product safety and labeling plan;

4           (6) Business plan;

5           (7) The applicant's status as a Social Equity  
6 Applicant, which shall constitute no less than 20% of  
7 total available points;

8           (8) Labor and employment practices, which shall  
9 constitute no less than 2% of total available points;

10          (9) Environmental plan as described in paragraphs  
11 (18), (21), (22), and (23) of subsection (a) of Section  
12 20-15;

13          (10) The applicant is 51% or more owned and controlled  
14 by an individual or individuals who have been an Illinois  
15 resident for the past 5 years as proved by tax records or 2  
16 of the following:

17               (A) a signed lease agreement that includes the  
18 applicant's name;

19               (B) a property deed that includes the applicant's  
20 name;

21               (C) school records;

22               (D) a voter registration card;

23               (E) an Illinois driver's license, an Illinois  
24 Identification Card, or an Illinois Person with a  
25 Disability Identification Card;

26               (F) a paycheck stub;

1 (G) a utility bill; or

2 (H) any other proof of residency or other  
3 information necessary to establish residence as  
4 provided by rule;

5 (11) The applicant is 51% or more controlled and owned  
6 by an individual or individuals who meet the  
7 qualifications of a veteran as defined by Section 45-57 of  
8 the Illinois Procurement Code;

9 (12) a diversity plan that includes a narrative of not  
10 more than 2,500 words that establishes a goal of diversity  
11 in ownership, management, employment, and contracting to  
12 ensure that diverse participants and groups are afforded  
13 equality of opportunity; and

14 (13) Any other criteria the Department of Agriculture  
15 may set by rule for points.

16 (b) The Department may also award bonus points for the  
17 applicant's plan to engage with the community. Bonus points  
18 will only be awarded if the Department receives applications  
19 that receive an equal score for a particular region.

20 (c) Should the applicant be awarded a cultivation center  
21 license, the information and plans that an applicant provided  
22 in its application, including any plans submitted for the  
23 acquiring of bonus points, becomes a mandatory condition of  
24 the permit. Any variation from or failure to perform such  
25 plans may result in discipline, including the revocation or  
26 nonrenewal of a license.

1 (d) Should the applicant be awarded a cultivation center  
2 license, it shall pay a fee of \$100,000 prior to receiving the  
3 license, to be deposited into the Cannabis Regulation Fund.  
4 The Department of Agriculture may by rule adjust the fee in  
5 this Section after January 1, 2021.

6 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

7 (410 ILCS 705/20-21)

8 Sec. 20-21. ~~Adult Use~~ Cultivation Center License.

9 (a) A person or entity is only eligible to receive a ~~an~~  
10 ~~Adult Use~~ Cultivation Center License if the person or entity  
11 has first been awarded a Conditional ~~Adult Use~~ Cultivation  
12 Center License pursuant to this Act or the person or entity has  
13 renewed its Early Approval Cultivation Center License pursuant  
14 to subsection (c) of Section 20-10.

15 (b) The Department of Agriculture shall not issue a ~~an~~  
16 ~~Adult Use~~ Cultivation Center License until:

17 (1) the Department of Agriculture has inspected the  
18 cultivation center site and proposed operations and  
19 verified that they are in compliance with this Act and  
20 local zoning laws;

21 (2) the Conditional ~~Adult Use~~ Cultivation Center  
22 License holder has paid a registration fee of \$100,000 or  
23 a prorated amount accounting for the difference of time  
24 between when the ~~Adult Use~~ Cultivation Center License is  
25 issued and March 31 of the next even-numbered year; and

1           (3) The Conditional ~~Adult Use~~ Cultivation Center  
2           License holder has met all the requirements in the Act and  
3           rules.

4           (c) Notwithstanding any other provision of law, on and  
5           after January 1, 2026, the Department shall cease to issue or  
6           renew any medical cannabis cultivation permit issued under the  
7           Compassionate Use of Medical Cannabis Act. Licensees that hold  
8           dual Medical Cannabis Cultivation Permits and Adult Use  
9           Cultivation Center Licenses may continue all operations with a  
10          valid Cultivation Center License issued under this Act that is  
11          in good standing.

12          (1) The Department shall create a process for licenses  
13          to transition to sole operation as Cultivation Centers;  
14          including refund or proration of medical cultivation  
15          center permit fees.

16          (2) Any statements or plans submitted as part of an  
17          initial application for a medical cannabis cultivation  
18          permit as well as all subsequent modifications and  
19          alterations shall remain a mandatory condition of the  
20          cultivation center license.

21          (3) Cultivation Centers shall not relocate except  
22          within the same Illinois State Police District boundary as  
23          specified on the date of January 1, 2013 in which the  
24          initial Medical Cannabis Cultivation Permit was initially  
25          issued.

26          (Source: P.A. 101-27, eff. 6-25-19.)

1 (410 ILCS 705/20-30)

2 Sec. 20-30. Cultivation center requirements; prohibitions.

3 (a) The operating documents of a cultivation center shall  
4 include procedures for the oversight of the cultivation  
5 center, a cannabis plant monitoring system including a  
6 physical inventory recorded weekly, accurate recordkeeping,  
7 and a staffing plan.

8 (b) A cultivation center shall implement a security plan  
9 reviewed by the Illinois State Police that includes, but is  
10 not limited to: facility access controls, perimeter intrusion  
11 detection systems, personnel identification systems, 24-hour  
12 surveillance system to monitor the interior and exterior of  
13 the cultivation center facility and accessibility to  
14 authorized law enforcement, the Department of Public Health  
15 where processing takes place, and the Department of  
16 Agriculture in real time.

17 (c) All cultivation of cannabis by a cultivation center  
18 must take place in an enclosed, locked facility at the  
19 physical address provided to the Department of Agriculture  
20 during the licensing process. The cultivation center location  
21 shall only be accessed by the agents working for the  
22 cultivation center, the Department of Agriculture staff  
23 performing inspections, the Department of Public Health staff  
24 performing inspections, local and State law enforcement or  
25 other emergency personnel, contractors working on jobs

1 unrelated to cannabis, such as installing or maintaining  
2 security devices or performing electrical wiring, transporting  
3 organization agents as provided in this Act, individuals in a  
4 mentoring or educational program approved by the State, or  
5 other individuals as provided by rule.

6 (d) A cultivation center may not sell or distribute any  
7 cannabis or cannabis-infused products to any person other than  
8 a dispensing organization, craft grower, infuser organization,  
9 transporter, or as otherwise authorized by rule.

10 (e) A cultivation center may not either directly or  
11 indirectly discriminate in price between different dispensing  
12 organizations, craft growers, or infuser organizations that  
13 are purchasing a like grade, strain, brand, and quality of  
14 cannabis or cannabis-infused product. Nothing in this  
15 subsection (e) prevents a cultivation center from pricing  
16 cannabis differently based on differences in the cost of  
17 manufacturing or processing, the quantities sold, such as  
18 volume discounts, or the way the products are delivered.

19 (f) All cannabis harvested by a cultivation center and  
20 intended for distribution to a dispensing organization must be  
21 entered into a data collection system, packaged and labeled  
22 under Section 55-21, and placed into a cannabis container for  
23 transport. All cannabis harvested by a cultivation center and  
24 intended for distribution to a craft grower or infuser  
25 organization must be packaged in a labeled cannabis container  
26 and entered into a data collection system before transport.

1           (g) Cultivation centers are subject to random inspections  
2 by the Department of Agriculture, the Department of Public  
3 Health, local safety or health inspectors, the Illinois State  
4 Police, or as provided by rule.

5           (h) A cultivation center agent shall notify local law  
6 enforcement, the Illinois State Police, and the Department of  
7 Agriculture within 24 hours of the discovery of any loss or  
8 theft. Notification shall be made by phone or in person, or by  
9 written or electronic communication.

10          (i) A cultivation center shall comply with all State and  
11 any applicable federal rules and regulations regarding the use  
12 of pesticides on cannabis plants.

13          (j) No person or entity shall hold any legal, equitable,  
14 ownership, or beneficial interest, directly or indirectly, of  
15 more than 3 cultivation centers licensed under this Article.  
16 Further, no person or entity that is employed by, an agent of,  
17 has a contract to receive payment in any form from a  
18 cultivation center, is a principal officer of a cultivation  
19 center, or entity controlled by or affiliated with a principal  
20 officer of a cultivation shall hold any legal, equitable,  
21 ownership, or beneficial interest, directly or indirectly, in  
22 a cultivation that would result in the person or entity owning  
23 or controlling in combination with any cultivation center,  
24 principal officer of a cultivation center, or entity  
25 controlled or affiliated with a principal officer of a  
26 cultivation center by which he, she, or it is employed, is an

1 agent of, or participates in the management of, more than 3  
2 cultivation center licenses.

3 (k) A cultivation center may not contain more than 210,000  
4 square feet of canopy space for plants in the flowering stage  
5 for cultivation of adult use cannabis as provided in this Act.

6 (l) A cultivation center may process cannabis, cannabis  
7 concentrates, and cannabis-infused products.

8 (m) Beginning July 1, 2020, a cultivation center shall not  
9 transport cannabis or cannabis-infused products to a craft  
10 grower, dispensing organization, infuser organization, or  
11 laboratory licensed under this Act, unless it has obtained a  
12 transporting organization license.

13 (n) It is unlawful for any person having a cultivation  
14 center license or any officer, associate, member,  
15 representative, or agent of such licensee to offer or deliver  
16 money, or anything else of value, directly or indirectly to  
17 any person having an Early Approval Adult Use Dispensing  
18 Organization License, a Conditional Adult Use Dispensing  
19 Organization License, an Adult Use Dispensing Organization  
20 License, or a medical cannabis dispensing organization license  
21 issued under the Compassionate Use of Medical Cannabis Program  
22 Act, or to any person connected with or in any way  
23 representing, or to any member of the family of, such person  
24 holding an Early Approval Adult Use Dispensing Organization  
25 License, a Conditional Adult Use Dispensing Organization  
26 License, an Adult Use Dispensing Organization License, or a



1 medical cannabis dispensing organization license issued under  
2 the Compassionate Use of Medical Cannabis Program Act, or to  
3 any stockholders in any corporation engaged in the retail sale  
4 of cannabis, or to any officer, manager, agent, or  
5 representative of the Early Approval Adult Use Dispensing  
6 Organization License, a Conditional Adult Use Dispensing  
7 Organization License, an Adult Use Dispensing Organization  
8 License, or a medical cannabis dispensing organization license  
9 issued under the Compassionate Use of Medical Cannabis Program  
10 Act to obtain preferential placement within the dispensing  
11 organization, including, without limitation, on shelves and in  
12 display cases where purchasers can view products, or on the  
13 dispensing organization's website.

14 (o) A cultivation center must comply with any other  
15 requirements or prohibitions set by administrative rule of the  
16 Department of Agriculture.

17 (p) A cultivation center may not be located within 2,500  
18 feet of the property line of a pre-existing public or private  
19 preschool or elementary or secondary school or day care  
20 center, day care home, group day care home, part day child care  
21 facility, or an area zoned for residential use.

22 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
23 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
24 5-13-22.)

1       Sec. 20-35. Cultivation center agent identification card.

2       (a) The Department of Agriculture shall:

3           (1) establish by rule the information required in an  
4       initial application or renewal application for an agent  
5       identification card submitted under this Act and the  
6       nonrefundable fee to accompany the initial application or  
7       renewal application;

8           (2) verify the information contained in an initial  
9       application or renewal application for an agent  
10      identification card submitted under this Act, and approve  
11      or deny an application within 30 days of receiving a  
12      completed initial application or renewal application and  
13      all supporting documentation required by rule;

14          (3) issue an agent identification card to a qualifying  
15      agent within 15 business days of approving the initial  
16      application or renewal application;

17          (4) enter the license number of the cultivation center  
18      where the agent works; and

19          (5) allow for an electronic initial application and  
20      renewal application process, and provide a confirmation by  
21      electronic or other methods that an application has been  
22      submitted. The Department of Agriculture may by rule  
23      require prospective agents to file their applications by  
24      electronic means and provide notices to the agents by  
25      electronic means.

26      (b) An agent must keep his or her identification card

1 visible at all times when on the property of the cultivation  
2 center at which the agent is employed.

3 (c) The agent identification cards shall contain the  
4 following:

5 (1) the name of the cardholder;

6 (2) the date of issuance and expiration date of the  
7 identification card;

8 (3) a random 10-digit alphanumeric identification  
9 number containing at least 4 numbers and at least 4  
10 letters that is unique to the holder;

11 (4) a photograph of the cardholder; and

12 (5) the legal name of the cultivation center employing  
13 the agent.

14 (d) An agent identification card shall be immediately  
15 returned to the cultivation center of the agent upon  
16 termination of his or her employment.

17 (e) Any agent identification card lost by a cultivation  
18 center agent shall be reported to the Illinois State Police  
19 and the Department of Agriculture immediately upon discovery  
20 of the loss.

