



Sen. Kimberly A. Lightford

Filed: 5/26/2024

10300HB2911sam004

LRB103 26014 RJT 74237 a

1 AMENDMENT TO HOUSE BILL 2911

2 AMENDMENT NO. _____. Amend House Bill 2911, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Professional Regulation Law
6 of the Civil Administrative Code of Illinois is amended by
7 changing Section 2105-117 as follows:

8 (20 ILCS 2105/2105-117)

9 Sec. 2105-117. Confidentiality. All information collected
10 by the Department in the course of an examination or
11 investigation of a licensee, registrant, or applicant,
12 including, but not limited to, any complaint against a
13 licensee or registrant filed with the Department and
14 information collected to investigate any such complaint, shall
15 be maintained for the confidential use of the Department and
16 shall not be disclosed. The Department may not disclose the

1 information to anyone other than law enforcement officials,
2 other regulatory agencies that have an appropriate regulatory
3 interest as determined by the Director, the Office of
4 Executive Inspector General, or a party presenting a lawful
5 subpoena to the Department. Information and documents
6 disclosed to a federal, State, county, or local law
7 enforcement agency, including the Executive Inspector General,
8 shall not be disclosed by the agency for any purpose to any
9 other agency or person, except as necessary to those involved
10 in enforcing the State Officials and Employees Ethics Act. A
11 formal complaint filed against a licensee or registrant by the
12 Department or any order issued by the Department against a
13 licensee, registrant, or applicant shall be a public record,
14 except as otherwise prohibited by law.

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

16 Section 10. The Retailers' Occupation Tax Act is amended
17 by changing Section 11 as follows:

18 (35 ILCS 120/11) (from Ch. 120, par. 450)

19 Sec. 11. All information received by the Department from
20 returns filed under this Act, or from any investigation
21 conducted under this Act, shall be confidential, except for
22 official purposes, and any person, including a third party as
23 defined in the Local Government Revenue Recapture Act, who
24 divulges any such information in any manner, except in

1 accordance with a proper judicial order or as otherwise
2 provided by law, including the Local Government Revenue
3 Recapture Act, shall be guilty of a Class B misdemeanor with a
4 fine not to exceed \$7,500.

5 Nothing in this Act prevents the Director of Revenue from
6 publishing or making available to the public the names and
7 addresses of persons filing returns under this Act, or
8 reasonable statistics concerning the operation of the tax by
9 grouping the contents of returns so the information in any
10 individual return is not disclosed.

11 Nothing in this Act prevents the Director of Revenue from
12 divulging to the United States Government or the government of
13 any other state, or any officer or agency thereof, for
14 exclusively official purposes, information received by the
15 Department in administering this Act, provided that such other
16 governmental agency agrees to divulge requested tax
17 information to the Department.

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

26 The furnishing upon request of information obtained by the

1 Department from returns filed under this Act or investigations
2 conducted under this Act to the Illinois Liquor Control
3 Commission for official use is deemed to be an official
4 purpose within the meaning of this Section.

5 Notice to a surety of potential liability shall not be
6 given unless the taxpayer has first been notified, not less
7 than 10 days prior thereto, of the Department's intent to so
8 notify the surety.

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

13 Where an appeal or a protest has been filed on behalf of a
14 taxpayer, the furnishing upon request of the attorney for the
15 taxpayer of returns filed by the taxpayer and information
16 related thereto under this Act is deemed to be an official
17 purpose within the meaning of this Section.

18 The furnishing of financial information to a municipality
19 or county, upon request of the chief executive officer
20 thereof, is an official purpose within the meaning of this
21 Section, provided the municipality or county agrees in writing
22 to the requirements of this Section. Information provided to
23 municipalities and counties under this paragraph shall be
24 limited to: (1) the business name; (2) the business address;
25 (3) the standard classification number assigned to the
26 business; (4) net revenue distributed to the requesting

1 municipality or county that is directly related to the
2 requesting municipality's or county's local share of the
3 proceeds under the Use Tax Act, the Service Use Tax Act, the
4 Service Occupation Tax Act, and the Retailers' Occupation Tax
5 Act distributed from the Local Government Tax Fund, and, if
6 applicable, any locally imposed retailers' occupation tax or
7 service occupation tax; and (5) a listing of all businesses
8 within the requesting municipality or county by account
9 identification number and address. On and after July 1, 2015,
10 the furnishing of financial information to municipalities and
11 counties under this paragraph may be by electronic means. If
12 the Department may furnish financial information to a
13 municipality or county under this paragraph, then the chief
14 executive officer of the municipality or county may, in turn,
15 provide that financial information to a third party pursuant
16 to the Local Government Revenue Recapture Act. However, the
17 third party shall agree in writing to the requirements of this
18 Section and meet the requirements of the Local Government
19 Revenue Recapture Act.

20 Information so provided shall be subject to all
21 confidentiality provisions of this Section. The written
22 agreement shall provide for reciprocity, limitations on
23 access, disclosure, and procedures for requesting information.
24 For the purposes of furnishing financial information to a
25 municipality or county under this Section, "chief executive
26 officer" means the mayor of a city, the village board

1 president of a village, the mayor or president of an
2 incorporated town, the county executive of a county that has
3 adopted the county executive form of government, the president
4 of the board of commissioners of Cook County, or the
5 chairperson of the county board or board of county
6 commissioners of any other county.

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

23 The Director may make available to any State agency,
24 including the Illinois Supreme Court, which licenses persons
25 to engage in any occupation, information that a person
26 licensed by such agency has failed to file returns under this

1 Act or pay the tax, penalty and interest shown therein, or has
2 failed to pay any final assessment of tax, penalty or interest
3 due under this Act. The Director may make available to any
4 State agency, including the Illinois Supreme Court,
5 information regarding whether a bidder, contractor, or an
6 affiliate of a bidder or contractor has failed to collect and
7 remit Illinois Use tax on sales into Illinois, or any tax under
8 this Act or pay the tax, penalty, and interest shown therein,
9 or has failed to pay any final assessment of tax, penalty, or
10 interest due under this Act, for the limited purpose of
11 enforcing bidder and contractor certifications. The Director
12 may make available to units of local government and school
13 districts that require bidder and contractor certifications,
14 as set forth in Sections 50-11 and 50-12 of the Illinois
15 Procurement Code, information regarding whether a bidder,
16 contractor, or an affiliate of a bidder or contractor has
17 failed to collect and remit Illinois Use tax on sales into
18 Illinois, file returns under this Act, or pay the tax,
19 penalty, and interest shown therein, or has failed to pay any
20 final assessment of tax, penalty, or interest due under this
21 Act, for the limited purpose of enforcing bidder and
22 contractor certifications. For purposes of this Section, the
23 term "affiliate" means any entity that (1) directly,
24 indirectly, or constructively controls another entity, (2) is
25 directly, indirectly, or constructively controlled by another
26 entity, or (3) is subject to the control of a common entity.

1 For purposes of this Section, an entity controls another
2 entity if it owns, directly or individually, more than 10% of
3 the voting securities of that entity. As used in this Section,
4 the term "voting security" means a security that (1) confers
5 upon the holder the right to vote for the election of members
6 of the board of directors or similar governing body of the
7 business or (2) is convertible into, or entitles the holder to
8 receive upon its exercise, a security that confers such a
9 right to vote. A general partnership interest is a voting
10 security.

11 The Director may make available to any State agency,
12 including the Illinois Supreme Court, units of local
13 government, and school districts, information regarding
14 whether a bidder or contractor is an affiliate of a person who
15 is not collecting and remitting Illinois Use taxes for the
16 limited purpose of enforcing bidder and contractor
17 certifications.

18 The Director may also make available to the Secretary of
19 State information that a limited liability company, which has
20 filed articles of organization with the Secretary of State, or
21 corporation which has been issued a certificate of
22 incorporation by the Secretary of State has failed to file
23 returns under this Act or pay the tax, penalty and interest
24 shown therein, or has failed to pay any final assessment of
25 tax, penalty or interest due under this Act. An assessment is
26 final when all proceedings in court for review of such

1 assessment have terminated or the time for the taking thereof
2 has expired without such proceedings being instituted.

3 It is an official purpose within the meaning of this
4 Section for the Department to publicly report the aggregate
5 amount of tax revenues from a given tax return type that the
6 Department allocates from a State fund or State trust fund to
7 each unit of local government, such as the amount of the
8 monthly allocation to each unit of local government of
9 Municipal Cannabis Retailers' Occupation Tax, County Cannabis
10 Retailers' Occupation Tax, or Business District Retailers'
11 Occupation Tax, notwithstanding that some units of local
12 government may have as few as one retailer reporting revenues
13 for a given tax return type in any given reporting period.

14 The Director shall make available for public inspection in
15 the Department's principal office and for publication, at
16 cost, administrative decisions issued on or after January 1,
17 1995. These decisions are to be made available in a manner so
18 that the following taxpayer information is not disclosed:

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

21 (2) At the sole discretion of the Director, trade
22 secrets or other confidential information identified as
23 such by the taxpayer, no later than 30 days after receipt
24 of an administrative decision, by such means as the
25 Department shall provide by rule.

26 The Director shall determine the appropriate extent of the

1 deletions allowed in paragraph (2). In the event the taxpayer
2 does not submit deletions, the Director shall make only the
3 deletions specified in paragraph (1).

4 The Director shall make available for public inspection
5 and publication an administrative decision within 180 days
6 after the issuance of the administrative decision. The term
7 "administrative decision" has the same meaning as defined in
8 Section 3-101 of Article III of the Code of Civil Procedure.
9 Costs collected under this Section shall be paid into the Tax
10 Compliance and Administration Fund.

11 Nothing contained in this Act shall prevent the Director
12 from divulging information to any person pursuant to a request
13 or authorization made by the taxpayer or by an authorized
14 representative of the taxpayer.

15 The furnishing of information obtained by the Department
16 from returns filed under Public Act 101-10 to the Department
17 of Transportation for purposes of compliance with Public Act
18 101-10 regarding aviation fuel is deemed to be an official
19 purpose within the meaning of this Section.

20 The Director may make information available to the
21 Secretary of State for the purpose of administering Section
22 5-901 of the Illinois Vehicle Code.

23 (Source: P.A. 101-10, eff. 6-5-19; 101-628, eff. 6-1-20;
24 102-558, eff. 8-20-21; 102-941, eff. 7-1-22.)

