



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2866

Introduced 1/16/2026, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

410 ILCS 705/15-65
410 ILCS 705/55-16 new
410 ILCS 705/55-21

Amends the Cannabis Regulation and Tax Act. Specifies that the purchaser education support policies that are maintained by dispensing organizations must include information on the use of locked storage bags to prevent access to cannabis by children. Requires any dispensing organization that sells edible cannabis-infused products to display a placard that, among other things, states: "Cannabis products should be kept away from children and safely stored in a locked storage container." Requires dispensing organizations that are authorized to serve registered qualifying patients, caregivers, or purchasers and that offer cannabis-infused products or cannabis-infused products intended for topical use to stock for sale lockable, opaque storage containers designed to prevent access to cannabis products by children. In provisions regarding required warnings for cannabis-infused products, adds a required warning that the product must be stored out of reach of children and should be in a locked container and that provides the phone number to the Illinois Poison Center in case of accidental use.

LRB104 17194 BDA 30613 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 Cannabis Regulation and Tax Act is amended
5 by changing Sections 15-65 and 55-21 and by adding Section
6 55-16 as follows:

7 (410 ILCS 705/15-65)

8 Sec. 15-65. Administration.

9 (a) A dispensing organization shall establish, maintain,
10 and comply with written policies and procedures as submitted
11 in the Business, Financial and Operating plan as required in
12 this Article or by rules established by the Department, and
13 approved by the Department, for the security, storage,
14 inventory, and distribution of cannabis. These policies and
15 procedures shall include methods for identifying, recording,
16 and reporting diversion, theft, or loss, and for correcting
17 errors and inaccuracies in inventories. At a minimum,
18 dispensing organizations shall ensure the written policies and
19 procedures provide for the following:

20 (1) Mandatory and voluntary recalls of cannabis
21 products. The policies shall be adequate to deal with
22 recalls due to any action initiated at the request of the
23 Department and any voluntary action by the dispensing

1 organization to remove defective or potentially defective
2 cannabis from the market or any action undertaken to
3 promote public health and safety, including:

4 (i) A mechanism reasonably calculated to contact
5 purchasers who have, or likely have, obtained the
6 product from the dispensary, including information on
7 the policy for return of the recalled product;

8 (ii) A mechanism to identify and contact the adult
9 use cultivation center, craft grower, or infuser that
10 manufactured the cannabis;

11 (iii) Policies for communicating with the
12 Department, the Department of Agriculture, and the
13 Department of Public Health within 24 hours of
14 discovering defective or potentially defective
15 cannabis; and

16 (iv) Policies for destruction of any recalled
17 cannabis product;

18 (2) Responses to local, State, or national
19 emergencies, including natural disasters, that affect the
20 security or operation of a dispensary;

21 (3) Segregation and destruction of outdated, damaged,
22 deteriorated, misbranded, or adulterated cannabis. This
23 procedure shall provide for written documentation of the
24 cannabis disposition;

25 (4) Ensure the oldest stock of a cannabis product is
26 distributed first. The procedure may permit deviation from

1 this requirement, if such deviation is temporary and
2 appropriate;

3 (5) Training of dispensing organization agents in the
4 provisions of this Act and rules, to effectively operate
5 the point-of-sale system and the State's verification
6 system, proper inventory handling and tracking, specific
7 uses of cannabis or cannabis-infused products, instruction
8 regarding regulatory inspection preparedness and law
9 enforcement interaction, awareness of the legal
10 requirements for maintaining status as an agent, and other
11 topics as specified by the dispensing organization or the
12 Department. The dispensing organization shall maintain
13 evidence of all training provided to each agent in its
14 files that is subject to inspection and audit by the
15 Department. The dispensing organization shall ensure
16 agents receive a minimum of 8 hours of training subject to
17 the requirements in subsection (i) of Section 15-40
18 annually, unless otherwise approved by the Department;