21 (f) The Department of Agriculture shall not issue an agent  
22 identification card if the applicant is delinquent in filing  
23 any required tax returns or paying any amounts owed to the  
24 State of Illinois.

25 (g) The Department and the Department of Financial and  
26 Professional Regulation may develop and implement an

1 integrated system to issue an agent identification card which  
2 identifies a cultivation center agent licensed by the  
3 Department as well as any craft grower, transporter,  
4 dispensing organization, community college program, or infuser  
5 license or registration the agent may simultaneously hold.

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

7 (410 ILCS 705/20-45)

8 Sec. 20-45. Renewal of cultivation center licenses and  
9 agent identification cards.

10 (a) Licenses and identification cards issued under this  
11 Act shall be renewed annually. A cultivation center shall  
12 receive written or electronic notice 90 days before the  
13 expiration of its current license that the license will  
14 expire. The Department of Agriculture shall grant a renewal  
15 within 45 days of submission of a renewal application if:

16 (1) the cultivation center submits a renewal  
17 application and the required nonrefundable renewal fee of  
18 \$100,000, or another amount as the Department of  
19 Agriculture may set by rule after January 1, 2021, to be  
20 deposited into the Cannabis Regulation Fund. On or after  
21 January 1, 2026, the Cultivation Center License renewal  
22 fee shall be \$200,000 to be deposited into the Cannabis  
23 Regulation Fund. For the 2026 renewal cycle the Department  
24 may set up a process to refund or prorate renewal fees.

25 (2) the Department of Agriculture has not suspended

1 the license of the cultivation center or suspended or  
2 revoked the license for violating this Act or rules  
3 adopted under this Act;

4 (3) the cultivation center has continued to operate in  
5 accordance with all plans submitted as part of its  
6 application and approved by the Department of Agriculture  
7 or any amendments thereto that have been approved by the  
8 Department of Agriculture;

9 (4) the cultivation center has submitted an agent,  
10 employee, contracting, and subcontracting diversity report  
11 as required by the Department; and

12 (5) the cultivation center has submitted an  
13 environmental impact report.

14 (b) If a cultivation center fails to renew its license  
15 before expiration, it shall cease operations until its license  
16 is renewed.

17 (c) If a cultivation center agent fails to renew his or her  
18 identification card before its expiration, he or she shall  
19 cease to work as an agent of the cultivation center until his  
20 or her identification card is renewed.

21 (d) Any cultivation center that continues to operate, or  
22 any cultivation center agent who continues to work as an  
23 agent, after the applicable license or identification card has  
24 expired without renewal is subject to the penalties provided  
25 under Section 45-5.

26 (e) The Department of Agriculture shall not renew a

1 license or an agent identification card if the applicant is  
2 delinquent in filing any required tax returns or paying any  
3 amounts owed to the State.

4 (Source: P.A. 101-27, eff. 6-25-19.)

5 (410 ILCS 705/25-35)

6 (Section scheduled to be repealed on July 1, 2026)

7 Sec. 25-35. Community College Cannabis Vocational Training  
8 Pilot Program faculty participant agent identification card.

9 (a) The Department shall:

10 (1) establish by rule the information required in an  
11 initial application or renewal application for an agent  
12 identification card submitted under this Article and the  
13 nonrefundable fee to accompany the initial application or  
14 renewal application;

15 (2) verify the information contained in an initial  
16 application or renewal application for an agent  
17 identification card submitted under this Article, and  
18 approve or deny an application within 30 days of receiving  
19 a completed initial application or renewal application and  
20 all supporting documentation required by rule;

21 (3) issue an agent identification card to a qualifying  
22 agent within 15 business days of approving the initial  
23 application or renewal application;

24 (4) enter the license number of the community college  
25 where the agent works; and

1           (5) allow for an electronic initial application and  
2           renewal application process, and provide a confirmation by  
3           electronic or other methods that an application has been  
4           submitted. Each Department may by rule require prospective  
5           agents to file their applications by electronic means and  
6           to provide notices to the agents by electronic means.

7           (b) An agent must keep his or her identification card  
8           visible at all times when in the enclosed, locked facility, or  
9           facilities for which he or she is an agent.

10          (c) The agent identification cards shall contain the  
11          following:

12                (1) the name of the cardholder;

13                (2) the date of issuance and expiration date of the  
14                identification card;

15                (3) a random 10-digit alphanumeric identification  
16                number containing at least 4 numbers and at least 4  
17                letters that is unique to the holder;

18                (4) a photograph of the cardholder; and

19                (5) the legal name of the community college employing  
20                the agent.

21          (d) An agent identification card shall be immediately  
22          returned to the community college of the agent upon  
23          termination of his or her employment.

24          (e) Any agent identification card lost shall be reported  
25          to the Illinois State Police and the Department of Agriculture  
26          immediately upon discovery of the loss.

1 (f) An agent applicant may begin employment at a Community  
2 College Cannabis Vocational Training Pilot Program while the  
3 agent applicant's identification card application is pending.  
4 Upon approval, the Department shall issue the agent's  
5 identification card to the agent. If denied, the Community  
6 College Cannabis Vocational Training Pilot Program and the  
7 agent applicant shall be notified and the agent applicant must  
8 cease all activity at the Community College Cannabis  
9 Vocational Training Pilot Program immediately.

10 (g) The Department of Agriculture shall not issue an agent  
11 identification card if the applicant is delinquent in filing  
12 any required tax returns or paying any amounts owed to the  
13 State.

14 (h) The Department of Agriculture and the Department of  
15 Financial and Professional Regulation may develop and  
16 implement an integrated system to issue an agent  
17 identification card which identifies a community college  
18 program agent licensed by the Department as well as any  
19 cultivation center, craft grower, transporter, dispensing  
20 organization, or infuser license or registration the agent may  
21 simultaneously hold.

22 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21;  
23 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

24 (410 ILCS 705/30-10)

25 Sec. 30-10. Application.



1           (a) When applying for a license, the applicant shall  
2 electronically submit the following in such form as the  
3 Department of Agriculture may direct:

4           (1) the nonrefundable application fee of \$5,000 to be  
5 deposited into the Cannabis Regulation Fund, or another  
6 amount as the Department of Agriculture may set by rule  
7 after January 1, 2021;

8           (2) the legal name of the craft grower;

9           (3) the proposed physical address of the craft grower;

10          (4) the name, address, social security number, and  
11 date of birth of each principal officer and board member  
12 of the craft grower; each principal officer and board  
13 member shall be at least 21 years of age;

14          (5) the details of any administrative or judicial  
15 proceeding in which any of the principal officers or board  
16 members of the craft grower (i) pled guilty, were  
17 convicted, were fined, or had a registration or license  
18 suspended or revoked or (ii) managed or served on the  
19 board of a business or non-profit organization that pled  
20 guilty, was convicted, was fined, or had a registration or  
21 license suspended or revoked;

22          (6) proposed operating bylaws that include procedures  
23 for the oversight of the craft grower, including the  
24 development and implementation of a plant monitoring  
25 system, accurate recordkeeping, staffing plan, and  
26 security plan approved by the Illinois State Police that

1 are in accordance with the rules issued by the Department  
2 of Agriculture under this Act; a physical inventory shall  
3 be performed of all plants and on a weekly basis by the  
4 craft grower;

5 (7) verification from the Illinois State Police that  
6 all background checks of the prospective principal  
7 officers, board members, and agents of the cannabis  
8 business establishment have been conducted;

9 (8) a copy of the current local zoning ordinance or  
10 permit and verification that the proposed craft grower is  
11 in compliance with the local zoning rules and distance  
12 limitations established by the local jurisdiction;

13 (9) proposed employment practices, in which the  
14 applicant must demonstrate a plan of action to inform,  
15 hire, and educate minorities, women, veterans, and persons  
16 with disabilities, engage in fair labor practices, and  
17 provide worker protections;

18 (10) whether an applicant can demonstrate experience  
19 in or business practices that promote economic empowerment  
20 in Disproportionately Impacted Areas;

21 (11) experience with the cultivation of agricultural  
22 or horticultural products, operating an agriculturally  
23 related business, or operating a horticultural business;

24 (12) a description of the enclosed, locked facility  
25 where cannabis will be grown, harvested, manufactured,  
26 packaged, or otherwise prepared for distribution to a

1       dispensing organization or other cannabis business  
2       establishment;

3           (13) a survey of the enclosed, locked facility,  
4       including the space used for cultivation;

5           (14) cultivation, processing, inventory, and packaging  
6       plans;

7           (15) a description of the applicant's experience with  
8       agricultural cultivation techniques and industry  
9       standards;

10          (16) a list of any academic degrees, certifications,  
11       or relevant experience of all prospective principal  
12       officers, board members, and agents of the related  
13       business;

14          (17) the identity of every person having a financial  
15       or voting interest of 5% or greater in the craft grower  
16       operation, whether a trust, corporation, partnership,  
17       limited liability company, or sole proprietorship,  
18       including the name and address of each person;

19          (18) a plan describing how the craft grower will  
20       address each of the following:

21           (i) energy needs, including estimates of monthly  
22       electricity and gas usage, to what extent it will  
23       procure energy from a local utility or from on-site  
24       generation, and if it has or will adopt a sustainable  
25       energy use and energy conservation policy;

26           (ii) water needs, including estimated water draw

1 and if it has or will adopt a sustainable water use and  
2 water conservation policy; and

3 (iii) waste management, including if it has or  
4 will adopt a waste reduction policy;

5 (19) a recycling plan:

6 (A) Purchaser packaging, including cartridges,  
7 shall be accepted by the applicant and recycled.

8 (B) Any recyclable waste generated by the craft  
9 grower facility shall be recycled per applicable State  
10 and local laws, ordinances, and rules.

11 (C) Any cannabis waste, liquid waste, or hazardous  
12 waste shall be disposed of in accordance with 8 Ill.  
13 Adm. Code 1000.460, except, to the greatest extent  
14 feasible, all cannabis plant waste will be rendered  
15 unusable by grinding and incorporating the cannabis  
16 plant waste with compostable mixed waste to be  
17 disposed of in accordance with 8 Ill. Adm. Code  
18 1000.460(g)(1);

19 (20) a commitment to comply with local waste  
20 provisions: a craft grower facility must remain in  
21 compliance with applicable State and federal environmental  
22 requirements, including, but not limited to:

23 (A) storing, securing, and managing all  
24 recyclables and waste, including organic waste  
25 composed of or containing finished cannabis and  
26 cannabis products, in accordance with applicable State

1 and local laws, ordinances, and rules; and

2 (B) disposing liquid waste containing cannabis or  
3 byproducts of cannabis processing in compliance with  
4 all applicable State and federal requirements,  
5 including, but not limited to, the cannabis  
6 cultivation facility's permits under Title X of the  
7 Environmental Protection Act;

8 (21) a commitment to a technology standard for  
9 resource efficiency of the craft grower facility.

10 (A) A craft grower facility commits to use  
11 resources efficiently, including energy and water. For  
12 the following, a cannabis cultivation facility commits  
13 to meet or exceed the technology standard identified  
14 in paragraphs (i), (ii), (iii), and (iv), which may be  
15 modified by rule:

16 (i) lighting systems, including light bulbs;

17 (ii) HVAC system;

18 (iii) water application system to the crop;

19 and

20 (iv) filtration system for removing  
21 contaminants from wastewater.

22 (B) Lighting. The Lighting Power Densities (LPD)  
23 for cultivation space commits to not exceed an average  
24 of 36 watts per gross square foot of active and growing  
25 space canopy, or all installed lighting technology  
26 shall meet a photosynthetic photon efficacy (PPE) of

1 no less than 2.2 micromoles per joule fixture and  
2 shall be featured on the DesignLights Consortium (DLC)  
3 Horticultural Specification Qualified Products List  
4 (QPL). In the event that DLC requirement for minimum  
5 efficacy exceeds 2.2 micromoles per joule fixture,  
6 that PPE shall become the new standard.

7 (C) HVAC.

8 (i) ~~The For cannabis grow operations with less~~  
9 ~~than 6,000 square feet of canopy, the licensee~~  
10 commits that all HVAC units will be  
11 high-efficiency ductless split HVAC units, or  
12 other more energy efficient equipment.

13 (ii) ~~(Blank). For cannabis grow operations~~  
14 ~~with 6,000 square feet of canopy or more, the~~  
15 ~~licensee commits that all HVAC units will be~~  
16 ~~variable refrigerant flow HVAC units, or other~~  
17 ~~more energy efficient equipment.~~

18 (D) Water application.

19 (i) The craft grower facility commits to use  
20 automated watering systems, including, but not  
21 limited to, drip irrigation and flood tables, to  
22 irrigate cannabis crop.

23 (ii) The craft grower facility commits to  
24 measure runoff from watering events and report  
25 this volume in its water usage plan, and that on  
26 average, watering events shall have no more than

1           20% of runoff of water.