25 Section 15. The Compassionate Use of Medical Cannabis

1 Program Act is amended by changing Sections 10, 25, 30, 35, 57,
2 70, 85, 100, 105, 115, 115.5, 120, 130, 145, 150, 165, and 210
3 as follows:

4 (410 ILCS 130/10)

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

7 (a) "Adequate medical supply" means:

8 (1) 2.5 ounces of usable cannabis during a period of
9 14 days and that is derived solely from an intrastate
10 source.

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

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

24 (4) The pre-mixed weight of medical cannabis used in
25 making a cannabis infused product shall apply toward the

1 limit on the total amount of medical cannabis a registered
2 qualifying patient may possess at any one time.

3 (a-5) "Advanced practice registered nurse" means a person
4 who is licensed under the Nurse Practice Act as an advanced
5 practice registered nurse and has a controlled substances
6 license under Article III of the Illinois Controlled
7 Substances Act.

8 (b) "Cannabis" has the meaning given that term in Section
9 3 of the Cannabis Control 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 who has been issued and
20 possesses a valid registry identification card by the
21 Department of Public Health.

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

25 (e) "Cultivation center" means a facility operated by an
26 organization or business that is registered by the Department

1 of Agriculture to perform necessary activities to provide only
2 registered medical cannabis dispensing organizations with
3 usable medical cannabis.

4 (f) "Cultivation center agent" means a principal officer,
5 board member, employee, or agent of a registered cultivation
6 center who is 21 years of age or older ~~and has not been~~
7 ~~convicted of an excluded offense.~~

8 (g) "Cultivation center agent identification card" means a
9 document issued by the Department of Agriculture that
10 identifies a person as a cultivation center agent.

11 (h) "Debilitating medical condition" means one or more of
12 the following:

13 (1) cancer, glaucoma, positive status for human
14 immunodeficiency virus, acquired immune deficiency
15 syndrome, hepatitis C, amyotrophic lateral sclerosis,
16 Crohn's disease (including, but not limited to, ulcerative
17 colitis), agitation of Alzheimer's disease,
18 cachexia/wasting syndrome, muscular dystrophy, severe
19 fibromyalgia, spinal cord disease, including but not
20 limited to arachnoiditis, Tarlov cysts, hydromyelia,
21 syringomyelia, Rheumatoid arthritis, fibrous dysplasia,
22 spinal cord injury, traumatic brain injury and
23 post-concussion syndrome, Multiple Sclerosis,
24 Arnold-Chiari malformation and Syringomyelia,
25 Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's,
26 Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD

1 (Complex Regional Pain Syndromes Type I), Causalgia, CRPS
2 (Complex Regional Pain Syndromes Type II),
3 Neurofibromatosis, Chronic Inflammatory Demyelinating
4 Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial
5 Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella
6 syndrome, residual limb pain, seizures (including those
7 characteristic of epilepsy), post-traumatic stress
8 disorder (PTSD), autism, chronic pain, irritable bowel
9 syndrome, migraines, osteoarthritis, anorexia nervosa,
10 Ehlers-Danlos Syndrome, Neuro-Behcet's Autoimmune
11 Disease, neuropathy, polycystic kidney disease, superior
12 canal dehiscence syndrome, or the treatment of these
13 conditions;

14 (1.5) terminal illness with a diagnosis of 6 months or
15 less; if the terminal illness is not one of the qualifying
16 debilitating medical conditions, then the certifying
17 health care professional shall on the certification form
18 identify the cause of the terminal illness; or

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

22 (i) "Designated caregiver" means a person who: (1) is at
23 least 21 years of age; (2) has agreed to assist with a
24 patient's medical use of cannabis; and (3) ~~has not been~~
25 ~~convicted of an excluded offense; and (4)~~ assists no more than
26 one registered qualifying patient with his or her medical use

1 of cannabis.

2 (j) "Dispensing organization agent identification card"
3 means a document issued by the Department of Financial and
4 Professional Regulation that identifies a person as a medical
5 cannabis dispensing organization agent.

6 (k) "Enclosed, locked facility" means a room, greenhouse,
7 building, or other enclosed area equipped with locks or other
8 security devices that permit access only by a cultivation
9 center's agents or a dispensing organization's agent working
10 for the registered cultivation center or the registered
11 dispensing organization to cultivate, store, and distribute
12 cannabis for registered qualifying patients.

13 (l) (Blank). ~~"Excluded offense" for cultivation center~~
14 ~~agents and dispensing organizations means:~~

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

19 ~~(2) a violation of a state or federal controlled~~
20 ~~substance law, the Cannabis Control Act, or the~~
21 ~~Methamphetamine Control and Community Protection Act that~~
22 ~~was classified as a felony in the jurisdiction where the~~
23 ~~person was convicted, except that the registering~~
24 ~~Department may waive this restriction if the person~~
25 ~~demonstrates to the registering Department's satisfaction~~
26 ~~that his or her conviction was for the possession,~~

1 ~~cultivation, transfer, or delivery of a reasonable amount~~
2 ~~of cannabis intended for medical use. This exception does~~
3 ~~not apply if the conviction was under state law and~~
4 ~~involved a violation of an existing medical cannabis law.~~

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

9 (1-5) (Blank).

10 (1-10) "Illinois Cannabis Tracking System" means a
11 web-based system established and maintained by the Department
12 of Public Health that is available to the Department of
13 Agriculture, the Department of Financial and Professional
14 Regulation, the Illinois State Police, and registered medical
15 cannabis dispensing organizations on a 24-hour basis to upload
16 written certifications for Opioid Alternative Pilot Program
17 participants, to verify Opioid Alternative Pilot Program
18 participants, to verify Opioid Alternative Pilot Program
19 participants' available cannabis allotment ~~and assigned~~
20 ~~dispensary~~, and the tracking of the date of sale, amount, and
21 price of medical cannabis purchased by an Opioid Alternative
22 Pilot Program participant.

23 (m) "Medical cannabis cultivation center registration"
24 means a registration issued by the Department of Agriculture.

25 (n) "Medical cannabis container" means a sealed,
26 traceable, food compliant, tamper resistant, tamper evident

1 container, or package used for the purpose of containment of
2 medical cannabis from a cultivation center to a dispensing
3 organization.

4 (o) "Medical cannabis dispensing organization", or
5 "dispensing organization", or "dispensary organization" means
6 a facility operated by an organization or business that is
7 registered by the Department of Financial and Professional
8 Regulation to acquire medical cannabis from a registered
9 cultivation center for the purpose of dispensing cannabis,
10 paraphernalia, or related supplies and educational materials
11 to registered qualifying patients, individuals with a
12 provisional registration for qualifying patient cardholder
13 status, or an Opioid Alternative Pilot Program participant.

14 (p) "Medical cannabis dispensing organization agent" or
15 "dispensing organization agent" means a principal officer,
16 board member, employee, or agent of a registered medical
17 cannabis dispensing organization who is 21 years of age or
18 older ~~and has not been convicted of an excluded offense.~~

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

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

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

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

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

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

22 (s-5) "Provisional registration" means a document issued
23 by the Department of Public Health to a qualifying patient who
24 has submitted: (1) an online application and paid a fee to
25 participate in Compassionate Use of Medical Cannabis Program
26 pending approval or denial of the patient's application; or

1 (2) a completed application for terminal illness.

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

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

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

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

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

22 (x) "Verification system" means a Web-based system
23 established and maintained by the Department of Public Health
24 that is available to the Department of Agriculture, the
25 Department of Financial and Professional Regulation, law
26 enforcement personnel, and registered medical cannabis

1 dispensing organization agents on a 24-hour basis for the
2 verification of registry identification cards, the tracking of
3 delivery of medical cannabis to medical cannabis dispensing
4 organizations, and the tracking of the date of sale, amount,
5 and price of medical cannabis purchased by a registered
6 qualifying patient.

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

23 (z) "Bona fide health care professional-patient
24 relationship" means a relationship established at a hospital,
25 certifying health care professional's office, or other health
26 care facility in which the certifying health care professional

1 has an ongoing responsibility for the assessment, care, and
2 treatment of a patient's debilitating medical condition or a
3 symptom of the patient's debilitating medical condition.

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

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

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

14 (410 ILCS 130/25)

15 Sec. 25. Immunities and presumptions related to the
16 medical use of cannabis.

17 (a) A registered qualifying patient is not subject to
18 arrest, prosecution, or denial of any right or privilege,
19 including, but not limited to, civil penalty or disciplinary
20 action by an occupational or professional licensing board, for
21 the medical use of cannabis in accordance with this Act, if the
22 registered qualifying patient possesses an amount of cannabis
23 that does not exceed an adequate medical supply as defined in
24 subsection (a) of Section 10 of this Act of usable cannabis
25 and, where the registered qualifying patient is a licensed

1 professional, the use of cannabis does not impair that
2 licensed professional when he or she is engaged in the
3 practice of the profession for which he or she is licensed.

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

23 (c) A registered qualifying patient or registered
24 designated caregiver is not subject to arrest, prosecution, or
25 denial of any right or privilege, including, but not limited
26 to, civil penalty or disciplinary action by an occupational or

1 professional licensing board for possession of cannabis that
2 is incidental to medical use, but is not usable cannabis as
3 defined in this Act.

4 (d) (1) There is a rebuttable presumption that a registered
5 qualifying patient is engaged in, or a designated caregiver is
6 assisting with, the medical use of cannabis in accordance with
7 this Act if the qualifying patient or designated caregiver:

8 (A) is in possession of a valid registry
9 identification card; and

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

13 (2) The presumption may be rebutted by evidence that
14 conduct related to cannabis was not for the purpose of
15 treating or alleviating the qualifying patient's debilitating
16 medical condition or symptoms associated with the debilitating
17 medical condition in compliance with this Act.

18 (e) A certifying health care professional is not subject
19 to arrest, prosecution, or penalty in any manner, or denial of
20 any right or privilege, including, but not limited to, civil
21 penalty or disciplinary action by the Medical Disciplinary
22 Board or by any other occupational or professional licensing
23 board, solely for providing written certifications or for
24 otherwise stating that, in the certifying health care
25 professional's professional opinion, a patient is likely to
26 receive therapeutic or palliative benefit from the medical use

1 of cannabis to treat or alleviate the patient's debilitating
2 medical condition or symptoms associated with the debilitating
3 medical condition, provided that nothing shall prevent a
4 professional licensing or disciplinary board from sanctioning
5 a certifying health care professional for: (1) issuing a
6 written certification to a patient who is not under the
7 certifying health care professional's care for a debilitating
8 medical condition; or (2) failing to properly evaluate a
9 patient's medical condition or otherwise violating the
10 standard of care for evaluating medical conditions.