19 (6) Maintenance of business records consistent with
20 industry standards, including bylaws, consents, manual or
21 computerized records of assets and liabilities, audits,
22 monetary transactions, journals, ledgers, and supporting
23 documents, including agreements, checks, invoices,
24 receipts, and vouchers. Records shall be maintained in a
25 manner consistent with this Act and shall be retained for
26 5 years;

- 1 (7) Inventory control, including:
- 2 (i) Tracking purchases and denials of sale;
- 3 (ii) Disposal of unusable or damaged cannabis as
- 4 required by this Act and rules; and
- 5 (8) Purchaser education and support, including:
- 6 (i) Whether possession of cannabis is illegal
- 7 under federal law;
- 8 (ii) Current educational information issued by the
- 9 Department of Public Health about the health risks
- 10 associated with the use or abuse of cannabis;
- 11 (iii) Information about possible side effects;
- 12 (iv) Prohibition on smoking cannabis in public
- 13 places; ~~and~~
- 14 (v) Information on the use of locked storage bags
- 15 to prevent access by children; and
- 16 (vi) ~~(v)~~ Offering any other appropriate purchaser
- 17 education or support materials.
- 18 (b) Blank.
- 19 (c) A dispensing organization shall maintain copies of the
- 20 policies and procedures on the dispensary premises and provide
- 21 copies to the Department upon request. The dispensing
- 22 organization shall review the dispensing organization policies
- 23 and procedures at least once every 12 months from the issue
- 24 date of the license and update as needed due to changes in
- 25 industry standards or as requested by the Department.
- 26 (d) A dispensing organization shall ensure that each

1 principal officer and each dispensing organization agent has a
2 current agent identification card in the agent's immediate
3 possession when the agent is at the dispensary.

4 (e) A dispensing organization shall provide prompt written
5 notice to the Department, including the date of the event,
6 when a dispensing organization agent no longer is employed by
7 the dispensing organization.

8 (f) A dispensing organization shall promptly document and
9 report any loss or theft of cannabis from the dispensary to the
10 Illinois State Police and the Department. It is the duty of any
11 dispensing organization agent who becomes aware of the loss or
12 theft to report it as provided in this Article.

13 (g) A dispensing organization shall post the following
14 information in a conspicuous location in an area of the
15 dispensary accessible to consumers:

16 (1) The dispensing organization's license;

17 (2) The hours of operation.

18 (h) Signage that shall be posted inside the premises.

19 (1) All dispensing organizations must display a
20 placard that states the following: "Cannabis consumption
21 can impair cognition and driving, is for adult use only,
22 may be habit forming, and should not be used by pregnant or
23 breastfeeding women.".

24 (2) Any dispensing organization that sells edible
25 cannabis-infused products must display a placard that
26 states the following:

1 (A) "Edible cannabis-infused products were
2 produced in a kitchen that may also process common
3 food allergens."; ~~and~~

4 (B) "The effects of cannabis products can vary
5 from person to person, and it can take as long as two
6 hours to feel the effects of some cannabis-infused
7 products. Carefully review the portion size
8 information and warnings contained on the product
9 packaging before consuming."; ~~and~~

10 (C) "Cannabis products should be kept away from
11 children and safely stored in a locked storage
12 container.".

13 (3) All of the required signage in this subsection (h)
14 shall be no smaller than 24 inches tall by 36 inches wide,
15 with typed letters no smaller than 2 inches. The signage
16 shall be clearly visible and readable by customers. The
17 signage shall be placed in the area where cannabis and
18 cannabis-infused products are sold and may be translated
19 into additional languages as needed. The Department may
20 require a dispensary to display the required signage in a
21 different language, other than English, if the Secretary
22 deems it necessary.

23 (i) A dispensing organization shall prominently post
24 notices inside the dispensing organization that state
25 activities that are strictly prohibited and punishable by law,
26 including, but not limited to:

1 (1) no minors permitted on the premises unless the
2 minor is a minor qualifying patient under the
3 Compassionate Use of Medical Cannabis Program Act;

4 (2) distribution to persons under the age of 21 is
5 prohibited;

6 (3) transportation of cannabis or cannabis products
7 across state lines is prohibited.