2           (E) Filtration. The craft grower commits that HVAC  
3           condensate, dehumidification water, excess runoff, and  
4           other wastewater produced by the craft grower facility  
5           shall be captured and filtered to the best of the  
6           facility's ability to achieve the quality needed to be  
7           reused in subsequent watering rounds.

8           (F) Reporting energy use and efficiency as  
9           required by rule; and

10          (22) any other information required by rule.

11          (b) Applicants must submit all required information,  
12          including the information required in Section 30-15, to the  
13          Department of Agriculture. Failure by an applicant to submit  
14          all required information may result in the application being  
15          disqualified.

16          (c) If the Department of Agriculture receives an  
17          application with missing information, the Department of  
18          Agriculture may issue a deficiency notice to the applicant.  
19          The applicant shall have 10 calendar days from the date of the  
20          deficiency notice to resubmit the incomplete information.  
21          Applications that are still incomplete after this opportunity  
22          to cure will not be scored and will be disqualified.

23          (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
24          102-538, eff. 8-20-21.)

25          (410 ILCS 705/30-30)

1       Sec. 30-30. Craft grower requirements; prohibitions.

2       (a) The operating documents of a craft grower shall  
3 include procedures for the oversight of the craft grower, a  
4 cannabis plant monitoring system including a physical  
5 inventory recorded weekly, accurate recordkeeping, and a  
6 staffing plan.

7       (b) A craft grower shall implement a security plan  
8 reviewed by the Illinois State Police that includes, but is  
9 not limited to: facility access controls, perimeter intrusion  
10 detection systems, personnel identification systems, and a  
11 24-hour surveillance system to monitor the interior and  
12 exterior of the craft grower facility and that is accessible  
13 to authorized law enforcement and the Department of  
14 Agriculture in real time.

15       (c) All cultivation of cannabis by a craft grower must  
16 take place in an enclosed, locked facility at the physical  
17 address provided to the Department of Agriculture during the  
18 licensing process. The craft grower location shall only be  
19 accessed by the agents working for the craft grower, the  
20 Department of Agriculture staff performing inspections, the  
21 Department of Public Health staff performing inspections,  
22 State and local law enforcement or other emergency personnel,  
23 contractors working on jobs unrelated to cannabis, such as  
24 installing or maintaining security devices or performing  
25 electrical wiring, transporting organization agents as  
26 provided in this Act, or participants in the incubator



1 program, individuals in a mentoring or educational program  
2 approved by the State, or other individuals as provided by  
3 rule. However, if a craft grower shares a premises with an  
4 infuser or dispensing organization, agents from those other  
5 licensees may access the craft grower portion of the premises  
6 if that is the location of common bathrooms, lunchrooms,  
7 locker rooms, or other areas of the building where work or  
8 cultivation of cannabis is not performed. At no time may an  
9 infuser or dispensing organization agent perform work at a  
10 craft grower without being a registered agent of the craft  
11 grower.

12 (d) A craft grower may not sell or distribute any cannabis  
13 to any person other than a cultivation center, a craft grower,  
14 an infuser organization, a dispensing organization, or as  
15 otherwise authorized by rule.

16 (e) A craft grower may not be located in an area zoned for  
17 residential use.

18 (f) A craft grower may not either directly or indirectly  
19 discriminate in price between different cannabis business  
20 establishments that are purchasing a like grade, strain,  
21 brand, and quality of cannabis or cannabis-infused product.  
22 Nothing in this subsection (f) prevents a craft grower from  
23 pricing cannabis differently based on differences in the cost  
24 of manufacturing or processing, the quantities sold, such as  
25 volume discounts, or the way the products are delivered.

26 (g) All cannabis harvested by a craft grower and intended

1 for distribution to a dispensing organization must be entered  
2 into a data collection system, packaged and labeled under  
3 Section 55-21, and, if distribution is to a dispensing  
4 organization that does not share a premises with the  
5 dispensing organization receiving the cannabis, placed into a  
6 cannabis container for transport. All cannabis harvested by a  
7 craft grower and intended for distribution to a cultivation  
8 center, to an infuser organization, or to a craft grower with  
9 which it does not share a premises, must be packaged in a  
10 labeled cannabis container and entered into a data collection  
11 system before transport.

12 (h) Craft growers are subject to random inspections by the  
13 Department of Agriculture, local safety or health inspectors,  
14 the Illinois State Police, or as provided by rule.

15 (i) A craft grower agent shall notify local law  
16 enforcement, the Illinois State Police, and the Department of  
17 Agriculture within 24 hours of the discovery of any loss or  
18 theft. Notification shall be made by phone, in person, or  
19 written or electronic communication.

20 (j) A craft grower shall comply with all State and any  
21 applicable federal rules and regulations regarding the use of  
22 pesticides.

23 (k) A craft grower or craft grower agent shall not  
24 transport cannabis or cannabis-infused products to any other  
25 cannabis business establishment without a transport  
26 organization license unless:

1           (i) If the craft grower is located in a county with a  
2           population of 3,000,000 or more, the cannabis business  
3           establishment receiving the cannabis is within 2,000 feet  
4           of the property line of the craft grower;

5           (ii) If the craft grower is located in a county with a  
6           population of more than 700,000 but fewer than 3,000,000,  
7           the cannabis business establishment receiving the cannabis  
8           is within 2 miles of the craft grower; or

9           (iii) If the craft grower is located in a county with a  
10          population of fewer than 700,000, the cannabis business  
11          establishment receiving the cannabis is within 15 miles of  
12          the craft grower.

13          (1) A craft grower may enter into a contract with a  
14          transporting organization to transport cannabis to a  
15          cultivation center, a craft grower, an infuser organization, a  
16          dispensing organization, or a laboratory.

17          (m) No person or entity shall hold any legal, equitable,  
18          ownership, or beneficial interest, directly or indirectly, of  
19          more than 3 craft grower licenses. Further, no person or  
20          entity that is employed by, an agent of, or has a contract to  
21          receive payment from or participate in the management of a  
22          craft grower, is a principal officer of a craft grower, or  
23          entity controlled by or affiliated with a principal officer of  
24          a craft grower shall hold any legal, equitable, ownership, or  
25          beneficial interest, directly or indirectly, in a craft grower  
26          license that would result in the person or entity owning or

1 controlling in combination with any craft grower, principal  
2 officer of a craft grower, or entity controlled or affiliated  
3 with a principal officer of a craft grower by which he, she, or  
4 it is employed, is an agent of, or participates in the  
5 management of more than 3 craft grower licenses.

6 (n) It is unlawful for any person having a craft grower  
7 license or any officer, associate, member, representative, or  
8 agent of the licensee to offer or deliver money, or anything  
9 else of value, directly or indirectly, to any person having an  
10 Early Approval Adult Use Dispensing Organization License, a  
11 Conditional Adult Use Dispensing Organization License, an  
12 Adult Use Dispensing Organization License, or a medical  
13 cannabis dispensing organization license issued under the  
14 Compassionate Use of Medical Cannabis Program Act, or to any  
15 person connected with or in any way representing, or to any  
16 member of the family of, the person holding an Early Approval  
17 Adult Use Dispensing Organization License, a Conditional Adult  
18 Use Dispensing Organization License, an Adult Use Dispensing  
19 Organization License, or a medical cannabis dispensing  
20 organization license issued under the Compassionate Use of  
21 Medical Cannabis Program Act, or to any stockholders in any  
22 corporation engaged in the retail sale of cannabis, or to any  
23 officer, manager, agent, or representative of the Early  
24 Approval Adult Use Dispensing Organization License, a  
25 Conditional Adult Use Dispensing Organization License, an  
26 Adult Use Dispensing Organization License, or a medical

1 cannabis dispensing organization license issued under the  
2 Compassionate Use of Medical Cannabis Program Act to obtain  
3 preferential placement within the dispensing organization,  
4 including, without limitation, on shelves and in display cases  
5 where purchasers can view products, or on the dispensing  
6 organization's website.

7 (o) A craft grower shall not be located within 1,500 feet  
8 of another craft grower or a cultivation center.

9 (p) A craft grower may process cannabis, cannabis  
10 concentrates, and cannabis-infused products.

11 (q) A craft grower must comply with any other requirements  
12 or prohibitions set by administrative rule of the Department  
13 of Agriculture.

14 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
15 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
16 5-13-22.)

17 (410 ILCS 705/30-35)

18 Sec. 30-35. Craft grower agent identification card.

19 (a) The Department of Agriculture shall:

20 (1) establish by rule the information required in an  
21 initial application or renewal application for an agent  
22 identification card submitted under this Act and the  
23 nonrefundable fee to accompany the initial application or  
24 renewal application;

25 (2) verify the information contained in an initial

1 application or renewal application for an agent  
2 identification card submitted under this Act and approve  
3 or deny an application within 30 days of receiving a  
4 completed initial application or renewal application and  
5 all supporting documentation required by rule;

6 (3) issue an agent identification card to a qualifying  
7 agent within 15 business days of approving the initial  
8 application or renewal application;

9 (4) enter the license number of the craft grower where  
10 the agent works; and

11 (5) allow for an electronic initial application and  
12 renewal application process, and provide a confirmation by  
13 electronic or other methods that an application has been  
14 submitted. The Department of Agriculture may by rule  
15 require prospective agents to file their applications by  
16 electronic means and provide notices to the agents by  
17 electronic means.

18 (b) An agent must keep his or her identification card  
19 visible at all times when on the property of a cannabis  
20 business establishment, including the craft grower  
21 organization for which he or she is an agent.

22 (c) The agent identification cards shall contain the  
23 following:

24 (1) the name of the cardholder;

25 (2) the date of issuance and expiration date of the  
26 identification card;

1           (3) a random 10-digit alphanumeric identification  
2           number containing at least 4 numbers and at least 4  
3           letters that is unique to the holder;

4           (4) a photograph of the cardholder; and

5           (5) the legal name of the craft grower organization  
6           employing the agent.

7           (d) An agent identification card shall be immediately  
8           returned to the cannabis business establishment of the agent  
9           upon termination of his or her employment.

10          (e) Any agent identification card lost by a craft grower  
11          agent shall be reported to the Illinois State Police and the  
12          Department of Agriculture immediately upon discovery of the  
13          loss.

14          (f) The Department of Agriculture shall not issue an agent  
15          identification card to an applicant if the applicant is  
16          delinquent in filing any required tax returns or paying any  
17          amounts owed to the State.

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

19           (410 ILCS 705/30-45)

20          Sec. 30-45. Renewal of craft grower licenses and agent  
21          identification cards.

22          (a) Licenses and identification cards issued under this  
23          Act shall be renewed annually. A craft grower shall receive  
24          written or electronic notice 90 days before the expiration of  
25          its current license that the license will expire. The

1 Department of Agriculture shall grant a renewal within 45 days  
2 of submission of a renewal application if:

3 (1) the craft grower submits a renewal application and  
4 the required nonrefundable renewal fee of \$40,000, or  
5 another amount as the Department of Agriculture may set by  
6 rule after January 1, 2021;

7 (2) the Department of Agriculture has not suspended  
8 the license of the craft grower or suspended or revoked  
9 the license for violating this Act or rules adopted under  
10 this Act;

11 (3) the craft grower has continued to operate in  
12 accordance with all plans submitted as part of its  
13 application and approved by the Department of Agriculture  
14 or any amendments thereto that have been approved by the  
15 Department of Agriculture;

16 (4) the craft grower has submitted an agent, employee,  
17 contracting, and subcontracting diversity report as  
18 required by the Department; and

19 (5) the craft grower has submitted an environmental  
20 impact report.

21 (b) If a craft grower fails to renew its license before  
22 expiration, it shall cease operations until its license is  
23 renewed.

24 (c) If a craft grower agent fails to renew his or her  
25 identification card before its expiration, he or she shall  
26 cease to work as an agent of the craft grower organization



1 until his or her identification card is renewed.

2 (d) Any craft grower that continues to operate, or any  
3 craft grower agent who continues to work as an agent, after the  
4 applicable license or identification card has expired without  
5 renewal is subject to the penalties provided under Section  
6 45-5.

7 (e) All fees or fines collected from the renewal of a craft  
8 grower license shall be deposited into the Cannabis Regulation  
9 Fund.

10 (f) The Department of Agriculture shall not renew an  
11 applicant's license or agent identification card if the  
12 applicant is delinquent in filing any required tax returns or  
13 paying any amounts owed to the State.

14 (g) The Department and the Department of Financial and  
15 Professional Regulation may develop and implement an  
16 integrated system to issue an agent identification card which  
17 identifies a craft grower agent licensed by the Department as  
18 well as any cultivator, dispensary, transporter, community  
19 college program, or infuser license or registration the agent  
20 may simultaneously hold.

21 (Source: P.A. 101-27, eff. 6-25-19.)

22 (410 ILCS 705/35-25)

23 Sec. 35-25. Infuser organization requirements;  
24 prohibitions.

25 (a) The operating documents of an infuser shall include

1 procedures for the oversight of the infuser, an inventory  
2 monitoring system including a physical inventory recorded  
3 weekly, accurate recordkeeping, and a staffing plan.