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

22 (g) A registered cultivation center is not subject to
23 prosecution; search or inspection, except by the Department of
24 Agriculture, Department of Public Health, or State or local
25 law enforcement under Section 130; seizure; or penalty in any
26 manner, or denial of any right or privilege, including, but

1 not limited to, civil penalty or disciplinary action by a
2 business licensing board or entity, for acting under this Act
3 and Department of Agriculture rules to: acquire, possess,
4 cultivate, manufacture, deliver, transfer, transport, supply,
5 or sell cannabis to registered dispensing organizations.

6 (h) A registered cultivation center agent is not subject
7 to prosecution, search, or penalty in any manner, or denial of
8 any right or privilege, including, but not limited to, civil
9 penalty or disciplinary action by a business licensing board
10 or entity, for working or volunteering for a registered
11 cannabis cultivation center under this Act and Department of
12 Agriculture rules, including to perform the actions listed
13 under subsection (g).

14 (i) A registered dispensing organization is not subject to
15 prosecution; search or inspection, except by the Department of
16 Financial and Professional Regulation or State or local law
17 enforcement pursuant to Section 130; seizure; or penalty in
18 any manner, or denial of any right or privilege, including,
19 but not limited to, civil penalty or disciplinary action by a
20 business licensing board or entity, for acting under this Act
21 and Department of Financial and Professional Regulation rules
22 to: acquire, possess, or dispense cannabis, or related
23 supplies, and educational materials to registered qualifying
24 patients or registered designated caregivers on behalf of
25 registered qualifying patients.

26 (j) A registered dispensing organization agent is not

1 subject to prosecution, search, or penalty in any manner, or
2 denial of any right or privilege, including, but not limited
3 to, civil penalty or disciplinary action by a business
4 licensing board or entity, for working or volunteering for a
5 dispensing organization under this Act and Department of
6 Financial and Professional Regulation rules, including to
7 perform the actions listed under subsection (i).

8 (k) Any cannabis, cannabis paraphernalia, illegal
9 property, or interest in legal property that is possessed,
10 owned, or used in connection with the medical use of cannabis
11 as allowed under this Act, or acts incidental to that use, may
12 not be seized or forfeited. This Act does not prevent the
13 seizure or forfeiture of cannabis exceeding the amounts
14 allowed under this Act, nor shall it prevent seizure or
15 forfeiture if the basis for the action is unrelated to the
16 cannabis that is possessed, manufactured, transferred, or used
17 under this Act.

18 (l) Mere possession of, or application for, a registry
19 identification card or registration certificate does not
20 constitute probable cause or reasonable suspicion, nor shall
21 it be used as the sole basis to support the search of the
22 person, property, or home of the person possessing or applying
23 for the registry identification card. The possession of, or
24 application for, a registry identification card does not
25 preclude the existence of probable cause if probable cause
26 exists on other grounds.

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

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

20 (p) No law enforcement or correctional agency, nor any
21 individual employed by a law enforcement or correctional
22 agency, shall be subject to criminal or civil liability,
23 except for willful and wanton misconduct, as a result of
24 taking any action within the scope of the official duties of
25 the agency or individual to prohibit or prevent the possession
26 or use of cannabis by a cardholder incarcerated at a

1 correctional facility, jail, or municipal lockup facility, on
2 parole or mandatory supervised release, or otherwise under the
3 lawful jurisdiction of the agency or individual.

4 (Source: P.A. 101-363, eff. 8-19-19; 101-370, eff. 1-1-20;
5 102-558, eff. 8-20-21.)

6 (410 ILCS 130/30)

7 Sec. 30. Limitations and penalties.

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

11 (1) Undertaking any task under the influence of
12 cannabis, when doing so would constitute negligence,
13 professional malpractice, or professional misconduct;

14 (2) Possessing cannabis:

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

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

20 (C) in any correctional facility;

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

23 (E) in a vehicle not open to the public unless the
24 medical cannabis is in a reasonably secured, sealed
25 container and reasonably inaccessible while the

1 vehicle is moving; or

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

5 (3) Using cannabis:

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

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

11 (C) in any correctional facility;

12 (D) in any motor vehicle;

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

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

1 purposes of this subsection, a "public place" does not
2 include a health care facility. For purposes of this
3 Section, a "health care facility" includes, but is not
4 limited to, hospitals, nursing homes, hospice care
5 centers, and long-term care facilities;

6 (G) except as provided under Section 22-33 of the
7 School Code and Section 31 of this Act, knowingly in
8 close physical proximity to anyone under the age of 18
9 years of age;

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

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

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

22 (7) Allowing any person who is not allowed to use
23 cannabis under this Act to use cannabis that a cardholder
24 is allowed to possess under this Act;

25 (8) Transferring cannabis to any person contrary to
26 the provisions of this Act;

1 (9) The use of medical cannabis by an active duty law
2 enforcement officer, correctional officer, correctional
3 probation officer, or firefighter; or

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

6 (b) Nothing in this Act shall be construed to prevent the
7 arrest or prosecution of a registered qualifying patient for
8 reckless driving or driving under the influence of cannabis
9 where probable cause exists.

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

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

25 (e) Any cardholder, designated ~~or registered~~ caregiver, or
26 provisional patient who sells cannabis shall have his or her

1 registry identification card revoked and is subject to other
2 penalties for the unauthorized sale of cannabis.

3 (f) Any registered qualifying patient or provisional
4 patient who commits a violation of Section 11-502.1 of the
5 Illinois Vehicle Code or refuses a properly requested test
6 related to operating a motor vehicle while under the influence
7 of cannabis shall have his or her registry identification card
8 revoked.

9 (g) No registered qualifying patient, provisional patient,
10 or designated caregiver shall knowingly obtain, seek to
11 obtain, or possess, individually or collectively, an amount of
12 usable cannabis from a registered medical cannabis dispensing
13 organization that would cause him or her to exceed the
14 authorized adequate medical supply under subsection (a) of
15 Section 10.

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

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

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

24 (410 ILCS 130/35)

25 Sec. 35. Certifying health care professional requirements.

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

4 (1) The certifying health care professional shall be
5 currently licensed under the Medical Practice Act of 1987
6 to practice medicine in all its branches, the Nurse
7 Practice Act, or the Physician Assistant Practice Act of
8 1987, shall be in good standing, and must hold a
9 controlled substances license under Article III of the
10 Illinois Controlled Substances Act.

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

16 (3) The physical examination required by this Act may
17 ~~not~~ be performed by remote means, including telemedicine.

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

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

26 (1) accept, solicit, or offer any form of remuneration

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

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

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

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

22 (3) conduct a personal physical examination of a
23 patient for purposes of diagnosing a debilitating medical
24 condition at a location where medical cannabis is sold or
25 distributed or at the address of a principal officer,
26 agent, or employee or a medical cannabis 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 may
26 notify the Department of Public Health in writing: (1) if the

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

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

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

16 (410 ILCS 130/57)

17 Sec. 57. Caregivers for qualifying ~~Qualifying~~ patients and
18 provisional patients.

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

25 (b) Qualifying patients or provisional patients that are

1 18 years of age or older shall not be prohibited from
2 appointing up to 3 designated caregivers who meet the
3 definition of "designated caregiver" under Section 10.

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

5 (410 ILCS 130/70)

6 Sec. 70. Registry identification cards.

7 (a) A registered qualifying patient or designated
8 caregiver must keep their registry identification card in his
9 or her possession at all times when engaging in the medical use
10 of cannabis.

11 (b) Registry identification cards shall contain the
12 following:

13 (1) the name of the cardholder;

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

16 (3) the date of issuance and expiration date of the
17 registry identification card;

18 (4) a random alphanumeric identification number that
19 is unique to the cardholder;

20 (5) if the cardholder is a designated caregiver, the
21 random alphanumeric identification number of the
22 registered qualifying patient the designated caregiver is
23 receiving the registry identification card to assist; and

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

1 (c) To maintain a valid registration identification card,
2 a registered qualifying patient and caregiver must annually
3 resubmit, at least 45 days prior to the expiration date stated
4 on the registry identification card, a completed renewal
5 application, renewal fee, and accompanying documentation as
6 described in Department of Public Health rules. The Department
7 of Public Health shall send a notification to a registered
8 qualifying patient or registered designated caregiver 90 days
9 prior to the expiration of the registered qualifying patient's
10 or registered designated caregiver's identification card. If
11 the Department of Public Health fails to grant or deny a
12 renewal application received in accordance with this Section,
13 then the renewal is deemed granted and the registered
14 qualifying patient or registered designated caregiver may
15 continue to use the expired identification card until the
16 Department of Public Health denies the renewal or issues a new
17 identification card.

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

20 (e) The Department of Public Health may electronically
21 store in the card any or all of the information listed in
22 subsection (b), along with the address and date of birth of the
23 cardholder ~~and the qualifying patient's designated dispensary~~
24 ~~organization~~, to allow it to be read by law enforcement
25 agents.

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

1 (410 ILCS 130/85)

2 Sec. 85. Issuance and denial of medical cannabis
3 cultivation permit.

4 (a) The Department of Agriculture may register up to 22
5 cultivation center registrations for operation. The Department
6 of Agriculture may not issue more than one registration per
7 each Illinois State Police District boundary as specified on
8 the date of January 1, 2013. The Department of Agriculture may
9 not issue less than the 22 registrations if there are
10 qualified applicants who have applied with the Department.

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

13 (c) The Department of Agriculture shall determine a
14 registration fee by rule.

15 (d) A cultivation center may only operate if it has been
16 issued a valid registration from the Department of
17 Agriculture. When applying for a cultivation center
18 registration, the applicant shall submit the following in
19 accordance with Department of Agriculture rules:

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

21 (2) the proposed physical address of the cultivation
22 center and description of the enclosed, locked facility as
23 it applies to cultivation centers where medical cannabis
24 will be grown, harvested, manufactured, packaged, or
25 otherwise prepared for distribution to a dispensing

1 organization;

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

6 (4) any instance in which a business that any of the
7 prospective board members of the cultivation center had
8 managed or served on the board of the business and was
9 convicted, fined, censured, or had a registration or
10 license suspended or revoked in any administrative or
11 judicial proceeding;

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

13 (6) proposed operating by-laws that include procedures
14 for the oversight of the cultivation center, development
15 and implementation of a plant monitoring system, medical
16 cannabis container tracking system, accurate record
17 keeping, staffing plan, and security plan reviewed by the
18 Illinois State Police that are in accordance with the
19 rules issued by the Department of Agriculture under this
20 Act. A physical inventory shall be performed of all plants
21 and medical cannabis containers on a weekly basis;

22 (7) experience with agricultural cultivation
23 techniques and industry standards;

24 (8) any academic degrees, certifications, or relevant
25 experience with related businesses;

26 (9) the identity of every person, association, trust,

1 or corporation having any direct or indirect pecuniary
2 interest in the cultivation center operation with respect
3 to which the registration is sought. If the disclosed
4 entity is a trust, the application shall disclose the
5 names and addresses of the beneficiaries; if a
6 corporation, the names and addresses of all stockholders
7 and directors; if a partnership, the names and addresses
8 of all partners, both general and limited;

9 (10) verification from the Illinois State Police that
10 all background checks of the principal officer, board
11 members, and registered agents have been conducted ~~and~~
12 ~~those individuals have not been convicted of an excluded~~
13 ~~offense;~~

14 (11) provide a copy of the current local zoning
15 ordinance to the Department of Agriculture and verify that
16 proposed cultivation center is in compliance with the
17 local zoning rules issued in accordance with Section 140;

18 (12) an application fee set by the Department of
19 Agriculture by rule; and

20 (13) any other information required by Department of
21 Agriculture rules, including, but not limited to a
22 cultivation center applicant's experience with the
23 cultivation of agricultural or horticultural products,
24 operating an agriculturally related business, or operating
25 a horticultural business.

