**Section 1291.220 Relocation of an Early Approval Adult Use Dispensing Organization**

**License at a Same Site**

a) Early Approval Adult Use Dispensing Organizations ("Same-site Licensee") whose licenses were issued pursuant to Section 15-15 of the Act may submit an application on forms provided by the Department to relocate their dispensary.

1) Same-site Licensees who apply to relocate their dispensaries to a new location pursuant to this Part may be approved, subject to all other statutory and administrative requirements, if:

A) the proposed location is within the same geographic district, as those geographic districts are defined in 68 IAC 1290.20, as the Same-site Licensee’s existing associated medical cannabis dispensing organization registration issued under the Compassionate Use of Medical Cannabis Program Act is authorized to operate; and

B) the Same-site Licensee’s existing location is within the boundaries of a unit of local government that prohibits the retail sales of adult use cannabis; or

C) the Same-site Licensee has obtained a signed statement from a city manager, village president, mayor, corporate counsel, or other official from the unit of local government where it is located approving the Same-site Licensee to relocate to another location within that unit of local government. If the unit of local government is a county, it must obtain signed statements from the county executive, county president, corporate counsel, or other official from the county board where it is located approving the Same-Site Licensee to relocate to another location within that county.

2) The Same-site Licensee shall submit the fee required for the relocation of its existing associated medical registration. This is the only fee required for the Same-site Licensee to relocate under this Section.

b) The Department shall approve or deny an application to relocate under subsection (a) within 30 days after receiving a completed application.

c) If the Department does not approve or deny an application to relocate under subsection (a) within 30 days after receiving a completed application, the application shall be deemed to be approved.

d) If the Department denies an application to relocate pursuant to subsection (a), it shall do so in writing and provide a specific reason for the denial.

e) An application to relocate shall be deemed complete upon submission of all documents (e.g., zoning approval) required by the application form provided by the Department.

f) If, upon reviewing the application, the Department discovers any documentation required by the Department’s application to relocate are missing, the Department may request the missing documentation. In this case, the application is not complete until the missing documentation is submitted.

g) After receiving the Department’s approval to relocate under subsection (a), the Same-site Licensee shall submit floorplans of the new location for the Department’s approval in a form or manner prescribed by the Department and the Act. The Department shall approve or deny the floorplans within 10 business days of the Department's receipt of the floorplans.

h) Prior to the commencement of operations at a new location that was approved by the Department under subsection (a), the Same-site Licensee must also pass a building and site inspection conducted by the Department to ensure compliance with the Act. The Same-site Licensee shall request a building and site inspection of the new site on forms provided by the Department. The Department shall schedule a building and site inspection within 10 business days upon receiving the Same-site Licensee's request for a building and site inspection.

(Source: Added at 46 Ill. Reg. 2660, effective January 28, 2022)