4 (b) An infuser shall implement a security plan reviewed by  
5 the Illinois State Police that includes, but is not limited  
6 to: facility access controls, perimeter intrusion detection  
7 systems, personnel identification systems, and a 24-hour  
8 surveillance system to monitor the interior and exterior of  
9 the infuser facility and that is accessible to authorized law  
10 enforcement, the Department of Public Health, and the  
11 Department of Agriculture in real time.

12 (c) All processing of cannabis by an infuser must take  
13 place in an enclosed, locked facility at the physical address  
14 provided to the Department of Agriculture during the licensing  
15 process. The infuser location shall only be accessed by the  
16 agents working for the infuser, the Department of Agriculture  
17 staff performing inspections, the Department of Public Health  
18 staff performing inspections, State and local law enforcement  
19 or other emergency personnel, contractors working on jobs  
20 unrelated to cannabis, such as installing or maintaining  
21 security devices or performing electrical wiring, transporting  
22 organization agents as provided in this Act, participants in  
23 the incubator program, individuals in a mentoring or  
24 educational program approved by the State, local safety or  
25 health inspectors, or other individuals as provided by rule.  
26 However, if an infuser shares a premises with a craft grower or

1 dispensing organization, agents from these other licensees may  
2 access the infuser portion of the premises if that is the  
3 location of common bathrooms, lunchrooms, locker rooms, or  
4 other areas of the building where processing of cannabis is  
5 not performed. At no time may a craft grower or dispensing  
6 organization agent perform work at an infuser without being a  
7 registered agent of the infuser.

8 (d) An infuser may not sell or distribute any cannabis to  
9 any person other than a dispensing organization, or as  
10 otherwise authorized by rule.

11 (e) An infuser may not either directly or indirectly  
12 discriminate in price between different cannabis business  
13 establishments that are purchasing a like grade, strain,  
14 brand, and quality of cannabis or cannabis-infused product.  
15 Nothing in this subsection (e) prevents an infuser from  
16 pricing cannabis differently based on differences in the cost  
17 of manufacturing or processing, the quantities sold, such  
18 volume discounts, or the way the products are delivered.

19 (f) All cannabis infused by an infuser and intended for  
20 distribution to a dispensing organization must be entered into  
21 a data collection system, packaged and labeled under Section  
22 55-21, and, if distribution is to a dispensing organization  
23 that does not share a premises with the infuser, placed into a  
24 cannabis container for transport. All cannabis produced by an  
25 infuser and intended for distribution to a cultivation center,  
26 infuser organization, or craft grower with which it does not

1 share a premises, must be packaged in a labeled cannabis  
2 container and entered into a data collection system before  
3 transport.

4 (g) Infusers are subject to random inspections by the  
5 Department of Agriculture, the Department of Public Health,  
6 the Illinois State Police, local law enforcement, or as  
7 provided by rule.

8 (h) An infuser agent shall notify local law enforcement,  
9 the Illinois State Police, and the Department of Agriculture  
10 within 24 hours of the discovery of any loss or theft.  
11 Notification shall be made by phone, in person, or by written  
12 or electronic communication.

13 (i) An infuser organization may not be located in an area  
14 zoned for residential use.

15 (j) An infuser or infuser agent shall not transport  
16 cannabis or cannabis-infused products to any other cannabis  
17 business establishment without a transport organization  
18 license unless:

19 (i) If the infuser is located in a county with a  
20 population of 3,000,000 or more, the cannabis business  
21 establishment receiving the cannabis or cannabis-infused  
22 product is within 2,000 feet of the property line of the  
23 infuser;

24 (ii) If the infuser is located in a county with a  
25 population of more than 700,000 but fewer than 3,000,000,  
26 the cannabis business establishment receiving the cannabis

1 or cannabis-infused product is within 2 miles of the  
2 infuser; or

3 (iii) If the infuser is located in a county with a  
4 population of fewer than 700,000, the cannabis business  
5 establishment receiving the cannabis or cannabis-infused  
6 product is within 15 miles of the infuser.

7 (k) An infuser may enter into a contract with a  
8 transporting organization to transport cannabis to a  
9 dispensing organization or a laboratory.

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

16 (m) It is unlawful for any person or entity having an  
17 infuser organization license or any officer, associate,  
18 member, representative or agent of such licensee to offer or  
19 deliver money, or anything else of value, directly or  
20 indirectly to any person having an Early Approval Adult Use  
21 Dispensing Organization License, a Conditional Adult Use  
22 Dispensing Organization License, an Adult Use Dispensing  
23 Organization License, or a medical cannabis dispensing  
24 organization license issued under the Compassionate Use of  
25 Medical Cannabis Program Act, or to any person connected with  
26 or in any way representing, or to any member of the family of,

1 such person holding an Early Approval Adult Use Dispensing  
2 Organization License, a Conditional Adult Use Dispensing  
3 Organization License, an Adult Use Dispensing Organization  
4 License, or a medical cannabis dispensing organization license  
5 issued under the Compassionate Use of Medical Cannabis Program  
6 Act, or to any stockholders in any corporation engaged the  
7 retail sales of cannabis, or to any officer, manager, agent,  
8 or representative of the Early Approval Adult Use Dispensing  
9 Organization License, a Conditional Adult Use Dispensing  
10 Organization License, an Adult Use Dispensing Organization  
11 License, or a medical cannabis dispensing organization license  
12 issued under the Compassionate Use of Medical Cannabis Program  
13 Act to obtain preferential placement within the dispensing  
14 organization, including, without limitation, on shelves and in  
15 display cases where purchasers can view products, or on the  
16 dispensing organization's website.

17 (n) At no time shall an infuser organization or an infuser  
18 agent perform the extraction of cannabis concentrate from  
19 cannabis flower except if the infuser organization has also  
20 been issued a processor license under subsection (f) of  
21 Section 35-31.

22 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
23 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
24 5-13-22.)

1       Sec. 35-30. Infuser agent identification card.

2       (a) The Department of Agriculture shall:

3           (1) establish by rule the information required in an  
4       initial application or renewal application for an agent  
5       identification card submitted under this Act and the  
6       nonrefundable fee to accompany the initial application or  
7       renewal application;

8           (2) verify the information contained in an initial  
9       application or renewal application for an agent  
10      identification card submitted under this Act, and approve  
11      or deny an application within 30 days of receiving a  
12      completed initial application or renewal application and  
13      all supporting documentation required by rule;

14          (3) issue an agent identification card to a qualifying  
15      agent within 15 business days of approving the initial  
16      application or renewal application;

17          (4) enter the license number of the infuser where the  
18      agent works; and

19          (5) allow for an electronic initial application and  
20      renewal application process, and provide a confirmation by  
21      electronic or other methods that an application has been  
22      submitted. The Department of Agriculture may by rule  
23      require prospective agents to file their applications by  
24      electronic means and provide notices to the agents by  
25      electronic means.

26      (b) An agent must keep his or her identification card

1 visible at all times when on the property of a cannabis  
2 business establishment including the cannabis business  
3 establishment for which he or she is an agent.

4 (c) The agent identification cards shall contain the  
5 following:

6 (1) the name of the cardholder;

7 (2) the date of issuance and expiration date of the  
8 identification card;

9 (3) a random 10-digit alphanumeric identification  
10 number containing at least 4 numbers and at least 4  
11 letters that is unique to the holder;

12 (4) a photograph of the cardholder; and

13 (5) the legal name of the infuser organization  
14 employing the agent.

15 (d) An agent identification card shall be immediately  
16 returned to the infuser organization of the agent upon  
17 termination of his or her employment.

18 (e) Any agent identification card lost by a transporting  
19 agent shall be reported to the Illinois State Police and the  
20 Department of Agriculture immediately upon discovery of the  
21 loss.

22 (f) An agent applicant may begin employment at an infuser  
23 organization while the agent applicant's identification card  
24 application is pending. Upon approval, the Department shall  
25 issue the agent's identification card to the agent. If denied,  
26 the infuser organization and the agent applicant shall be



1 notified and the agent applicant must cease all activity at  
2 the infuser organization immediately.

3 (g) The Department of Agriculture shall not issue an  
4 applicant an agent identification card if the applicant is  
5 delinquent in filing any required tax returns or paying any  
6 amounts owed to the State.

7 (h) The Department and the Department of Financial and  
8 Professional Regulation may develop and implement an  
9 integrated system to issue an agent identification card which  
10 identifies an infuser agent licensed by the Department as well  
11 as any cultivation center, craft grower, transporter,  
12 dispensing organization, or community college program license  
13 or registration the agent may simultaneously hold.

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

16 (410 ILCS 705/40-25)

17 Sec. 40-25. Transporting organization requirements;  
18 prohibitions.

19 (a) The operating documents of a transporting organization  
20 shall include procedures for the oversight of the transporter,  
21 an inventory monitoring system including a physical inventory  
22 recorded weekly, accurate recordkeeping, and a staffing plan.

23 (b) A transporting organization may not transport cannabis  
24 or cannabis-infused products to any person other than a  
25 cultivation center, a craft grower, an infuser organization, a

1 dispensing organization, a testing facility, or as otherwise  
2 authorized by rule.

3 (c) All cannabis transported by a transporting  
4 organization must be entered into a data collection system and  
5 placed into a cannabis container for transport.

6 (d) Transporters are subject to random inspections by the  
7 Department of Agriculture, the Department of Public Health,  
8 the Illinois State Police, or as provided by rule.

9 (e) A transporting organization agent shall notify local  
10 law enforcement, the Illinois State Police, and the Department  
11 of Agriculture within 24 hours of the discovery of any loss or  
12 theft. Notification shall be made by phone, in person, or by  
13 written or electronic communication.

14 (f) No person under the age of 21 years shall be in a  
15 commercial vehicle or trailer transporting cannabis goods.

16 (g) No person or individual who is not a transporting  
17 organization agent shall be in a vehicle while transporting  
18 cannabis goods.

19 (h) Transporters may not use commercial motor vehicles  
20 with a weight rating of over 10,001 pounds.

21 (i) It is unlawful for any person to offer or deliver  
22 money, or anything else of value, directly or indirectly, to  
23 any of the following persons to obtain preferential placement  
24 within the dispensing organization, including, without  
25 limitation, on shelves and in display cases where purchasers  
26 can view products, or on the dispensing organization's

1 website:

2 (1) a person having a transporting organization  
3 license, or any officer, associate, member,  
4 representative, or agent of the licensee;

5 (2) a person having an Early Applicant Adult Use  
6 Dispensing Organization License, an Adult Use Dispensing  
7 Organization License, or a medical cannabis dispensing  
8 organization license issued under the Compassionate Use of  
9 Medical Cannabis Program Act;

10 (3) a person connected with or in any way  
11 representing, or a member of the family of, a person  
12 holding an Early Applicant Adult Use Dispensing  
13 Organization License, an Adult Use Dispensing Organization  
14 License, or a medical cannabis dispensing organization  
15 license issued under the Compassionate Use of Medical  
16 Cannabis Program Act; or

17 (4) a stockholder, officer, manager, agent, or  
18 representative of a corporation engaged in the retail sale  
19 of cannabis, an Early Applicant Adult Use Dispensing  
20 Organization License, an Adult Use Dispensing Organization  
21 License, or a medical cannabis dispensing organization  
22 license issued under the Compassionate Use of Medical  
23 Cannabis Program Act.

24 (j) A transporting organization agent must keep his or her  
25 identification card visible at all times when on the property  
26 of a cannabis business establishment and during the

1 transporting of cannabis when acting under his or her duties  
2 as a transportation organization agent. During these times,  
3 the transporting organization agent must also provide the  
4 identification card upon request of any law enforcement  
5 officer engaged in his or her official duties.

6 (j-5) A transporting organization agent may not be  
7 required to remain on the property of a cannabis business  
8 establishment after transferring cannabis goods into the  
9 control of the cannabis business establishment. A cannabis  
10 business establishment may examine the cannabis goods from the  
11 delivery after the transporting organization has transferred  
12 control of the cannabis goods to the cannabis business  
13 establishment.

14 (k) A copy of the transporting organization's registration  
15 and a manifest for the delivery shall be present in any vehicle  
16 transporting cannabis.

17 (l) Cannabis shall be transported so it is not visible or  
18 recognizable from outside the vehicle.

19 (m) A vehicle transporting cannabis must not bear any  
20 markings to indicate the vehicle contains cannabis or bear the  
21 name or logo of the cannabis business establishment.

22 (n) Cannabis must be transported in an enclosed, locked  
23 storage compartment that is secured or affixed to the vehicle.

24 (o) The Department of Agriculture may, by rule, impose any  
25 other requirements or prohibitions on the transportation of  
26 cannabis.

1       (p) A cannabis business establishment may not schedule any  
2       delivery from a transporting organization within 1 hour of the  
3       cannabis business establishment's close of business on any  
4       business day.