26 (e) An application for a cultivation center permit must be

1 denied if any of the following conditions are met:

2 (1) the applicant failed to submit the materials
3 required by this Section, including if the applicant's
4 plans do not satisfy the security, oversight, inventory,
5 or recordkeeping rules issued by the Department of
6 Agriculture;

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

9 (3) (blank) ~~one or more of the prospective principal~~
10 ~~officers or board members has been convicted of an~~
11 ~~excluded offense;~~

12 (4) one or more of the prospective principal officers
13 or board members has served as a principal officer or
14 board member for a registered dispensing organization or
15 cultivation center that has had its registration revoked;

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

18 (6) (blank) ~~a principal officer or board member of the~~
19 ~~cultivation center has been convicted of a felony under~~
20 ~~the laws of this State, any other state, or the United~~
21 ~~States;~~

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

26 (8) the person has submitted an application for a

1 certificate under this Act which contains false
2 information.

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

4 (410 ILCS 130/100)

5 Sec. 100. Cultivation center agent identification card.

6 (a) The Department of Agriculture shall:

7 (1) verify the information contained in an application
8 or renewal for a cultivation center identification card
9 submitted under this Act, and approve or deny an
10 application or renewal, within 30 days of receiving a
11 completed application or renewal application and all
12 supporting documentation required by rule;

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

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

18 (4) allow for an electronic application process, and
19 provide a confirmation by electronic or other methods that
20 an application has been submitted.

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

25 (c) The cultivation center agent identification cards

1 shall contain the following:

2 (1) the name of the cardholder;

3 (2) the date of issuance and expiration date of
4 cultivation center agent identification cards;

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

8 (4) a photograph of the cardholder.

9 (d) The cultivation center agent identification cards
10 shall be immediately returned to the cultivation center upon
11 termination of employment.

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

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

18 (g) An agent applicant may begin employment at a
19 cultivation center while the agent applicant's identification
20 card application is pending. Upon approval, the Department
21 shall issue the agent's identification card to the agent. If
22 denied, the cultivation center and the agent applicant shall
23 be notified and the agent applicant must cease all activity at
24 the cultivation center immediately.

25 (Source: P.A. 102-98, eff. 7-15-21; 102-538, eff. 8-20-21;
26 102-813, eff. 5-13-22.)

1 (410 ILCS 130/105)

2 Sec. 105. Requirements; prohibitions; penalties for
3 cultivation centers.

4 (a) The operating documents of a registered cultivation
5 center shall include procedures for the oversight of the
6 cultivation center, a cannabis plant monitoring system
7 including a physical inventory recorded weekly, a cannabis
8 container system including a physical inventory recorded
9 weekly, accurate record keeping, and a staffing plan.

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

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

23 (d) All cultivation of cannabis for distribution to a
24 registered dispensing organization must take place in an
25 enclosed, locked facility as it applies to cultivation centers

1 at the physical address provided to the Department of
2 Agriculture during the registration process. The cultivation
3 center location shall only be accessed by the cultivation
4 center agents working for the registered cultivation center,
5 Department of Agriculture staff performing inspections,
6 Department of Public Health staff performing inspections, law
7 enforcement or other emergency personnel, and contractors
8 working on jobs unrelated to medical cannabis, such as
9 installing or maintaining security devices or performing
10 electrical wiring.

11 (e) A cultivation center may not sell or distribute any
12 cannabis to any individual or entity other than another
13 cultivation center, a dispensing organization registered under
14 this Act, or a laboratory licensed by the Department of
15 Agriculture.

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

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

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

23 (i) Registered cultivation centers are subject to random
24 inspections by the Department of Agriculture and the
25 Department of Public Health.

26 (j) A cultivation center agent shall notify local law

1 enforcement, the Illinois State Police, and the Department of
2 Agriculture within 24 hours of the discovery of any loss or
3 theft. Notification shall be made by phone or in-person, or by
4 written or electronic communication.

5 (k) A cultivation center shall comply with all State and
6 federal rules and regulations regarding the use of pesticides.
7 (Source: P.A. 101-363, eff. 8-9-19; 102-538, eff. 8-20-21.)

8 (410 ILCS 130/115)

9 Sec. 115. Registration of dispensing organizations.

10 (a) The Department of Financial and Professional
11 Regulation may issue up to 60 dispensing organization
12 registrations for operation. The Department of Financial and
13 Professional Regulation may not issue less than the 60
14 registrations if there are qualified applicants who have
15 applied with the Department of Financial and Professional
16 Regulation. The organizations shall be geographically
17 dispersed throughout the State to allow all registered
18 qualifying patients reasonable proximity and access to a
19 dispensing organization.

20 (a-5) The Department of Financial and Professional
21 Regulation may ~~shall~~ adopt rules to create a registration
22 process for Social Equity Justice Involved Applicants and
23 Qualifying Applicants, a streamlined application, and a Social
24 Equity Justice Involved Medical Lottery under Section 115.5 to
25 issue the remaining available 5 dispensing organization

1 registrations for operation. For purposes of this Section:

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

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

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

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

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

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

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

26 "Qualifying Applicant" means an applicant that: (i)

1 submitted an application pursuant to Section 15-30 of the
2 Cannabis Regulation and Tax Act that received at least 85% of
3 250 application points available under Section 15-30 of the
4 Cannabis Regulation and Tax Act as the applicant's final
5 score; (ii) received points at the conclusion of the scoring
6 process for meeting the definition of a "Social Equity
7 Applicant" as set forth under the Cannabis Regulation and Tax
8 Act; and (iii) is an applicant that did not receive a
9 Conditional Adult Use Dispensing Organization License through
10 a Qualifying Applicant Lottery pursuant to Section 15-35 of
11 the Cannabis Regulation and Tax Act or any Tied Applicant
12 Lottery conducted under the Cannabis Regulation and Tax Act.

13 "Social Equity Justice Involved Applicant" means an
14 applicant that is an Illinois resident and one of the
15 following:

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

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

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

1 (b) A dispensing organization may only operate if it has
2 been issued a registration from the Department of Financial
3 and Professional Regulation. The Department of Financial and
4 Professional Regulation shall adopt rules establishing the
5 procedures for applicants for dispensing organizations.

6 (c) When applying for a dispensing organization
7 registration, the applicant shall submit, at a minimum, the
8 following in accordance with Department of Financial and
9 Professional Regulation rules:

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

12 (2) the proposed legal name of the dispensing
13 organization;

14 (3) the proposed physical address of the dispensing
15 organization;

16 (4) the name, address, and date of birth of each
17 principal officer and board member of the dispensing
18 organization, provided that all those individuals shall be
19 at least 21 years of age;

20 (5) (blank);

21 (6) (blank); and

22 (7) (blank).

23 (d) The Department of Financial and Professional
24 Regulation shall conduct a background check of the prospective
25 dispensing organization agents in order to carry out this
26 Section. The Department of State Police shall charge a fee for

1 conducting the criminal history record check, which shall be
2 deposited in the State Police Services Fund and shall not
3 exceed the actual cost of the record check. Each person
4 applying as a dispensing organization agent shall submit a
5 full set of fingerprints to the Department of State Police for
6 the purpose of obtaining a State and federal criminal records
7 check. These fingerprints shall be checked against the
8 fingerprint records now and hereafter, to the extent allowed
9 by law, filed in the Department of State Police and Federal
10 Bureau of Investigation criminal history records databases.
11 The Department of State Police shall furnish, following
12 positive identification, all Illinois conviction information
13 to the Department of Financial and Professional Regulation.

14 (e) A dispensing organization must pay a registration fee
15 set by the Department of Financial and Professional
16 Regulation.

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

20 (1) the applicant failed to submit the materials
21 required by this Section, including if the applicant's
22 plans do not satisfy the security, oversight, or
23 recordkeeping rules issued by the Department of Financial
24 and Professional Regulation;

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

1 (3) the applicant does not meet the requirements of
2 Section 130;

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

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

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

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

13 (410 ILCS 130/115.5)

14 Sec. 115.5. Social Equity Justice Involved Medical
15 Lottery.

16 (a) In this Section:

17 "By lot" has the same meaning as defined in Section 1-10 of
18 the Cannabis Regulation and Tax Act.

19 "Qualifying Applicant" has the same meaning as defined in
20 subsection (a-5) of Section 115.

21 "Social Equity Justice Involved Applicant" has the same
22 meaning as defined in subsection (a-5) of Section 115.

23 "Social Equity Justice Involved Medical Lottery" means the
24 process of issuing 5 available medical cannabis dispensing
25 organization registrations by lot, conducted by the Department

1 of Financial and Professional Regulation, for applicants who
2 are either: (i) Social Equity Justice Involved Applicants; or
3 (ii) Qualifying Applicants.

4 (b) The Department of Financial and Professional
5 Regulation may ~~shall~~ conduct a Social Equity Justice Involved
6 Medical Lottery to award up to 5 medical cannabis dispensing
7 organization registrations by lot in accordance with Section
8 115.

9 (c) The Department of Financial and Professional
10 Regulation shall adopt rules through emergency rulemaking in
11 accordance with subsection (kk) of Section 5-45 of the
12 Illinois Administrative Procedure Act to create a registration
13 process, a streamlined application, an application fee not to
14 exceed \$5,000 for purposes of this Section, and limits on the
15 number of entries into the Social Equity Justice Involved
16 Medical Lottery, as well as any other measures to reduce
17 barriers to enter the cannabis industry. The General Assembly
18 finds that the adoption of rules to regulate cannabis use is
19 deemed an emergency and necessary for the public interest,
20 safety, and welfare.