8 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
9 102-538, eff. 8-20-21.)

10 (410 ILCS 705/55-16 new)

11 Sec. 55-16. Prevention of unintentional ingestion. All
12 dispensing organizations that are authorized to serve
13 registered qualifying patients, caregivers, or purchasers and
14 that offer cannabis-infused products or cannabis-infused
15 products intended for topical use must stock for sale
16 lockable, opaque storage containers designed to prevent access
17 to cannabis products by children.

18 (410 ILCS 705/55-21)

19 Sec. 55-21. Cannabis product packaging and labeling.

20 (a) Each cannabis product produced for sale shall be
21 registered with the Department of Agriculture on forms
22 provided by the Department of Agriculture. Each product
23 registration shall include a label and the required
24 registration fee at the rate established by the Department of

1 Agriculture for a comparable medical cannabis product, or as
2 established by rule. The registration fee is for the name of
3 the product offered for sale and one fee shall be sufficient
4 for all package sizes.

5 (b) All harvested cannabis intended for distribution to a
6 cannabis enterprise must be packaged in a sealed, labeled
7 container.

8 (c) Any product containing cannabis shall be sold in a
9 sealed, odor-proof, and child-resistant cannabis container
10 consistent with current standards, including the Consumer
11 Product Safety Commission standards referenced by the Poison
12 Prevention Act unless the sale is between or among a craft
13 grower, infuser, or cultivation center.

14 (d) All cannabis-infused products shall be individually
15 wrapped or packaged at the original point of preparation. The
16 packaging of the cannabis-infused product shall conform to the
17 labeling requirements of the Illinois Food, Drug and Cosmetic
18 Act, in addition to the other requirements set forth in this
19 Section.

20 (e) Each cannabis product shall be labeled before sale and
21 each label shall be securely affixed to the package and shall
22 state in legible English and any languages required by the
23 Department of Agriculture:

24 (1) the name and post office box of the registered
25 cultivation center or craft grower where the item was
26 manufactured;

1 (2) the common or usual name of the item and the
2 registered name of the cannabis product that was
3 registered with the Department of Agriculture under
4 subsection (a);

5 (3) a unique serial number that will match the product
6 with a cultivation center or craft grower batch and lot
7 number to facilitate any warnings or recalls the
8 Department of Agriculture, cultivation center, or craft
9 grower deems appropriate;

10 (4) the date of final testing and packaging, if
11 sampled, and the identification of the independent testing
12 laboratory;

13 (5) the date of harvest and "use by" date;

14 (6) the quantity (in ounces or grams) of cannabis
15 contained in the product;

16 (7) a pass/fail rating based on the laboratory's
17 microbiological, mycotoxins, and pesticide and solvent
18 residue analyses, if sampled;

19 (8) content list.

20 (A) A list of the following, including the minimum
21 and maximum percentage content by weight for
22 subdivisions (e) (8) (A) (i) through (iv):

23 (i) delta-9-tetrahydrocannabinol (THC);

24 (ii) tetrahydrocannabinolic acid (THCA);

25 (iii) cannabidiol (CBD);

26 (iv) cannabidiolic acid (CBDA); and

1 (v) all other ingredients of the item,
2 including any colors, artificial flavors, and
3 preservatives, listed in descending order by
4 predominance of weight shown with common or usual
5 names.

6 (B) The acceptable tolerances for the minimum
7 percentage printed on the label for any of
8 subdivisions (e) (8) (A) (i) through (iv) shall not be
9 below 85% or above 115% of the labeled amount.

10 (f) Packaging must not contain information that:

11 (1) is false or misleading;

12 (2) promotes excessive consumption;

13 (3) depicts a person under 21 years of age consuming
14 cannabis;

15 (4) includes the image of a cannabis leaf;

16 (5) includes any image designed or likely to appeal to
17 minors, including cartoons, toys, animals, or children, or
18 any other likeness to images, characters, or phrases that
19 are popularly used to advertise to children, or any
20 packaging or labeling that bears reasonable resemblance to
21 any product available for consumption as a commercially
22 available candy, or that promotes consumption of cannabis;

23 (6) contains any seal, flag, crest, coat of arms, or
24 other insignia likely to mislead the purchaser to believe
25 that the product has been endorsed, made, or used by the
26 State of Illinois or any of its representatives except

1 where authorized by this Act.