5       (q) A transporting organization may begin a delivery to a  
6       cannabis business establishment at any time during the day. A  
7       transporting organization may not be restricted from beginning  
8       a delivery based on a cannabis business establishment's listed  
9       business hours.

10       (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
11       102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
12       5-13-22.)

13       (410 ILCS 705/45-5)

14       Sec. 45-5. License suspension; revocation; other  
15       penalties.

16       (a) Notwithstanding any other criminal penalties related  
17       to the unlawful possession of cannabis, the Department of  
18       Financial and Professional Regulation and the Department of  
19       Agriculture may revoke, suspend, place on probation,  
20       reprimand, issue cease and desist orders, refuse to issue or  
21       renew a license, or take any other disciplinary or  
22       nondisciplinary action as each department may deem proper with  
23       regard to a cannabis business establishment or cannabis  
24       business establishment agent, including fines not to exceed:

25               (1) \$50,000 for each violation of this Act or rules

1        adopted under this Act by a cultivation center or  
2        cultivation center agent;

3            (2) \$20,000 for each violation of this Act or rules  
4        adopted under this Act by a dispensing organization or  
5        dispensing organization agent;

6            (3) \$15,000 for each violation of this Act or rules  
7        adopted under this Act by a craft grower or craft grower  
8        agent;

9            (4) \$10,000 for each violation of this Act or rules  
10       adopted under this Act by an infuser organization or  
11       infuser organization agent; and

12           (5) \$10,000 for each violation of this Act or rules  
13       adopted under this Act by a transporting organization or  
14       transporting organization agent.

15           (6) \$15,000 for each violation of this Act or rules  
16       adopted under this Act by a cannabis testing facility.

17        (b) The Department of Financial and Professional  
18        Regulation and the Department of Agriculture, as the case may  
19        be, shall consider licensee cooperation in any agency or other  
20        investigation in its determination of penalties imposed under  
21        this Section.

22        (c) The procedures for disciplining a cannabis business  
23        establishment or cannabis business establishment agent and for  
24        administrative hearings shall be determined by rule, and shall  
25        provide for the review of final decisions under the  
26        Administrative Review Law.

1 (d) The Attorney General may also enforce a violation of  
2 Section 55-20, Section 55-21, and Section 15-155 as an  
3 unlawful practice under the Consumer Fraud and Deceptive  
4 Business Practices Act.

5 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

6 (410 ILCS 705/50-5)

7 Sec. 50-5. Laboratory testing.

8 (a) Notwithstanding any other provision of law, the  
9 following acts, when performed by a cannabis testing facility  
10 with a current, valid license ~~registration~~, or a person 21  
11 years of age or older who is acting in his or her capacity as  
12 an owner, employee, or agent of a cannabis testing facility,  
13 are not unlawful and shall not be an offense under Illinois law  
14 or be a basis for seizure or forfeiture of assets under  
15 Illinois law:

16 (1) possessing, repackaging, transporting, storing, or  
17 displaying cannabis or cannabis-infused products;

18 (2) receiving or transporting cannabis or  
19 cannabis-infused products from a cannabis business  
20 establishment, a community college licensed under the  
21 Community College Cannabis Vocational Training Pilot  
22 Program, or a person 21 years of age or older; and

23 (3) returning or transporting cannabis or  
24 cannabis-infused products to a cannabis business  
25 establishment, a community college licensed under the

1 Community College Cannabis Vocational Training Pilot  
2 Program, or a person 21 years of age or older.

3 (b)(1) No laboratory shall handle, test, or analyze  
4 cannabis unless approved by the Department of Agriculture in  
5 accordance with this Section.

6 (2) No laboratory shall be approved to handle, test, or  
7 analyze cannabis unless the laboratory:

8 (A) is licensed by the Department of Agriculture;

9 (A-5) is accredited by a private laboratory  
10 accrediting organization;

11 (B) is independent from all other persons involved in  
12 the cannabis industry in Illinois and no person with a  
13 direct or indirect interest in the laboratory has a direct  
14 or indirect financial, management, or other interest in an  
15 Illinois cultivation center, craft grower, dispensary,  
16 infuser, transporter, certifying physician, or any other  
17 entity in the State that may benefit from the production,  
18 manufacture, dispensing, sale, purchase, or use of  
19 cannabis; and

20 (C) has employed at least one person to oversee and be  
21 responsible for the laboratory testing who has earned,  
22 from a college or university accredited by a national or  
23 regional certifying authority, at least:

24 (i) a master's level degree in chemical or  
25 biological sciences and a minimum of 2 years'  
26 post-degree laboratory experience; or



1 (ii) a bachelor's degree in chemical or biological  
2 sciences and a minimum of 4 years' post-degree  
3 laboratory experience.

4 (3) Each independent testing laboratory that claims to be  
5 accredited must provide the Department of Agriculture with a  
6 copy of the most recent annual inspection report granting  
7 accreditation and every annual report thereafter.

8 (c) Immediately before manufacturing or natural processing  
9 of any cannabis or cannabis-infused product or packaging  
10 cannabis for sale to a dispensary, each batch shall be made  
11 available by the cultivation center, craft grower, or infuser  
12 for an employee of an approved laboratory to select a random  
13 sample, which shall be tested by the approved laboratory for:

14 (1) microbiological contaminants;

15 (2) mycotoxins;

16 (3) pesticide active ingredients;

17 (4) residual solvent; and

18 (5) an active ingredient analysis.

19 (d) The Department of Agriculture may select a random  
20 sample that shall, for the purposes of conducting an active  
21 ingredient analysis, be tested by the Department of  
22 Agriculture for verification of label information and any  
23 other testing deemed necessary by the Department.

24 (e) A laboratory shall immediately return or dispose of  
25 any cannabis upon the completion of any testing, use, or  
26 research. If cannabis is disposed of, it shall be done in

1 compliance with Department of Agriculture rule.

2 (f) If a sample of cannabis does not pass the  
3 microbiological, mycotoxin, pesticide chemical residue, or  
4 solvent residue test, based on the standards established by  
5 the Department of Agriculture, the following shall apply:

6 (1) If the sample failed the pesticide chemical  
7 residue test, the entire batch from which the sample was  
8 taken shall, if applicable, be recalled as provided by  
9 rule.

10 (2) If the sample failed any other test, the batch may  
11 be used to make a CO<sub>2</sub>-based or solvent based extract. After  
12 processing, the CO<sub>2</sub>-based or solvent based extract must  
13 still pass all required tests.

14 (g) The Department of Agriculture shall establish  
15 standards for microbial, mycotoxin, pesticide residue, solvent  
16 residue, or other standards for the presence of possible  
17 contaminants, in addition to labeling requirements for  
18 contents and potency.

19 (h) The laboratory shall file with the Department of  
20 Agriculture an electronic copy of each laboratory test result  
21 for any batch that does not pass the microbiological,  
22 mycotoxin, or pesticide chemical residue test, at the same  
23 time that it transmits those results to the cultivation  
24 center. In addition, the laboratory shall maintain the  
25 laboratory test results for at least 5 years and make them  
26 available at the Department of Agriculture's request.

1 (i) A cultivation center, craft grower, and infuser shall  
2 provide to a dispensing organization the laboratory test  
3 results for each batch of cannabis product purchased by the  
4 dispensing organization, if sampled. Each dispensing  
5 organization must have those laboratory results available upon  
6 request to purchasers.

7 (j) The Department of Agriculture may adopt rules related  
8 to testing and licensing of laboratories in furtherance of  
9 this Act.

10 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

11 (410 ILCS 705/55-5)

12 Sec. 55-5. Preparation of cannabis-infused products.

13 (a) The Department of Agriculture may regulate the  
14 production of cannabis-infused products by a cultivation  
15 center, a craft grower, an infuser organization, or a  
16 dispensing organization and establish rules related to  
17 refrigeration, hot-holding, and handling of cannabis-infused  
18 products. All cannabis-infused products shall meet the  
19 packaging and labeling requirements contained in Section  
20 55-21.

21 (b) Cannabis-infused products for sale or distribution at  
22 a dispensing organization must be prepared by an approved  
23 agent of a cultivation center, craft grower, or infuser  
24 organization.

25 (c) A cultivation center, craft grower, or infuser

1 organization that prepares cannabis-infused products for sale  
2 or distribution by a dispensing organization shall be under  
3 the operational supervision of a Department of Public Health  
4 certified food service sanitation manager.

5 (d) Dispensing organizations may not manufacture, process,  
6 or produce cannabis-infused products.

7 (e) The Department of Public Health shall adopt and  
8 enforce rules for the manufacture and processing of  
9 cannabis-infused products, and for that purpose it may at all  
10 times enter every building, room, basement, enclosure, or  
11 premises occupied or used, or suspected of being occupied or  
12 used, for the production, preparation, manufacture for sale,  
13 storage, sale, processing, distribution, or transportation of  
14 cannabis-infused products, and to inspect the premises  
15 together with all utensils, fixtures, furniture, and machinery  
16 used for the preparation of these products.

17 (f) The Department of Agriculture shall by rule establish  
18 a maximum level of THC that may be contained in each serving of  
19 cannabis-infused product, and within the product package.

20 (g) If a local public health agency has a reasonable  
21 belief that a cannabis-infused product poses a public health  
22 hazard, it may refer the cultivation center, craft grower, or  
23 infuser that manufactured or processed the cannabis-infused  
24 product to the Department of Public Health. If the Department  
25 of Public Health finds that a cannabis-infused product poses a  
26 health hazard, it may bring an action for immediate injunctive

1 relief to require that action be taken as the court may deem  
2 necessary to meet the hazard of the cultivation facility or  
3 seek other relief as provided by rule.

4 (Source: P.A. 101-27, eff. 6-25-19.)

5 (410 ILCS 705/55-10)

6 Sec. 55-10. Maintenance of inventory. Through June 30,  
7 2025, all ~~All~~ dispensing organizations authorized to serve  
8 both registered qualifying patients, Opioid Alternative  
9 Patient Program participants, provisional patients, and  
10 caregivers and purchasers are required to report which  
11 cannabis and cannabis-infused products are purchased for sale  
12 under the Compassionate Use of Medical Cannabis Program Act,  
13 and which cannabis and cannabis-infused products are purchased  
14 under this Act. Nothing in this Section prohibits a registered  
15 qualifying patient under the Compassionate Use of Medical  
16 Cannabis Program Act from purchasing cannabis as a purchaser  
17 under this Act.

18 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

19 (410 ILCS 705/55-30)

20 Sec. 55-30. Confidentiality.

21 (a) Information provided by the cannabis business  
22 establishment licensees or applicants to the Department of  
23 Agriculture, the Department of Public Health, the Department  
24 of Financial and Professional Regulation, the Department of

1 Commerce and Economic Opportunity, or other agency shall be  
2 limited to information necessary for the purposes of  
3 administering this Act. The information is subject to the  
4 provisions and limitations contained in the Freedom of  
5 Information Act and may be disclosed in accordance with  
6 Section 55-65.

7 (b) The following information received and records kept by  
8 the Department of Agriculture, the Department of Public  
9 Health, the Illinois State Police, and the Department of  
10 Financial and Professional Regulation for purposes of  
11 administering this Article are subject to all applicable  
12 federal privacy laws, are confidential and exempt from  
13 disclosure under the Freedom of Information Act, except as  
14 provided in this Act, and not subject to disclosure to any  
15 individual or public or private entity, except to the  
16 Department of Financial and Professional Regulation, the  
17 Department of Agriculture, the Department of Public Health,  
18 the Department of Commerce and Economic Opportunity, the  
19 Office of Executive Inspector General, and the Illinois State  
20 Police as necessary to perform official duties under this  
21 Article, ~~and~~ to the Attorney General as necessary to enforce  
22 the provisions of this Act, and except as necessary to those  
23 involved in enforcing the State Officials and Employees Ethics  
24 Act. The following information received and kept by the  
25 Department of Financial and Professional Regulation or the  
26 Department of Agriculture may be disclosed to the Department

1 of Public Health, the Department of Agriculture, the  
2 Department of Revenue, the Department of Commerce and Economic  
3 Opportunity, the Illinois State Police, the Office of  
4 Executive Inspector General, or the Attorney General upon  
5 proper request:

6 (1) Applications and renewals, their contents, and  
7 supporting information submitted by or on behalf of  
8 dispensing organizations, cannabis business  
9 establishments, or Community College Cannabis Vocational  
10 Program licensees, in compliance with this Article,  
11 including their physical addresses; however, this does not  
12 preclude the release of ownership information about  
13 cannabis business establishment licenses, or information  
14 submitted with an application required to be disclosed  
15 pursuant to subsection (f);

16 (2) Any plans, procedures, policies, or other records  
17 relating to cannabis business establishment security; and

18 (3) Information otherwise exempt from disclosure by  
19 State or federal law.