21 (d) Social Equity Justice Involved Applicants awarded a
22 registration under subsection (a-5) of Section 115 are
23 eligible to serve purchasers at the same site and a secondary
24 site under the Cannabis Regulation and Tax Act, subject to
25 application and inspection processes established by the
26 Department. The licenses issued under this Section shall be

1 valid for 2 years after the date of issuance and shall renew in
2 the manner proscribed by the Department.

3 (e) No applicant may be awarded more than one medical
4 cannabis dispensing organization registration at the
5 conclusion of the lottery conducted under this Section.

6 (f) No individual may be listed as a principal officer of
7 more than one medical cannabis dispensing organization
8 registration awarded under this Section.

9 (Source: P.A. 102-98, eff. 7-15-21.)

10 (410 ILCS 130/120)

11 Sec. 120. Dispensing organization agent identification
12 card.

13 (a) The Department of Financial and Professional
14 Regulation shall:

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

21 (2) issue a dispensing organization agent
22 identification card to a qualifying agent within 15
23 business days of approving the application or renewal;

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

1 (4) allow for an electronic application process, and
2 provide a confirmation by electronic or other methods that
3 an application has been submitted.

4 (b) A dispensing agent must keep his or her identification
5 card visible at all times when on the property of a dispensing
6 organization.

7 (c) The dispensing organization agent identification cards
8 shall contain the following:

9 (1) the name of the cardholder;

10 (2) the date of issuance and expiration date of the
11 dispensing organization agent identification cards;

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

15 (4) a photograph of the cardholder.

16 (d) The dispensing organization agent identification cards
17 shall be immediately returned to the dispensing organization
18 upon termination of employment.

19 (e) Any card lost by a dispensing organization agent shall
20 be reported to the Illinois State Police and the Department of
21 Financial and Professional Regulation immediately upon
22 discovery of the loss.

23 (f) (Blank). ~~An applicant shall be denied a dispensing~~
24 ~~organization agent identification card if he or she has been~~
25 ~~convicted of an excluded offense.~~

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

1 (410 ILCS 130/130)

2 Sec. 130. Requirements; prohibitions; penalties;
3 dispensing organizations.

4 (a) The Department of Financial and Professional
5 Regulation shall implement the provisions of this Section by
6 rule.

7 (b) A dispensing organization shall maintain operating
8 documents which shall include procedures for the oversight of
9 the registered dispensing organization and procedures to
10 ensure accurate recordkeeping.

11 (c) A dispensing organization shall implement appropriate
12 security measures, as provided by rule, to deter and prevent
13 the theft of cannabis and unauthorized entrance into areas
14 containing cannabis.

15 (d) A dispensing organization may not be located within
16 1,000 feet of the property line of a pre-existing public or
17 private preschool or elementary or secondary school or day
18 care center, day care home, group day care home, or part day
19 child care facility. A registered dispensing organization may
20 not be located in a house, apartment, condominium, or an area
21 zoned for residential use. This subsection shall not apply to
22 any dispensing organizations registered on or after July 1,
23 2019.

24 (e) A dispensing organization is prohibited from acquiring
25 cannabis from anyone other than a cultivation center, craft

1 grower, processing organization, another dispensing
2 organization, or transporting organization licensed or
3 registered under this Act or the Cannabis Regulation and Tax
4 Act. A dispensing organization is prohibited from obtaining
5 cannabis from outside the State of Illinois.

6 (f) A registered dispensing organization is prohibited
7 from dispensing cannabis for any purpose except to assist
8 registered qualifying patients with the medical use of
9 cannabis directly or through the qualifying patients'
10 designated caregivers.

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

19 (h) A dispensing organization may not dispense more than
20 2.5 ounces of cannabis to a registered qualifying patient,
21 directly or via a designated caregiver, in any 14-day period
22 unless the qualifying patient has a Department of Public
23 Health-approved quantity waiver. Any Department of Public
24 Health-approved quantity waiver process must be made available
25 to qualified veterans.

26 (i) Except as provided in subsection (i-5), before medical

1 cannabis may be dispensed to a designated caregiver or a
2 registered qualifying patient, a dispensing organization agent
3 must determine that the individual is a current cardholder in
4 the verification system and must verify each of the following:

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

7 (2) that the person presenting the card is the person
8 identified on the registry identification card presented
9 to the dispensing organization agent;

10 (3) (blank); and

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

13 (i-5) A dispensing organization may dispense medical
14 cannabis to an Opioid Alternative Pilot Program participant
15 under Section 62 and to a person presenting proof of
16 provisional registration under Section 55. Before dispensing
17 medical cannabis, the dispensing organization shall comply
18 with the requirements of Section 62 or Section 55, whichever
19 is applicable, and verify the following:

20 (1) that the written certification presented to the
21 registered dispensing organization is valid and an
22 original document;

23 (2) that the person presenting the written
24 certification is the person identified on the written
25 certification; and

26 (3) that the participant has not exceeded his or her

1 adequate supply.

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

10 (k) The health care professional-patient privilege as set
11 forth by Section 8-802 of the Code of Civil Procedure shall
12 apply between a qualifying patient and a registered dispensing
13 organization and its agents with respect to communications and
14 records concerning qualifying patients' debilitating
15 conditions.

16 (l) A dispensing organization may not permit any person to
17 consume cannabis on the property of a medical cannabis
18 organization.

19 (m) A dispensing organization may not share office space
20 with or refer patients to a certifying health care
21 professional.

22 (n) Notwithstanding any other criminal penalties related
23 to the unlawful possession of cannabis, the Department of
24 Financial and Professional Regulation may revoke, suspend,
25 place on probation, reprimand, refuse to issue or renew, or
26 take any other disciplinary or non-disciplinary action as the

1 Department of Financial and Professional Regulation may deem
2 proper with regard to the registration of any person issued
3 under this Act to operate a dispensing organization or act as a
4 dispensing organization agent, including imposing fines not to
5 exceed \$10,000 for each violation, for any violations of this
6 Act and rules adopted in accordance with this Act. The
7 procedures for disciplining a registered dispensing
8 organization shall be determined by rule. All final
9 administrative decisions of the Department of Financial and
10 Professional Regulation are subject to judicial review under
11 the Administrative Review Law and its rules. The term
12 "administrative decision" is defined as in Section 3-101 of
13 the Code of Civil Procedure.

14 (o) Dispensing organizations are subject to random
15 inspection and cannabis testing by the Department of Financial
16 and Professional Regulation, the Illinois State Police, the
17 Department of Revenue, the Department of Public Health, the
18 Department of Agriculture, or as provided by rule.

19 (p) The Department of Financial and Professional
20 Regulation shall adopt rules permitting returns, and potential
21 refunds, for damaged or inadequate products.

22 (q) The Department of Financial and Professional
23 Regulation may issue nondisciplinary citations for minor
24 violations which may be accompanied by a civil penalty not to
25 exceed \$10,000 per violation. The penalty shall be a civil
26 penalty or other condition as established by rule. The

1 citation shall be issued to the licensee and shall contain the
2 licensee's name, address, and license number, a brief factual
3 statement, the Sections of the law or rule allegedly violated,
4 and the civil penalty, if any, imposed. The citation must
5 clearly state that the licensee may choose, in lieu of
6 accepting the citation, to request a hearing. If the licensee
7 does not dispute the matter in the citation with the
8 Department of Financial and Professional Regulation within 30
9 days after the citation is served, then the citation shall
10 become final and shall not be subject to appeal.

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

12 (410 ILCS 130/145)

13 Sec. 145. Confidentiality.

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

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

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

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

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

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

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

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

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

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

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

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

1 (B) issued a written certification to a person who
2 was not under the certifying health care
3 professional's care for the debilitating medical
4 condition; or

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

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

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

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

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

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

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

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

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

24 (Source: P.A. 101-363, eff. 8-9-19; 102-98, eff. 7-15-21;
25 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

1 (410 ILCS 130/150)

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

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

11 (b) Within 180 days of the effective date of this Act, the
12 Department of Public Health, Department of Financial and
13 Professional Regulation, and Department of Agriculture shall
14 together establish a computerized database or verification
15 system. The database or verification system must allow law
16 enforcement personnel and medical cannabis dispensary
17 organization agents to determine whether or not the
18 identification number corresponds with a current, valid
19 registry identification card. The system shall only disclose
20 whether the identification card is valid, whether the
21 cardholder is a registered qualifying patient, provisional
22 patient, 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, the
9 Department of Financial and Professional Regulation may issue
10 registration to medical cannabis dispensing organizations for
11 the period during which the database is being established, and
12 the Department of Agriculture may issue registration cards to
13 medical cannabis cultivation organizations for the period
14 during which the database is being established.

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

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

21 (410 ILCS 130/165)

22 Sec. 165. Administrative rulemaking.

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

1 Regulation shall develop rules in accordance to their
2 responsibilities under this Act and file those rules with the
3 Joint Committee on Administrative Rules.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (8) any other matters as are necessary for the fair,

1 impartial, stringent, and comprehensive administration of
2 this Act;

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

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

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

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

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

19 (3) recordkeeping requirements for dispensing
20 organizations;

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

25 (5) procedures for suspending or revoking the
26 registrations of dispensing organizations and dispensing

1 organization agents that commit violations of the
2 provisions of this Act or the rules adopted under this
3 Act;

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

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

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

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

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

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

1 (410 ILCS 130/210)

2 Sec. 210. Returns.

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

10 (1) The name of the taxpayer;

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

14 (3) The amount of tax due;

15 (4) The signature of the taxpayer; and

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

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

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

24 (b) Beginning on June 25, 2019 (the effective date of
25 Public Act 101-27) ~~this amendatory Act of the 101st General~~

1 ~~Assembly~~, Section 60-20 ~~65-20~~ of the Cannabis Regulation and
2 Tax Act shall apply to returns filed and taxes paid under this
3 Act to the same extent as if those provisions were set forth in
4 full in this Section.

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

6 (410 ILCS 130/125 rep.)