2 (g) Cannabis products produced by concentrating or
3 extracting ingredients from the cannabis plant shall contain
4 the following information, where applicable:

5 (1) If solvents were used to create the concentrate or
6 extract, a statement that discloses the type of extraction
7 method, including any solvents or gases used to create the
8 concentrate or extract; and

9 (2) Any other chemicals or compounds used to produce
10 or were added to the concentrate or extract.

11 (h) All cannabis products must contain warning statements
12 established for purchasers, of a size that is legible and
13 readily visible to a consumer inspecting a package, which may
14 not be covered or obscured in any way. The Department of Public
15 Health shall define and update appropriate health warnings for
16 packages including specific labeling or warning requirements
17 for specific cannabis products.

18 (i) Unless modified by rule to strengthen or respond to
19 new evidence and science, the following warnings shall apply
20 to all cannabis products unless modified by rule: "This
21 product contains cannabis and is intended for use by adults 21
22 and over. Its use can impair cognition and may be habit
23 forming. This product should not be used by pregnant or
24 breastfeeding women. It is unlawful to sell or provide this
25 item to any individual, and it may not be transported outside
26 the State of Illinois. It is illegal to operate a motor vehicle

1 while under the influence of cannabis. Possession or use of
2 this product may carry significant legal penalties in some
3 jurisdictions and under federal law."

4 (j) Warnings for each of the following product types must
5 be present on labels when offered for sale to a purchaser:

6 (1) Cannabis that may be smoked must contain a
7 statement that "Smoking is hazardous to your health."

8 (2) Cannabis-infused products (other than those
9 intended for topical application) must contain a statement
10 "CAUTION: This product contains cannabis, and intoxication
11 following use may be delayed 2 or more hours. This product
12 was produced in a facility that cultivates cannabis, and
13 that may also process common food allergens. This product
14 must be stored out of reach of children and should be in a
15 locked container. In case of accidental ingestion, call
16 the Illinois Poison Center at 1-800-222-1222."

17 (3) Cannabis-infused products intended for topical
18 application must contain a statement "DO NOT EAT" in bold,
19 capital letters, as well as a statement that reads: "This
20 product must be stored out of reach of children and should
21 be in a locked container. In case of accidental use or
22 ingestion, call the Illinois Poison Center at
23 1-800-222-1222."

24 (k) Each cannabis-infused product intended for consumption
25 must be individually packaged, must include the total
26 milligram content of THC and CBD, and may not include more than

1 a total of 100 milligrams of THC per package. A package may
2 contain multiple servings of 10 milligrams of THC, indicated
3 by scoring, wrapping, or by other indicators designating
4 individual serving sizes. The Department of Agriculture may
5 change the total amount of THC allowed for each package, or the
6 total amount of THC allowed for each serving size, by rule.

7 (l) No individual other than the purchaser may alter or
8 destroy any labeling affixed to the primary packaging of
9 cannabis or cannabis-infused products.

10 (m) For each commercial weighing and measuring device used
11 at a facility, the cultivation center or craft grower must:

12 (1) Ensure that the commercial device is licensed
13 under the Weights and Measures Act and the associated
14 administrative rules (8 Ill. Adm. Code 600);

15 (2) Maintain documentation of the licensure of the
16 commercial device; and

17 (3) Provide a copy of the license of the commercial
18 device to the Department of Agriculture for review upon
19 request.

20 (n) It is the responsibility of the Department to ensure
21 that packaging and labeling requirements, including product
22 warnings, are enforced at all times for products provided to
23 purchasers. Product registration requirements and container
24 requirements may be modified by rule by the Department of
25 Agriculture.

26 (o) Labeling, including warning labels, may be modified by

1 rule by the Department of Agriculture.

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

3 102-98, eff. 7-15-21.)