20 Illinois or national criminal history record information,  
21 or the nonexistence or lack of such information, may not be  
22 disclosed by the Department of Financial and Professional  
23 Regulation or the Department of Agriculture, except as  
24 necessary to the Attorney General to enforce this Act.

25 (c) The name and address of a dispensing organization  
26 licensed under this Act shall be subject to disclosure under

1 the Freedom of Information Act. The name and cannabis business  
2 establishment address of the person or entity holding each  
3 cannabis business establishment license shall be subject to  
4 disclosure.

5 (d) All information collected by the Department of  
6 Financial and Professional Regulation or the Department of  
7 Agriculture in the course of an examination, inspection, or  
8 investigation of a licensee or applicant, including, but not  
9 limited to, any complaint against a licensee or applicant  
10 filed with the Department of Financial and Professional  
11 Regulation or the Department of Agriculture and information  
12 collected to investigate any such complaint, shall be  
13 maintained for the confidential use of the Department of  
14 Financial and Professional Regulation or the Department of  
15 Agriculture and shall not be disclosed, except to those  
16 involved in enforcing the State Officials and Employees Ethics  
17 Act and as otherwise provided in this Act. A formal complaint  
18 against a licensee by the Department of Financial and  
19 Professional Regulation or the Department of Agriculture or  
20 any disciplinary order issued by the Department of Financial  
21 and Professional Regulation or the Department of Agriculture  
22 against a licensee or applicant shall be a public record,  
23 except as otherwise provided by law. Complaints from consumers  
24 or members of the general public received regarding a  
25 specific, named licensee or complaints regarding conduct by  
26 unlicensed entities shall be subject to disclosure under the



1 Freedom of Information Act.

2 (e) The Department of Agriculture, the Illinois State  
3 Police, and the Department of Financial and Professional  
4 Regulation shall not share or disclose any Illinois or  
5 national criminal history record information, or the  
6 nonexistence or lack of such information, to any person or  
7 entity not expressly authorized by this Act.

8 (f) Each Department responsible for licensure under this  
9 Act shall publish on the Department's website a list of the  
10 ownership information of cannabis business establishment  
11 licensees under the Department's jurisdiction. The list shall  
12 include, but is not limited to: the name of the person or  
13 entity holding each cannabis business establishment license;  
14 and the address at which the entity is operating under this  
15 Act. This list shall be published and updated monthly.

16 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
17 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
18 5-13-22.)

19 (410 ILCS 705/55-65)

20 Sec. 55-65. Financial institutions.

21 (a) A financial institution that provides financial  
22 services customarily provided by financial institutions to a  
23 cannabis business establishment authorized under this Act or  
24 the Compassionate Use of Medical Cannabis Program Act, or to a  
25 person that is affiliated with such cannabis business

1 establishment, is exempt from any criminal law of this State  
2 as it relates to cannabis-related conduct authorized under  
3 State law.

4 (b) Upon request of a financial institution, a cannabis  
5 business establishment or proposed cannabis business  
6 establishment may provide to the financial institution the  
7 following information:

8 (1) Whether a cannabis business establishment with  
9 which the financial institution is doing or is considering  
10 doing business holds a license under this Act or the  
11 Compassionate Use of Medical Cannabis Program Act;

12 (2) The name of any other business or individual  
13 affiliate with the cannabis business establishment;

14 (3) A copy of the application, and any supporting  
15 documentation submitted with the application, for a  
16 license or a permit submitted on behalf of the proposed  
17 cannabis business establishment;

18 (4) If applicable, data relating to sales and the  
19 volume of product sold by the cannabis business  
20 establishment;

21 (5) Any past or pending violation by the person of  
22 this Act, the Compassionate Use of Medical Cannabis  
23 Program Act, or the rules adopted under these Acts where  
24 applicable; and

25 (6) Any penalty imposed upon the person for violating  
26 this Act, the Compassionate Use of Medical Cannabis

1 Program Act, or the rules adopted under these Acts.

2 (c) (Blank).

3 (d) (Blank).

4 (e) Information received by a financial institution under  
5 this Section is confidential. Except as otherwise required or  
6 permitted by this Act, State law or rule, or federal law or  
7 regulation, a financial institution may not make the  
8 information available to any person other than:

9 (1) the customer to whom the information applies;

10 (2) a trustee, conservator, guardian, personal  
11 representative, or agent of the customer to whom the  
12 information applies; a federal or State regulator when  
13 requested in connection with an examination of the  
14 financial institution or if otherwise necessary for  
15 complying with federal or State law;

16 (3) a federal or State regulator when requested in  
17 connection with an examination of the financial  
18 institution or if otherwise necessary for complying with  
19 federal or State law; ~~and~~

20 (4) a third party performing services for the  
21 financial institution, provided the third party is  
22 performing such services under a written agreement that  
23 expressly or by operation of law prohibits the third  
24 party's sharing and use of such confidential information  
25 for any purpose other than as provided in its agreement to  
26 provide services to the financial institution; and.

1           (5) the Office of Executive Inspector General pursuant  
2           to an investigation.

3           (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

4           (410 ILCS 705/55-85)

5           Sec. 55-85. Medical cannabis.

6           ~~(a)~~ Nothing in this Act shall be construed to limit any  
7           privileges or rights of an Opioid Alternative Patient Program  
8           participant, a qualifying ~~medical cannabis~~ patient including  
9           minor patients, provisional patients, designated caregivers  
10          ~~primary caregiver~~, medical cannabis cultivation center, or  
11          medical cannabis dispensing organization under the  
12          Compassionate Use of Medical Cannabis Program Act, and where  
13          there is conflict between this Act and the Compassionate Use  
14          of Medical Cannabis Program Act as they relate to medical  
15          cannabis patients, the Compassionate Use of Medical Cannabis  
16          Program Act shall prevail.

17          ~~(b) Dispensary locations that obtain an Early Approval~~  
18          ~~Adult Use Dispensary Organization License or an Adult Use~~  
19          ~~Dispensary Organization License in accordance with this Act at~~  
20          ~~the same location as a medical cannabis dispensing~~  
21          ~~organization registered under the Compassionate Use of Medical~~  
22          ~~Cannabis Program Act shall maintain an inventory of medical~~  
23          ~~cannabis and medical cannabis products on a monthly basis that~~  
24          ~~is substantially similar in variety and quantity to the~~  
25          ~~products offered at the dispensary during the 6 month period~~

1 ~~immediately before the effective date of this Act.~~

2 ~~(c) Beginning June 30, 2020, the Department of Agriculture~~  
3 ~~shall make a quarterly determination whether inventory~~  
4 ~~requirements established for dispensaries in subsection (b)~~  
5 ~~should be adjusted due to changing patient need.~~

6 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

7 (410 ILCS 705/60-5)

8 Sec. 60-5. Definitions. In this Article:

9 "Cannabis" has the meaning given to that term in Article 1  
10 of this Act, except that, through December 31, 2025, it does  
11 not include cannabis that is subject to tax under the  
12 Compassionate Use of Medical Cannabis Program Act.

13 "Craft grower" has the meaning given to that term in  
14 Article 1 of this Act.

15 "Cultivation center" has the meaning given to that term in  
16 Article 1 of this Act. On and after January 1, 2026,  
17 "cultivation center" includes any cultivation center which,  
18 prior to January 1, 2026, was a cultivation center as defined  
19 in the Compassionate Use of Medical Cannabis Program Act.

20 "Cultivator" or "taxpayer" means a cultivation center or  
21 craft grower who is subject to tax under this Article. On and  
22 after January 1, 2026, "cultivator" includes any cultivator  
23 which, prior to January 1, 2026, was a cultivator as defined  
24 under the Compassionate Use of Medical Cannabis Program Act.

25 "Department" means the Department of Revenue.

1 "Director" means the Director of Revenue.

2 "Dispensing organization" or "dispensary" has the meaning  
3 given to that term in Article 1 of this Act.

4 "Gross receipts" from the sales of cannabis by a  
5 cultivator means the total selling price or the amount of such  
6 sales, as defined in this Article. In the case of charges and  
7 time sales, the amount thereof shall be included only when  
8 payments are received by the cultivator.

9 "Person" means a natural individual, firm, partnership,  
10 association, joint stock company, joint adventure, public or  
11 private corporation, limited liability company, or a receiver,  
12 executor, trustee, guardian, or other representative appointed  
13 by order of any court.

14 "Infuser" means "infuser organization" or "infuser" as  
15 defined in Article 1 of this Act.

16 "Selling price" or "amount of sale" means the  
17 consideration for a sale valued in money whether received in  
18 money or otherwise, including cash, credits, property, and  
19 services, and shall be determined without any deduction on  
20 account of the cost of the property sold, the cost of materials  
21 used, labor or service cost, or any other expense whatsoever,  
22 but does not include separately stated charges identified on  
23 the invoice by cultivators to reimburse themselves for their  
24 tax liability under this Article.

25 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

1 (410 ILCS 705/60-10)

2 Sec. 60-10. Tax imposed.

3 (a) Beginning September 1, 2019, a tax is imposed upon the  
4 privilege of cultivating cannabis at the rate of 7% of the  
5 gross receipts from the first sale of cannabis by a  
6 cultivator. The sale of any product that contains any amount  
7 of cannabis or any derivative thereof is subject to the tax  
8 under this Section on the full selling price of the product.  
9 The Department may determine the selling price of the cannabis  
10 when the seller and purchaser are affiliated persons, when the  
11 sale and purchase of cannabis is not an arm's length  
12 transaction, or when cannabis is transferred by a craft grower  
13 to the craft grower's dispensing organization or infuser ~~or~~  
14 ~~processing~~ organization and a value is not established for the  
15 cannabis. The value determined by the Department shall be  
16 commensurate with the actual price received for products of  
17 like quality, character, and use in the area. If there are no  
18 sales of cannabis of like quality, character, and use in the  
19 same area, then the Department shall establish a reasonable  
20 value based on sales of products of like quality, character,  
21 and use in other areas of the State, taking into consideration  
22 any other relevant factors.

23 (b) The Cannabis Cultivation Privilege Tax imposed under  
24 this Article is solely the responsibility of the cultivator  
25 who makes the first sale and is not the responsibility of a  
26 subsequent purchaser, a dispensing organization, or an

1 infuser. Persons subject to the tax imposed under this Article  
2 may, however, reimburse themselves for their tax liability  
3 hereunder by separately stating reimbursement for their tax  
4 liability as an additional charge.

5 (c) The tax imposed under this Article shall be in  
6 addition to all other occupation, privilege, or excise taxes  
7 imposed by the State of Illinois or by any unit of local  
8 government.

9 (Source: P.A. 101-27, eff. 6-25-19.)

10 (410 ILCS 705/65-5)

11 Sec. 65-5. Definitions. In this Article:

12 "Adjusted delta-9-tetrahydrocannabinol level" means, for a  
13 delta-9-tetrahydrocannabinol dominant product, the sum of the  
14 percentage of delta-9-tetrahydrocannabinol plus .877  
15 multiplied by the percentage of tetrahydrocannabinolic acid.

16 "Cannabis" has the meaning given to that term in Article 1  
17 of this Act, except that through December 31, 2025, it does not  
18 include cannabis that is subject to tax under the  
19 Compassionate Use of Medical Cannabis Program Act.

20 "Cannabis-infused product" means beverage food, oils,  
21 ointments, tincture, topical formulation, or another product  
22 containing cannabis that is not intended to be smoked.

23 "Cannabis retailer" means a dispensing organization that  
24 sells cannabis for use and not for resale.

25 "Craft grower" has the meaning given to that term in



1 Article 1 of this Act.

2 "Department" means the Department of Revenue.

3 "Director" means the Director of Revenue.

4 "Dispensing organization" or "dispensary" has the meaning  
5 given to that term in Article 1 of this Act.

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

11 "Infuser organization" or "infuser" means a facility  
12 operated by an organization or business that is licensed by  
13 the Department of Agriculture to directly incorporate cannabis  
14 or cannabis concentrate into a product formulation to produce  
15 a cannabis-infused product.

16 "Purchase price" means the consideration paid for a  
17 purchase of cannabis, valued in money, whether received in  
18 money or otherwise, including cash, gift cards, credits, and  
19 property and shall be determined without any deduction on  
20 account of the cost of materials used, labor or service costs,  
21 or any other expense whatsoever. However, "purchase price"  
22 does not include consideration paid for:

23 (1) any charge for a payment that is not honored by a  
24 financial institution;

25 (2) any finance or credit charge, penalty or charge  
26 for delayed payment, or discount for prompt payment; and

1 (3) any amounts added to a purchaser's bill because of  
2 charges made under the tax imposed by this Article, the  
3 Municipal Cannabis Retailers' Occupation Tax Law, the  
4 County Cannabis Retailers' Occupation Tax Law, the  
5 Retailers' Occupation Tax Act, the Use Tax Act, the  
6 Service Occupation Tax Act, the Service Use Tax Act, or  
7 any locally imposed occupation or use tax.

8 "Purchaser" means a person who acquires cannabis for a  
9 valuable consideration.