7 Section 20. The Compassionate Use of Medical Cannabis
8 Program Act is amended by repealing Section 125.

9 Section 25. The Cannabis Regulation and Tax Act is amended
10 by changing Sections 1-10, 5-10, 5-15, 7-10, 7-15, 10-15,
11 15-15, 15-20, 15-25, 15-35, 15-35.10, 15-36, 15-40, 15-50,
12 15-60, 15-70, 15-85, 15-100, 15-145, 20-15, 20-30, 20-35,
13 20-45, 25-35, 30-10, 30-30, 30-35, 30-45, 35-25, 35-30, 40-25,
14 45-5, 50-5, 55-30, 55-65, 60-10, 65-10, 65-38, and 65-42 and
15 adding Sections 15-24 and 40-50 as follows:

16 (410 ILCS 705/1-10)

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

18 "Adequate medical supply" means:

19 (1) 2.5 ounces of usable cannabis during a period of
20 14 days and that is derived solely from an intrastate
21 source.

22 (2) Subject to the rules of the Department of Public
23 Health, a patient may apply for a waiver where a

1 certifying health care professional provides a substantial
2 medical basis in a signed, written statement asserting
3 that, based on the patient's medical history, in the
4 certifying health care professional's professional
5 judgment, 2.5 ounces is an insufficient adequate medical
6 supply for a 14-day period to properly alleviate the
7 patient's debilitating medical condition or symptoms
8 associated with the debilitating medical condition.

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

12 (4) The premixed weight of medical cannabis used in
13 making a cannabis infused product shall apply toward the
14 limit on the total amount of medical cannabis a registered
15 qualifying patient may possess at any one time.

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

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

25 "Advertise" means to engage in promotional activities
26 including, but not limited to: newspaper, radio, Internet and

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

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

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

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

20 (2) Cape Girardeau (Alexander County);

21 (3) Carbondale-Marion (Jackson County; Williamson
22 County);

23 (4) Champaign-Urbana (Champaign County; Ford County;
24 Piatt County);

25 (5) Chicago-Naperville-Elgin (Cook County; DeKalb
26 County; DuPage County; Grundy County; Kane County; Kendall

1 County; Lake County; McHenry County; Will County);

2 (6) Danville (Vermilion County);

3 (7) Davenport-Moline-Rock Island (Henry County; Mercer
4 County; Rock Island County);

5 (8) Decatur (Macon County);

6 (9) Kankakee (Kankakee County);

7 (10) Peoria (Marshall County; Peoria County; Stark
8 County; Tazewell County; Woodford County);

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

10 (12) St. Louis (Bond County; Calhoun County; Clinton
11 County; Jersey County; Madison County; Macoupin County;
12 Monroe County; St. Clair County),

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

14 (14) Northwest Illinois nonmetropolitan area (Bureau
15 County; Carroll County; Jo Daviess County; LaSalle County;
16 Lee County; Ogle County; Putnam County; Stephenson County;
17 Whiteside County);

18 (15) West Central Illinois nonmetropolitan area (Adams
19 County; Brown County; Cass County; Christian County;
20 Fulton County; Greene County; Hancock County; Henderson
21 County; Knox County; Livingston County; Logan County;
22 Mason County; McDonough County; Montgomery County; Morgan
23 County; Moultrie County; Pike County; Schuyler County;
24 Scott County; Shelby County; Warren County);

25 (16) East Central Illinois nonmetropolitan area (Clark
26 County; Clay County; Coles County; Crawford County;

1 Cumberland County; Douglas County; Edgar County; Effingham
2 County; Fayette County; Iroquois County; Jasper County;
3 Lawrence County; Marion County; Richland County); and
4 (17) Southern Illinois nonmetropolitan area (Edwards
5 County; Franklin County; Gallatin County; Hamilton County;
6 Hardin County; Jefferson County; Johnson County; Massac
7 County; Perry County; Pope County; Pulaski County;
8 Randolph County; Saline County; Union County; Wabash
9 County; Wayne County; White County).

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

13 "Cannabis" means marijuana, hashish, and other substances
14 that are identified as including any parts of the plant
15 Cannabis sativa and including derivatives or subspecies, such
16 as indica, of all strains of cannabis, whether growing or not;
17 the seeds thereof, the resin extracted from any part of the
18 plant; and any compound, manufacture, salt, derivative,
19 mixture, or preparation of the plant, its seeds, or resin,
20 including tetrahydrocannabinol (THC) and all other naturally
21 produced cannabinol derivatives, whether produced directly or
22 indirectly by extraction; however, "cannabis" does not include
23 the mature stalks of the plant, fiber produced from the
24 stalks, oil or cake made from the seeds of the plant, any other
25 compound, manufacture, salt, derivative, mixture, or
26 preparation of the mature stalks (except the resin extracted

1 from it), fiber, oil or cake, or the sterilized seed of the
2 plant that is incapable of germination. "Cannabis" does not
3 include industrial hemp as defined and authorized under the
4 Industrial Hemp Act. "Cannabis" also means cannabis flower,
5 concentrate, and cannabis-infused products.

6 "Cannabis business establishment" means a cultivation
7 center, craft grower, ~~processing organization~~, infuser
8 organization, dispensing organization, or transporting
9 organization.

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

19 "Cannabis container" means a sealed or resealable,
20 traceable, container, or package used for the purpose of
21 containment of cannabis or cannabis-infused product during
22 transportation.

23 "Cannabis flower" means marijuana, hashish, and other
24 substances that are identified as including any parts of the
25 plant Cannabis sativa and including derivatives or subspecies,
26 such as indica, of all strains of cannabis; including raw

1 kief, leaves, and buds, but not resin that has been extracted
2 from any part of such plant; nor any compound, manufacture,
3 salt, derivative, mixture, or preparation of such plant, its
4 seeds, or resin.

5 "Cannabis-infused product" means a beverage, food, oil,
6 ointment, tincture, topical formulation, or another product
7 containing cannabis or cannabis concentrate that is not
8 intended to be smoked.

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

15 "Cannabis plant monitoring system" or "plant monitoring
16 system" means a system that includes, but is not limited to,
17 testing and data collection established and maintained by the
18 cultivation center, craft grower, or infuser ~~processing~~
19 organization and that is available to the Department of
20 Revenue, the Department of Agriculture, the Department of
21 Financial and Professional Regulation, and the Illinois State
22 Police for the purposes of documenting each cannabis plant and
23 monitoring plant development throughout the life cycle of a
24 cannabis plant cultivated for the intended use by a customer
25 from seed planting to final packaging.

26 "Cannabis testing facility" means an entity licensed

1 ~~registered~~ by the Department of Agriculture to test cannabis
2 for potency and contaminants. Licensed cannabis testing
3 facilities are authorized under this Act to transport cannabis
4 from licensed cannabis business establishments to the licensed
5 cannabis testing facility and are exempt from the transporting
6 organization license requirements.

7 "Cannabis transport GPS tracking system" means a system
8 that includes, but is not limited to, real-time tracking,
9 tracing, and recording of global positioning system data for
10 licensed transporter vehicles registered with the Department
11 of Agriculture to transport cannabis and cannabis-infused
12 products.

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

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

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

26 "Community College Cannabis Vocational Training Pilot

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

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

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

19 "Consolidated transport center" means a facility licensed
20 by the Department of Agriculture that is: (i) integrated with
21 access controls, cameras, and alarms; (ii) owned and operated
22 by an independent social equity transporting organization; and
23 (iii) used for unloading products from vehicles, sorting and
24 securely storing products, and reloading products onto
25 licensed and registered transport vehicles before being
26 shipped to cannabis business establishments.

1 "Craft grower" means a facility operated by an
2 organization or business that is licensed by the Department of
3 Agriculture to cultivate, dry, cure, and package cannabis and
4 perform other necessary activities to make cannabis available
5 for sale at a dispensing organization or use at an infuser ~~a~~
6 ~~processing~~ organization. A craft grower may contain up to
7 14,000 ~~5,000~~ square feet of canopy space on its premises for
8 plants in the flowering state. ~~The Department of Agriculture~~
9 ~~may authorize an increase or decrease of flowering stage~~
10 ~~cultivation space in increments of 3,000 square feet by rule~~
11 ~~based on market need, craft grower capacity, and the~~
12 ~~licensee's history of compliance or noncompliance, with a~~
13 ~~maximum space of 14,000 square feet for cultivating plants in~~
14 ~~the flowering stage~~, which must be cultivated in all stages of
15 growth in an enclosed and secure area. A craft grower may share
16 premises with an infuser ~~a processing~~ organization or a
17 dispensing organization, or both, provided each licensee
18 stores currency and cannabis or cannabis-infused products in a
19 separate secured vault to which the other licensee does not
20 have access or all licensees sharing a vault share more than
21 50% of the same ownership.

22 "Craft grower agent" means a principal officer, board
23 member, employee, or other agent of a craft grower who is 21
24 years of age or older.

25 "Craft Grower Agent Identification Card" means a document
26 issued by the Department of Agriculture that identifies a

1 person as a craft grower agent.

2 "Cultivation center" means a facility operated by an
3 organization or business that is licensed by the Department of
4 Agriculture to cultivate, process, transport (unless otherwise
5 limited by this Act), and perform other necessary activities
6 to provide cannabis and cannabis-infused products to cannabis
7 business establishments.

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

11 "Cultivation Center Agent Identification Card" means a
12 document issued by the Department of Agriculture that
13 identifies a person as a cultivation center agent.

14 "Currency" means currency and coins ~~coin~~ of the United
15 States.

16 "Designated caregiver" means a person who:

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

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

20 (3) assists no more than one registered qualifying
21 patient with the patient's medical use of cannabis.

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

25 "Dispensary Applicant" means the Proposed Dispensing
26 Organization Name as stated on an application for a

1 Conditional Adult Use Dispensing Organization License.

2 "Dispensing organization" or "dispensary" means a facility
3 operated by an organization or business that is licensed by
4 the Department of Financial and Professional Regulation to
5 acquire cannabis from a cultivation center, craft grower,
6 infuser ~~processing~~ organization, or another dispensary for the
7 purpose of selling or dispensing cannabis, cannabis-infused
8 products, cannabis seeds, paraphernalia, or related supplies
9 under this Act to purchasers or to qualified ~~registered~~
10 ~~medical-cannabis~~ patients, and designated caregivers, and
11 provisional patients to purchase an adequate medical supply.

12 As used in this Act, "dispensing organization" includes a
13 registered medical cannabis organization as defined in the
14 Compassionate Use of Medical Cannabis Program Act or its
15 successor Act that has obtained an Early Approval Adult Use
16 Dispensing Organization License.

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

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

24 "Disproportionately Impacted Area" means a census tract or
25 comparable geographic area that satisfies the following
26 criteria as determined by the Department of Commerce and

1 Economic Opportunity, that:

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

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

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

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

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

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

22 "Early Approval Adult Use Cultivation Center License"
23 means a license that permits a medical cannabis cultivation
24 center licensed under the Compassionate Use of Medical
25 Cannabis Program Act as of the effective date of this Act to
26 begin cultivating, infusing, packaging, transporting (unless

1 otherwise provided in this Act), processing, and selling
2 cannabis or cannabis-infused product to cannabis business
3 establishments for resale to purchasers as permitted by this
4 Act as of January 1, 2020.

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

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

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

23 "Enclosed, locked facility" means a room, greenhouse,
24 building, or other enclosed area equipped with locks or other
25 security devices that permit access only by cannabis business
26 establishment agents working for the licensed cannabis

1 business establishment or acting pursuant to this Act to
2 cultivate, process, store, or distribute cannabis.

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

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

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

22 "Financial institution" has the same meaning as "financial
23 organization" as defined in Section 1501 of the Illinois
24 Income Tax Act, and also includes the holding companies,
25 subsidiaries, and affiliates of such financial organizations.

26 "Flowering stage" means the stage of cultivation where and

1 when a cannabis plant is cultivated to produce plant material
2 for cannabis products. This includes mature plants as follows:

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

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

10 "Individual" means a natural person.

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 "Independent social equity transporting organization"
17 means a transporting organization that is licensed by the
18 Department of Agriculture and that is not owned or controlled,
19 in whole or in part, by (i) any other cannabis business
20 establishment, or (ii) any individual who serves as a
21 principal officer of a cannabis business establishment or who
22 has ownership in or control of a cannabis business
23 establishment

24 "Infuser organization agent" means a principal officer,
25 board member, employee, or other agent of an infuser
26 organization.

1 "Infuser organization agent identification card" means a
2 document issued by the Department of Agriculture that
3 identifies a person as an infuser organization agent.

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

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

1 "Limited access area" means a room or other area under the
2 control of a cannabis dispensing organization licensed under
3 this Act and upon the licensed premises where cannabis sales
4 occur with access limited to purchasers, dispensing
5 organization owners and other dispensing organization agents,
6 or service professionals conducting business with the
7 dispensing organization, or, if sales to registered qualifying
8 patients, caregivers, provisional patients, and Opioid
9 Alternative Pilot Program participants licensed pursuant to
10 the Compassionate Use of Medical Cannabis Program Act are also
11 permitted at the dispensary, registered qualifying patients,
12 caregivers, provisional patients, and Opioid Alternative Pilot
13 Program participants.

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

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

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

1 from within an adjacent property.

2 "Ownership and control" means ownership of at least 51% of
3 the business, including corporate stock if a corporation, and
4 control over the management and day-to-day operations of the
5 business and an interest in the capital, assets, and profits
6 and losses of the business proportionate to percentage of
7 ownership.

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

13 "Possession limit" means the amount of cannabis under
14 Section 10-10 that may be possessed at any one time by a person
15 21 years of age or older or who is a registered qualifying
16 medical cannabis patient or caregiver under the Compassionate
17 Use of Medical Cannabis Program Act.

18 "Principal officer" includes a cannabis business
19 establishment applicant or licensed cannabis business
20 establishment's board member, owner with more than 1% interest
21 of the total cannabis business establishment or more than 5%
22 interest of the total cannabis business establishment of a
23 publicly traded company, president, vice president, secretary,
24 treasurer, partner, officer, member, manager member, or person
25 with a profit sharing, financial interest, or revenue sharing
26 arrangement. The definition includes a person with authority

1 to control the cannabis business establishment, a person who
2 assumes responsibility for the debts of the cannabis business
3 establishment and who is further defined in this Act.

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

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

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

21 "Provisional patient" means a qualifying patient who has
22 received a provisional registration from the Department of
23 Public Health.

24 ~~"Processing organization" or "processor" means a facility~~
25 ~~operated by an organization or business that is licensed by~~
26 ~~the Department of Agriculture to either extract constituent~~

1 ~~chemicals or compounds to produce cannabis concentrate or~~
2 ~~incorporate cannabis or cannabis concentrate into a product~~
3 ~~formulation to produce a cannabis product.~~

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

6 ~~"Processing organization agent identification card" means~~
7 ~~a document issued by the Department of Agriculture that~~
8 ~~identifies a person as a processing organization agent.~~

9 "Purchaser" means a person 21 years of age or older who
10 acquires cannabis for a valuable consideration. "Purchaser"
11 does not include a cardholder under the Compassionate Use of
12 Medical Cannabis Program Act.

13 "Qualifying Applicant" means an applicant that submitted
14 an application pursuant to Section 15-30 that received at
15 least 85% of 250 application points available under Section
16 15-30 as the applicant's final score and meets the definition
17 of "Social Equity Applicant" as set forth under this Section.

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 (c) The Department of Agriculture may adopt rules and
25 emergency rules in accordance with the Illinois Administrative

1 Procedure Act and prescribe forms and fees relating to the
2 administration and enforcement of this amendatory Act of the
3 103rd General Assembly, as it deems appropriate.

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

5 (410 ILCS 705/5-15)

6 Sec. 5-15. Department of Financial and Professional
7 Regulation.

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

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

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

2 (410 ILCS 705/7-10)

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

4 (a) There is created in the State treasury a special fund,
5 which shall be held separate and apart from all other State
6 moneys, to be known as the Cannabis Business Development Fund.
7 The Cannabis Business Development Fund shall be exclusively
8 used for the following purposes:

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

14 (2) to provide grants to Qualified Social Equity
15 Applicants to pay for ordinary and necessary expenses to
16 start and operate a cannabis business establishment
17 permitted by this Act;

18 (3) to compensate the Department of Commerce and
19 Economic Opportunity for any costs related to the
20 provision of low-interest loans and grants to Qualified
21 Social Equity Applicants and Social Equity Criteria
22 Lottery Licensees;

23 (4) to pay for outreach that may be provided or
24 targeted to attract and support Social Equity Applicants,
25 ~~and~~ Qualified Social Equity Applicants, and Social Equity

1 Criteria Lottery Licensees;

2 (5) (blank);

3 (5.5) to provide financial assistance that supports
4 lending to or private investment in Qualified Social
5 Equity Applicants and Social Equity Criteria Lottery
6 Licensees or that facilitates access to the facilities
7 needed to commence operations as a cannabis business
8 establishment;

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

15 (7) (blank); and

16 (8) to assist with job training and technical
17 assistance for residents in Disproportionately Impacted
18 Areas.

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

25 (c) (Blank).

26 (c-5) In addition to any other transfers that may be

1 provided for by law, on July 1, 2023, or as soon thereafter as
2 practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$40,000,000 from the
4 Compassionate Use of Medical Cannabis Fund to the Cannabis
5 Business Development Fund.

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

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

13 (410 ILCS 705/7-15)

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

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

24 (b) The Department of Commerce and Economic Opportunity
25 has the power to:

1 (1) provide Cannabis Social Equity loans, financial
2 assistance, and grants from appropriations from the
3 Cannabis Business Development Fund to assist Qualified
4 Social Equity Applicants and Social Equity Criteria
5 Lottery Licensees in gaining entry to, and successfully
6 operating in, the State's regulated cannabis marketplace;

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

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

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

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

25 (6) take whatever actions are necessary or appropriate
26 to protect the State's interest in the event of

1 bankruptcy, default, foreclosure, or noncompliance with
2 the terms and conditions of financial assistance provided
3 under this Section, including the ability to recapture
4 funds if the recipient is found to be noncompliant with
5 the terms and conditions of the financial assistance
6 agreement;

7 (6.5) enter into financial intermediary agreements to
8 facilitate lending to or investment in Qualified Social
9 Equity Applicants, Social Equity Criteria Lottery
10 Licensees, or their subsidiaries or affiliates to ensure
11 the availability of facilities necessary to operate a
12 cannabis business establishment;

13 (7) establish application, notification, contract, and
14 other forms, procedures, or rules deemed necessary and
15 appropriate; and

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

18 (c) Loans made under this Section:

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

22 (2) shall be in such principal amount and form and
23 contain such terms and provisions with respect to
24 security, insurance, reporting, delinquency charges,
25 default remedies, forgiveness, and other matters as the
26 Department shall determine appropriate to protect the

1 public interest and to be consistent with the purposes of
2 this Section. The terms and provisions may be less than
3 required for similar loans not covered by this Section;
4 and-

5 (3) may be distributed by a lottery if the Department
6 determines that the amount of funding available is
7 insufficient to provide an adequate amount of funding for
8 all of the applicants eligible to receive a loan.

9 The Department may determine the number of loans available
10 based on the amount of funding available and communicate the
11 number of loans available on the loan application. The
12 Department may use competitive criteria to establish which
13 applicants are eligible to receive a grant, loan, or financial
14 assistance.

15 (d) Grants made under this Section shall be awarded on a
16 competitive and annual basis under the Grant Accountability
17 and Transparency Act. Grants made under this Section shall
18 further and promote the goals of this Act, including promotion
19 of Social Equity Applicants, Qualified Social Equity
20 Applicants, or Social Equity Criteria Lottery Licensees, job
21 training and workforce development, and technical assistance
22 to Social Equity Applicants. To the extent registration with
23 the federal System for Award Management requires a grant
24 applicant to certify compliance with all federal laws, the
25 grant applicants under this Section shall not be required to
26 register for a unique entity identifier through the federal

1 System for Award Management to be qualified to receive a grant
2 so long as federal law prohibits the cultivation and sale of
3 cannabis.

4 (d-5) Financial intermediary agreements to provide
5 financial assistance must further the goals set forth in this
6 Act and result in financing or lease costs that are affordable
7 or below market rate.

8 (e) Beginning January 1, 2021 and each year thereafter,
9 the Department shall annually report to the Governor and the
10 General Assembly on the outcomes and effectiveness of this
11 Section that shall include the following:

12 (1) the number of persons or businesses receiving
13 financial assistance under this Section;

14 (2) the amount in financial assistance awarded in the
15 aggregate, in addition to the amount of loans made that
16 are outstanding and the amount of grants awarded;

17 (3) the location of the project engaged in by the
18 person or business; and

19 (4) if applicable, the number of new jobs and other
20 forms of economic output created as a result of the
21 financial assistance.

22 (f) The Department of Commerce and Economic Opportunity
23 shall include engagement with individuals with limited English
24 proficiency as part of its outreach provided or targeted to
25 attract and support Social Equity Applicants.

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

1 (410 ILCS 705/10-15)

2 Sec. 10-15. Persons under 21 years of age.

3 (a) Nothing in this Act is intended to permit the transfer
4 of cannabis, with or without remuneration, to a person under
5 21 years of age, or to allow a person under 21 years of age to
6 purchase, possess, use, process, transport, grow, or consume
7 cannabis except where authorized by this Act, the
8 Compassionate Use of Medical Cannabis Program Act, ~~or by~~ the
9 Community College Cannabis Vocational Pilot Program.