10 "Qualifying patient" or "qualified patient" means a person  
11 who has been diagnosed by a certifying health care  
12 professional as having a debilitating medical condition as  
13 defined under the Compassionate Use of Medical Cannabis  
14 Program Act.

15 "Taxpayer" means a cannabis retailer who is required to  
16 collect the tax imposed under this Article.

17 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

18 (410 ILCS 705/65-10)

19 Sec. 65-10. Tax imposed.

20 (a) Beginning January 1, 2020, a tax is imposed upon  
21 purchasers for the privilege of using cannabis, and not for  
22 the purpose of resale, at the following rates:

23 (1) Any cannabis, other than a cannabis-infused  
24 product, with an adjusted delta-9-tetrahydrocannabinol  
25 level at or below 35% shall be taxed at a rate of 10% of

1 the purchase price;

2 (2) Any cannabis, other than a cannabis-infused  
3 product, with an adjusted delta-9-tetrahydrocannabinol  
4 level above 35% shall be taxed at a rate of 25% of the  
5 purchase price; and

6 (3) A cannabis-infused product shall be taxed at a  
7 rate of 20% of the purchase price.

8 (b) The purchase of any product that contains any amount  
9 of cannabis or any derivative thereof is subject to the tax  
10 under subsection (a) of this Section on the full purchase  
11 price of the product.

12 (c) Through December 31, 2025, the ~~The~~ tax imposed under  
13 this Section is not imposed on cannabis that is subject to tax  
14 under the Compassionate Use of Medical Cannabis Program Act.  
15 The tax imposed by this Section is not imposed with respect to  
16 any transaction in interstate commerce, to the extent the  
17 transaction may not, under the Constitution and statutes of  
18 the United States, be made the subject of taxation by this  
19 State. Beginning January 1, 2026, the tax imposed under this  
20 Article shall not be imposed on cannabis or cannabis-infused  
21 products purchased by a qualified patient, designated  
22 caregiver, provisional patient, or Opioid Alternative Patient  
23 Program participant when purchasing cannabis or  
24 cannabis-infused products under this Act as part of their  
25 adequate medical supply as these terms are defined under  
26 Section 1-10 of this Act.

1 (d) The tax imposed under this Article shall be in  
2 addition to all other occupation, privilege, or excise taxes  
3 imposed by the State of Illinois or by any municipal  
4 corporation or political subdivision thereof.

5 (e) The tax imposed under this Article shall not be  
6 imposed on any purchase by a purchaser if the cannabis  
7 retailer is prohibited by federal or State Constitution,  
8 treaty, convention, statute, or court decision from collecting  
9 the tax from the purchaser.

10 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

11 (410 ILCS 705/65-30)

12 Sec. 65-30. Return and payment of tax by cannabis  
13 retailer. Each cannabis retailer that is required or  
14 authorized to collect the tax imposed by this Article shall  
15 make a return to the Department, by electronic means, on or  
16 before the 20th day of each month for the preceding calendar  
17 month stating the following:

18 (1) the cannabis retailer's name;

19 (2) the address of the cannabis retailer's principal  
20 place of business and the address of the principal place  
21 of business (if that is a different address) from which  
22 the cannabis retailer is engaged in the business of  
23 selling cannabis subject to tax under this Article;

24 (3) the total purchase price received by the cannabis  
25 retailer for cannabis subject to tax under this Article;

1 (4) the amount of tax due at each rate;

2 (5) the signature of the cannabis retailer; and

3 (6) any other information as the Department may  
4 reasonably require.

5 All returns required to be filed and payments required to  
6 be made under this Article shall be by electronic means.  
7 Cannabis retailers who demonstrate hardship in paying  
8 electronically may petition the Department to waive the  
9 electronic payment requirement.

10 Any amount that is required to be shown or reported on any  
11 return or other document under this Article shall, if the  
12 amount is not a whole-dollar amount, be increased to the  
13 nearest whole-dollar amount if the fractional part of a dollar  
14 is \$0.50 or more and decreased to the nearest whole-dollar  
15 amount if the fractional part of a dollar is less than \$0.50.  
16 If a total amount of less than \$1 is payable, refundable, or  
17 creditable, the amount shall be disregarded if it is less than  
18 \$0.50 and shall be increased to \$1 if it is \$0.50 or more.

19 The cannabis retailer making the return provided for in  
20 this Section shall also pay to the Department, in accordance  
21 with this Section, the amount of tax imposed by this Article,  
22 less a discount of 1.75%, but not to exceed \$1,000 per return  
23 period, which is allowed to reimburse the cannabis retailer  
24 for the expenses incurred in keeping records, collecting tax,  
25 preparing and filing returns, remitting the tax, and supplying  
26 data to the Department upon request. No discount may be

1 claimed by a cannabis retailer on returns not timely filed and  
2 for taxes not timely remitted. No discount may be claimed by a  
3 taxpayer for any return that is not filed electronically. No  
4 discount may be claimed by a taxpayer for any payment that is  
5 not made electronically, unless a waiver has been granted  
6 under this Section.

7 Notwithstanding any other provision of this Article  
8 concerning the time within which a cannabis retailer may file  
9 a return, any such cannabis retailer who ceases to engage in  
10 the kind of business that makes the person responsible for  
11 filing returns under this Article shall file a final return  
12 under this Article with the Department within one month after  
13 discontinuing the business.

14 Each cannabis retailer shall make estimated payments to  
15 the Department on or before the 7th, 15th, 22nd, and last day  
16 of the month during which tax liability to the Department is  
17 incurred. The payments shall be in an amount not less than the  
18 lower of either 22.5% of the cannabis retailer's actual tax  
19 liability for the month or 25% of the cannabis retailer's  
20 actual tax liability for the same calendar month of the  
21 preceding year. The amount of the quarter-monthly payments  
22 shall be credited against the final tax liability of the  
23 cannabis retailer's return for that month. If any such  
24 quarter-monthly payment is not paid at the time or in the  
25 amount required by this Section, then the cannabis retailer  
26 shall be liable for penalties and interest on the difference

1 between the minimum amount due as a payment and the amount of  
2 the quarter-monthly payment actually and timely paid, except  
3 insofar as the cannabis retailer has previously made payments  
4 for that month to the Department in excess of the minimum  
5 payments previously due as provided in this Section.

6 If any payment provided for in this Section exceeds the  
7 taxpayer's liabilities under this Article, as shown on an  
8 original monthly return, the Department shall, if requested by  
9 the taxpayer, issue to the taxpayer a credit memorandum no  
10 later than 30 days after the date of payment. The credit  
11 evidenced by the credit memorandum may be assigned by the  
12 taxpayer to a similar taxpayer under this Article, in  
13 accordance with reasonable rules to be prescribed by the  
14 Department. If no such request is made, the taxpayer may  
15 credit the excess payment against tax liability subsequently  
16 to be remitted to the Department under this Article, in  
17 accordance with reasonable rules prescribed by the Department.  
18 If the Department subsequently determines that all or any part  
19 of the credit taken was not actually due to the taxpayer, the  
20 taxpayer's discount shall be reduced, if necessary, to reflect  
21 the difference between the credit taken and that actually due,  
22 and that taxpayer shall be liable for penalties and interest  
23 on the difference. If a cannabis retailer fails to sign a  
24 return within 30 days after the proper notice and demand for  
25 signature by the Department is received by the cannabis  
26 retailer, the return shall be considered valid and any amount

1 shown to be due on the return shall be deemed assessed.

2 (Source: P.A. 101-27, eff. 6-25-19.)

3 (410 ILCS 705/65-38)

4 Sec. 65-38. Violations and penalties.

5 (a) When the amount due is under \$300, any retailer of  
6 cannabis who fails to file a return, willfully fails or  
7 refuses to make any payment to the Department of the tax  
8 imposed by this Article, or files a fraudulent return, or any  
9 officer or agent of a corporation engaged in the business of  
10 selling cannabis to purchasers located in this State who signs  
11 a fraudulent return filed on behalf of the corporation, or any  
12 accountant or other agent who knowingly enters false  
13 information on the return of any taxpayer under this Article  
14 is guilty of a Class 4 felony.

15 (b) When the amount due is \$300 or more, any retailer of  
16 cannabis who files, or causes to be filed, a fraudulent  
17 return, or any officer or agent of a corporation engaged in the  
18 business of selling cannabis to purchasers located in this  
19 State who files or causes to be filed or signs or causes to be  
20 signed a fraudulent return filed on behalf of the corporation,  
21 or any accountant or other agent who knowingly enters false  
22 information on the return of any taxpayer under this Article  
23 is guilty of a Class 3 felony.

24 (c) Any person who violates any provision of Section 65-20  
25 or ~~7~~ fails to keep books and records as required under this



1 ~~Article, or willfully violates a rule of the Department for~~  
2 ~~the administration and enforcement of this Article~~ is guilty  
3 of a Class 4 felony. A person commits a separate offense on  
4 each day that he or she engages in business in violation of  
5 Section 65-20 ~~or a rule of the Department for the~~  
6 ~~administration and enforcement of this Article~~. If a person  
7 fails to produce the books and records for inspection by the  
8 Department upon request, a prima facie presumption shall arise  
9 that the person has failed to keep books and records as  
10 required under this Article. A person who is unable to rebut  
11 this presumption is in violation of this Article and is  
12 subject to the penalties provided in this Section.

13 (d) Any person who ~~violates any provision of Sections~~  
14 ~~65-20, fails to keep books and records as required under this~~  
15 ~~Article, or~~ willfully violates a rule of the Department for  
16 the administration and enforcement of this Article, is guilty  
17 of a business offense and may be fined up to \$5,000. ~~If a~~  
18 ~~person fails to produce books and records for inspection by~~  
19 ~~the Department upon request, a prima facie presumption shall~~  
20 ~~arise that the person has failed to keep books and records as~~  
21 ~~required under this Article. A person who is unable to rebut~~  
22 ~~this presumption is in violation of this Article and is~~  
23 ~~subject to the penalties provided in this Section.~~ A person  
24 commits a separate offense on each day that he or she engages  
25 in business in violation of a rule of the Department for the  
26 administration and enforcement of this Article ~~Section 65-20.~~

1           (e) Any taxpayer or agent of a taxpayer who with the intent  
2     to defraud purports to make a payment due to the Department by  
3     issuing or delivering a check or other order upon a real or  
4     fictitious depository for the payment of money, knowing that  
5     it will not be paid by the depository, is guilty of a deceptive  
6     practice in violation of Section 17-1 of the Criminal Code of  
7     2012.

8           (f) Any person who fails to keep books and records or fails  
9     to produce books and records for inspection, as required by  
10    Section 65-36, is liable to pay to the Department, for deposit  
11    in the Tax Compliance and Administration Fund, a penalty of  
12    \$1,000 for the first failure to keep books and records or  
13    failure to produce books and records for inspection, as  
14    required by Section 65-36, and \$3,000 for each subsequent  
15    failure to keep books and records or failure to produce books  
16    and records for inspection, as required by Section 65-36.

17          (g) Any person who knowingly acts as a retailer of  
18    cannabis in this State without first having obtained a  
19    certificate of registration to do so in compliance with  
20    Section 65-20 of this Article shall be guilty of a Class 4  
21    felony.

22          (h) A person commits the offense of tax evasion under this  
23    Article when he or she knowingly attempts in any manner to  
24    evade or defeat the tax imposed on him or her or on any other  
25    person, or the payment thereof, and he or she commits an  
26    affirmative act in furtherance of the evasion. As used in this

1 Section, "affirmative act in furtherance of the evasion" means  
2 an act designed in whole or in part to (i) conceal,  
3 misrepresent, falsify, or manipulate any material fact or (ii)  
4 tamper with or destroy documents or materials related to a  
5 person's tax liability under this Article. Two or more acts of  
6 sales tax evasion may be charged as a single count in any  
7 indictment, information, or complaint and the amount of tax  
8 deficiency may be aggregated for purposes of determining the  
9 amount of tax that is attempted to be or is evaded and the  
10 period between the first and last acts may be alleged as the  
11 date of the offense.

12 (1) When the amount of tax, the assessment or payment  
13 of which is attempted to be or is evaded is less than \$500,  
14 a person is guilty of a Class 4 felony.

15 (2) When the amount of tax, the assessment or payment  
16 of which is attempted to be or is evaded is \$500 or more  
17 but less than \$10,000, a person is guilty of a Class 3  
18 felony.

19 (3) When the amount of tax, the assessment or payment  
20 of which is attempted to be or is evaded is \$10,000 or more  
21 but less than \$100,000, a person is guilty of a Class 2  
22 felony.

23 (4) When the amount of tax, the assessment or payment  
24 of which is attempted to be or is evaded is \$100,000 or  
25 more, a person is guilty of a Class 1 felony.

26 Any person who knowingly sells, purchases, installs,

1 transfers, possesses, uses, or accesses any automated sales  
2 suppression device, zapper, or phantom-ware in this State is  
3 guilty of a Class 3 felony.

4 As used in this Section:

5 "Automated sales suppression device" or "zapper" means a  
6 software program that falsifies the electronic records of an  
7 electronic cash register or other point-of-sale system,  
8 including, but not limited to, transaction data and  
9 transaction reports. The term includes the software program,  
10 any device that carries the software program, or an Internet  
11 link to the software program.

12 "Phantom-ware" means a hidden programming option embedded  
13 in the operating system of an electronic cash register or  
14 hardwired into an electronic cash register that can be used to  
15 create a second set of records or that can eliminate or  
16 manipulate transaction records in an electronic cash register.

17 "Electronic cash register" means a device that keeps a  
18 register or supporting documents through the use of an  
19 electronic device or computer system designed to record  
20 transaction data for the purpose of computing, compiling, or  
21 processing retail sales transaction data in any manner.

22 "Transaction data" includes: items purchased by a  
23 purchaser; the price of each item; a taxability determination  
24 for each item; a segregated tax amount for each taxed item; the  
25 amount of cash or credit tendered; the net amount returned to  
26 the customer in change; the date and time of the purchase; the

1 name, address, and identification number of the vendor; and  
2 the receipt or invoice number of the transaction.

3 "Transaction report" means a report that documents,  
4 without limitation, the sales, taxes, or fees collected, media  
5 totals, and discount voids at an electronic cash register and  
6 that is printed on a cash register tape at the end of a day or  
7 shift, or a report that documents every action at an  
8 electronic cash register and is stored electronically.

9 A prosecution for any act in violation of this Section may  
10 be commenced at any time within 5 years of the commission of  
11 that act.

12 (i) The Department may adopt rules to administer the  
13 penalties under this Section.

14 (j) Any person whose principal place of business is in  
15 this State and who is charged with a violation under this  
16 Section shall be tried in the county where his or her principal  
17 place of business is located unless he or she asserts a right  
18 to be tried in another venue.

19 (k) Except as otherwise provided in subsection (h), a  
20 prosecution for a violation described in this Section may be  
21 commenced within 3 years after the commission of the act  
22 constituting the violation.

23 (Source: P.A. 101-27, eff. 6-25-19.)

24 (410 ILCS 705/65-42)

25 Sec. 65-42. Seizure and forfeiture. After seizing any

1 cannabis as provided in Section 65-41, the Department must  
2 hold a hearing and determine whether (i) the retailer was  
3 properly registered to sell the cannabis; (ii) the retailer  
4 possessed the cannabis in violation of this Act; (iii) the  
5 retailer possessed the cannabis in violation of any reasonable  
6 rule or regulation adopted by the Department for the  
7 enforcement of this Act; or (iv) the tax imposed by Article 60  
8 had been paid on the cannabis at the time of its seizure by the  
9 Department. The Department is not required to hold such a  
10 hearing if a waiver and consent to forfeiture has been  
11 executed by the owner of the cannabis, if the owner is known,  
12 and by the person in whose possession the cannabis so taken was  
13 found, if that person is known and if that person is not the  
14 owner of said cannabis. The Department shall give not less  
15 than 20 days' notice of the time and place of the hearing to  
16 the owner of the cannabis, if the owner is known, and also to  
17 the person in whose possession the cannabis was found, if that  
18 person is known and if the person in possession is not the  
19 owner of the cannabis. If neither the owner nor the person in  
20 possession of the cannabis is known, the Department must cause  
21 publication of the time and place of the hearing to be made at  
22 least once in each week for 3 weeks successively in a newspaper  
23 of general circulation in the county where the hearing is to be  
24 held.

25 If, as the result of the hearing, the Department makes any  
26 of the findings listed in items (i) through (iv) ~~determines~~

1 ~~that the retailer was not properly registered at the time the~~  
2 ~~cannabis was seized~~, or upon receipt of a properly executed  
3 waiver and consent to forfeiture as provided in this Section,  
4 the Department must enter an order declaring the cannabis  
5 confiscated and forfeited to the State, to be held by the  
6 Department for disposal by it as provided in Section 65-43.  
7 The Department must give notice of the order to the owner of  
8 the cannabis, if the owner is known, and also to the person in  
9 whose possession the cannabis was found, if that person is  
10 known and if the person in possession is not the owner of the  
11 cannabis. If neither the owner nor the person in possession of  
12 the cannabis is known, the Department must cause publication  
13 of the order to be made at least once in each week for 3 weeks  
14 successively in a newspaper of general circulation in the  
15 county where the hearing was held.

16 (Source: P.A. 103-1001, eff. 8-9-24.)

17 (410 ILCS 705/20-50 rep.)

18 (410 ILCS 705/30-50 rep.)

19 Section 45. The Cannabis Regulation and Tax Act is amended  
20 by repealing Sections 20-50 and 30-50.

21 Section 50. The Illinois Vehicle Code is amended by  
22 changing Sections 11-502.1 and 11-502.15 as follows:

23 (625 ILCS 5/11-502.1)

1           Sec. 11-502.1. Possession of medical cannabis in a motor  
2 vehicle.

3           (a) No driver, who is a medical cannabis cardholder, may  
4 use medical cannabis within the passenger area of any motor  
5 vehicle upon a highway in this State.

6           (b) No driver, who is a medical cannabis cardholder,  
7 medical cannabis provisional patient, an Opioid Alternative  
8 Patient Program participant, a medical cannabis designated  
9 caregiver, medical cannabis cultivation center agent, or  
10 dispensing organization agent may possess ~~medical~~ cannabis  
11 within any area of any motor vehicle upon a highway in this  
12 State except in a secured, sealed or resealable, odor-proof,  
13 and child-resistant ~~medical—cannabis~~ container that is  
14 inaccessible.

15           (c) No passenger, who is a medical cannabis card holder,  
16 medical cannabis provisional patient, an Opioid Alternative  
17 Patient Program participant, a medical cannabis designated  
18 caregiver, or medical cannabis dispensing organization agent  
19 may possess ~~medical~~ cannabis within any passenger area of any  
20 motor vehicle upon a highway in this State except in a secured,  
21 sealed or resealable, odor-proof, and child-resistant ~~medical~~  
22 ~~cannabis~~ container that is inaccessible.

23           (d) Any person who violates subsections (a) through (c) of  
24 this Section:

25                 (1) commits a Class A misdemeanor;

26                 (2) shall be subject to revocation of his or her



1 medical cannabis card for a period of 2 years from the end  
2 of the sentence imposed; and

3 (3) shall be subject to revocation of his or her  
4 status as a designated ~~medical cannabis~~ caregiver, medical  
5 cannabis cultivation center agent, or medical cannabis  
6 dispensing organization agent for a period of 2 years from  
7 the end of the sentence imposed.

8 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21;  
9 102-558, eff. 8-20-21.)

10 (625 ILCS 5/11-502.15)

11 Sec. 11-502.15. Possession of adult use cannabis in a  
12 motor vehicle.

13 (a) No driver may use cannabis within the passenger area  
14 of any motor vehicle upon a highway in this State.

15 (b) No driver may possess cannabis within any area of any  
16 motor vehicle upon a highway in this State except in a secured,  
17 sealed or resealable, odor-proof, child-resistant ~~cannabis~~  
18 container that is inaccessible.

19 (c) No passenger may possess cannabis within any passenger  
20 area of any motor vehicle upon a highway in this State except  
21 in a secured, sealed or resealable, odor-proof,  
22 child-resistant ~~cannabis~~ container that is inaccessible.

23 (d) Any person who knowingly violates subsection (a), (b),  
24 or (c) of this Section commits a Class A misdemeanor.

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

1           Section 55. The Tobacco Accessories and Smoking Herbs  
2           Control Act is amended by changing Section 2 as follows:

3           (720 ILCS 685/2) (from Ch. 23, par. 2358-2)

4           Sec. 2. Purpose. The sale and possession of ~~marijuana,~~  
5           ~~hashish,~~ cocaine, opium, and their derivatives, is not only  
6           prohibited by Illinois Law, but the use of these substances  
7           has been deemed injurious to the health of the user.

8           It has further been determined by the Surgeon General of  
9           the United States that the use of tobacco is hazardous to human  
10          health.

11          The ready availability of smoking herbs to persons under  
12          21 years of age could lead to the use of tobacco and illegal  
13          drugs.

14          It is in the best interests of the citizens of the State of  
15          Illinois to seek to prohibit the spread of illegal drugs,  
16          tobacco or smoking materials to persons under 21 years of age.  
17          The prohibition of the sale of tobacco and snuff accessories  
18          and smoking herbs to persons under 21 years of age would help  
19          to curb the usage of illegal drugs and tobacco products, among  
20          our youth.

21          (Source: P.A. 101-2, eff. 7-1-19.)

22          Section 99. Effective date. This Act takes effect upon  
23          becoming law.

## 1 INDEX

## 2 Statutes amended in order of appearance

3 20 ILCS 2105/2105-117

4 35 ILCS 105/3-10 from Ch. 120, par. 439.33-10

5 35 ILCS 110/3-10 from Ch. 120, par. 439.33-10

6 35 ILCS 115/3-10 from Ch. 120, par. 439.103-10

7 35 ILCS 120/2-10 from Ch. 120, par. 441-10

8 35 ILCS 120/11 from Ch. 120, par. 450

9 410 ILCS 130/7

10 410 ILCS 130/10

11 410 ILCS 130/15

12 410 ILCS 130/25

13 410 ILCS 130/30

14 410 ILCS 130/35

15 410 ILCS 130/57

16 410 ILCS 130/60

17 410 ILCS 130/70

18 410 ILCS 130/75

19 410 ILCS 130/85

20 410 ILCS 130/90

21 410 ILCS 130/95

22 410 ILCS 130/100

23 410 ILCS 130/105

24 410 ILCS 130/110

25 410 ILCS 130/115

1 410 ILCS 130/120  
2 410 ILCS 130/125  
3 410 ILCS 130/130  
4 410 ILCS 130/140  
5 410 ILCS 130/145  
6 410 ILCS 130/150  
7 410 ILCS 130/165  
8 410 ILCS 130/180  
9 410 ILCS 130/200  
10 410 ILCS 130/205  
11 410 ILCS 130/210  
12 410 ILCS 130/80 rep.  
13 410 ILCS 130/115.5 rep.  
14 410 ILCS 130/135 rep.  
15 410 ILCS 130/162 rep.  
16 410 ILCS 705/1-10  
17 410 ILCS 705/5-10  
18 410 ILCS 705/5-15  
19 410 ILCS 705/7-10  
20 410 ILCS 705/7-15  
21 410 ILCS 705/10-10  
22 410 ILCS 705/10-15  
23 410 ILCS 705/15-10  
24 410 ILCS 705/15-13 new  
25 410 ILCS 705/15-15  
26 410 ILCS 705/15-17 new

1 410 ILCS 705/15-20  
2 410 ILCS 705/15-23 new  
3 410 ILCS 705/15-24 new  
4 410 ILCS 705/15-25  
5 410 ILCS 705/15-35  
6 410 ILCS 705/15-35.10  
7 410 ILCS 705/15-36  
8 410 ILCS 705/15-40  
9 410 ILCS 705/15-45  
10 410 ILCS 705/15-50  
11 410 ILCS 705/15-60  
12 410 ILCS 705/15-65  
13 410 ILCS 705/15-70  
14 410 ILCS 705/15-75  
15 410 ILCS 705/15-85  
16 410 ILCS 705/15-100  
17 410 ILCS 705/15-135  
18 410 ILCS 705/15-145  
19 410 ILCS 705/Art. 20  
20 heading  
21 410 ILCS 705/20-10  
22 410 ILCS 705/20-15  
23 410 ILCS 705/20-20  
24 410 ILCS 705/20-21  
25 410 ILCS 705/20-30  
26 410 ILCS 705/20-35

1	410 ILCS 705/20-45
2	410 ILCS 705/25-35
3	410 ILCS 705/30-10
4	410 ILCS 705/30-30
5	410 ILCS 705/30-35
6	410 ILCS 705/30-45
7	410 ILCS 705/35-25
8	410 ILCS 705/35-30
9	410 ILCS 705/40-25
10	410 ILCS 705/45-5
11	410 ILCS 705/50-5
12	410 ILCS 705/55-5
13	410 ILCS 705/55-10
14	410 ILCS 705/55-30
15	410 ILCS 705/55-65
16	410 ILCS 705/55-85
17	410 ILCS 705/60-5
18	410 ILCS 705/60-10
19	410 ILCS 705/65-5
20	410 ILCS 705/65-10
21	410 ILCS 705/65-30
22	410 ILCS 705/65-38
23	410 ILCS 705/65-42
24	410 ILCS 705/20-50 rep.
25	410 ILCS 705/30-50 rep.
26	625 ILCS 5/11-502.1

SB2654

- 374 -

LRB104 13084 BDA 25085 b

1 625 ILCS 5/11-502.15

2 720 ILCS 685/2 from Ch. 23, par. 2358-2