10 (b) Notwithstanding any other provisions of law
11 authorizing the possession of medical cannabis, nothing in
12 this Act authorizes a person who is under 21 years of age to
13 possess cannabis. A person under 21 years of age with cannabis
14 in his or her possession is guilty of a civil law violation as
15 outlined in paragraph (a) of Section 4 of the Cannabis Control
16 Act.

17 (c) If the person under the age of 21 was in a motor
18 vehicle at the time of the offense, the Secretary of State may
19 suspend or revoke the driving privileges of any person for a
20 violation of this Section under Section 6-206 of the Illinois
21 Vehicle Code and the rules adopted under it.

22 (d) It is unlawful for any parent or guardian to knowingly
23 permit his or her residence, any other private property under
24 his or her control, or any vehicle, conveyance, or watercraft
25 under his or her control to be used by an invitee of the

1 parent's child or the guardian's ward, if the invitee is under
2 the age of 21, in a manner that constitutes a violation of this
3 Section. A parent or guardian is deemed to have knowingly
4 permitted his or her residence, any other private property
5 under his or her control, or any vehicle, conveyance, or
6 watercraft under his or her control to be used in violation of
7 this Section if he or she knowingly authorizes or permits
8 consumption of cannabis by underage invitees. Any person who
9 violates this subsection (d) is guilty of a Class A
10 misdemeanor and the person's sentence shall include, but shall
11 not be limited to, a fine of not less than \$500. If a violation
12 of this subsection (d) directly or indirectly results in great
13 bodily harm or death to any person, the person violating this
14 subsection is guilty of a Class 4 felony. In this subsection
15 (d), where the residence or other property has an owner and a
16 tenant or lessee, the trier of fact may infer that the
17 residence or other property is occupied only by the tenant or
18 lessee.

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

20 (410 ILCS 705/15-15)

21 Sec. 15-15. Early Approval Adult Use Dispensing
22 Organization License.

23 (a) Any medical cannabis dispensing organization holding a
24 valid registration under the Compassionate Use of Medical
25 Cannabis Program Act as of the effective date of this Act may,

1 within 60 days of the effective date of this Act, apply to the
2 Department for an Early Approval Adult Use Dispensing
3 Organization License to serve purchasers at any medical
4 cannabis dispensing location in operation on the effective
5 date of this Act, pursuant to this Section.

6 (b) A medical cannabis dispensing organization seeking
7 issuance of an Early Approval Adult Use Dispensing
8 Organization License to serve purchasers at any medical
9 cannabis dispensing location in operation as of the effective
10 date of this Act shall submit an application on forms provided
11 by the Department. The application must be submitted by the
12 same person or entity that holds the medical cannabis
13 dispensing organization registration and include the
14 following:

15 (1) Payment of a nonrefundable fee of \$30,000 to be
16 deposited into the Cannabis Regulation Fund;

17 (2) Proof of registration as a medical cannabis
18 dispensing organization that is in good standing;

19 (3) Certification that the applicant will comply with
20 the requirements contained in the Compassionate Use of
21 Medical Cannabis Program Act except as provided in this
22 Act;

23 (4) The legal name of the dispensing organization;

24 (5) The physical address of the dispensing
25 organization;

26 (6) The name, address, social security number, and

1 date of birth of each principal officer and board member
2 of the dispensing organization, each of whom must be at
3 least 21 years of age;

4 (7) A nonrefundable Cannabis Business Development Fee
5 equal to 3% of the dispensing organization's total sales
6 between June 1, 2018 to June 1, 2019, or \$100,000,
7 whichever is less, to be deposited into the Cannabis
8 Business Development Fund; and

9 (8) Identification of one of the following Social
10 Equity Inclusion Plans to be completed by March 31, 2021:

11 (A) Make a contribution of 3% of total sales from
12 June 1, 2018 to June 1, 2019, or \$100,000, whichever is
13 less, to the Cannabis Business Development Fund. This
14 is in addition to the fee required by item (7) of this
15 subsection (b);

16 (B) Make a grant of 3% of total sales from June 1,
17 2018 to June 1, 2019, or \$100,000, whichever is less,
18 to a cannabis industry training or education program
19 at an Illinois community college as defined in the
20 Public Community College Act;

21 (C) Make a donation of \$100,000 or more to a
22 program that provides job training services to persons
23 recently incarcerated or that operates in a
24 Disproportionately Impacted Area;

25 (D) Participate as a host in a cannabis business
26 establishment incubator program approved by the

1 Department of Commerce and Economic Opportunity, and
2 in which an Early Approval Adult Use Dispensing
3 Organization License holder agrees to provide a loan
4 of at least \$100,000 and mentorship to incubate, for
5 at least a year, a Social Equity Applicant intending
6 to seek a license or a licensee that qualifies as a
7 Social Equity Applicant. As used in this Section,
8 "incubate" means providing direct financial assistance
9 and training necessary to engage in licensed cannabis
10 industry activity similar to that of the host
11 licensee. The Early Approval Adult Use Dispensing
12 Organization License holder or the same entity holding
13 any other licenses issued pursuant to this Act shall
14 not take an ownership stake of greater than 10% in any
15 business receiving incubation services to comply with
16 this subsection. If an Early Approval Adult Use
17 Dispensing Organization License holder fails to find a
18 business to incubate to comply with this subsection
19 before its Early Approval Adult Use Dispensing
20 Organization License expires, it may opt to meet the
21 requirement of this subsection by completing another
22 item from this subsection; or

23 (E) Participate in a sponsorship program for at
24 least 2 years approved by the Department of Commerce
25 and Economic Opportunity in which an Early Approval
26 Adult Use Dispensing Organization License holder

1 agrees to provide an interest-free loan of at least
2 \$200,000 to a Social Equity Applicant. The sponsor
3 shall not take an ownership stake in any cannabis
4 business establishment receiving sponsorship services
5 to comply with this subsection.

6 (b-5) Beginning 90 days after the effective date of this
7 amendatory Act of the 102nd General Assembly, an Early
8 Approval Adult Use Dispensing Organization licensee whose
9 license was issued pursuant to this Section may apply to
10 relocate within the same geographic district where its
11 existing associated medical cannabis dispensing organization
12 dispensary licensed under the Compassionate Use of Medical
13 Cannabis Program Act is authorized to operate. A request to
14 relocate under this subsection is subject to approval by the
15 Department. An Early Approval Adult Use Dispensing
16 Organization's application to relocate its license under this
17 subsection shall be deemed approved 30 days following the
18 submission of a complete application to relocate, unless
19 sooner approved or denied in writing by the Department. If an
20 application to relocate is denied, the Department shall
21 provide, in writing, the specific reason for denial.

22 An Early Approval Adult Use Dispensing Organization may
23 request to relocate under this subsection if:

24 (1) its existing location is within the boundaries of
25 a unit of local government that prohibits the sale of
26 adult use cannabis; or

1 (2) the Early Approval Adult Use Dispensing
2 Organization has obtained the approval of the municipality
3 or, if outside the boundaries of a municipality in an
4 unincorporated area of the county, the approval of the
5 county where the existing license is located to move to
6 another location within that unit of local government.

7 At no time may an Early Approval Adult Use Dispensing
8 Organization dispensary licensed under this Section operate in
9 a separate facility from its associated medical cannabis
10 dispensing organization dispensary licensed under the
11 Compassionate Use of Medical Cannabis Program Act. The
12 relocation of an Early Approval Adult Use Dispensing
13 Organization License under this subsection shall be subject to
14 Sections 55-25 and 55-28 of this Act.

15 (c) The license fee required by paragraph (1) of
16 subsection (b) of this Section shall be in addition to any
17 license fee required for the renewal of a registered medical
18 cannabis dispensing organization license.

19 (d) Applicants must submit all required information,
20 including the requirements in subsection (b) of this Section,
21 to the Department. Failure by an applicant to submit all
22 required information may result in the application being
23 disqualified.

24 (e) If the Department receives an application that fails
25 to provide the required elements contained in subsection (b),
26 the Department shall issue a deficiency notice to the

1 applicant. The applicant shall have 10 calendar days from the
2 date of the deficiency notice to submit complete information.
3 Applications that are still incomplete after this opportunity
4 to cure may be disqualified.

5 (f) If an applicant meets all the requirements of
6 subsection (b) of this Section, the Department shall issue the
7 Early Approval Adult Use Dispensing Organization License
8 within 14 days of receiving a completed application unless:

9 (1) The licensee or a principal officer is delinquent
10 in filing any required tax returns or paying any amounts
11 owed to the State of Illinois;

12 (2) The Secretary of Financial and Professional
13 Regulation determines there is reason, based on documented
14 compliance violations, the licensee is not entitled to an
15 Early Approval Adult Use Dispensing Organization License;
16 or

17 (3) Any principal officer fails to register and remain
18 in compliance with this Act or the Compassionate Use of
19 Medical Cannabis Program Act.

20 (g) A registered medical cannabis dispensing organization
21 that obtains an Early Approval Adult Use Dispensing
22 Organization License may begin selling cannabis,
23 cannabis-infused products, paraphernalia, and related items to
24 purchasers under the rules of this Act no sooner than January
25 1, 2020.

26 (h) A dispensing organization holding a medical cannabis

1 dispensing organization license issued under the Compassionate
2 Use of Medical Cannabis Program Act must maintain an adequate
3 supply of cannabis and cannabis-infused products for purchase
4 by qualifying patients, designated caregivers, provisional
5 patients, and Opioid Alternative Pilot Program participants.
6 For the purposes of this subsection, "adequate supply" means a
7 monthly inventory level that is comparable in type and
8 quantity to those medical cannabis products provided to
9 qualified patients, provisional patients, and designated
10 caregivers on an average monthly basis for the 6 months before
11 the effective date of this Act.

12 (i) If there is a shortage of cannabis or cannabis-infused
13 products, a dispensing organization holding both a dispensing
14 organization license under the Compassionate Use of Medical
15 Cannabis Program Act and this Act shall prioritize serving
16 qualifying patients, designated caregivers, provisional
17 patients, and Opioid Alternative Pilot Program participants
18 before serving purchasers.

19 (j) Notwithstanding any law or rule to the contrary, a
20 person that holds a medical cannabis dispensing organization
21 license issued under the Compassionate Use of Medical Cannabis
22 Program Act and an Early Approval Adult Use Dispensing
23 Organization License may permit purchasers into a limited
24 access area as that term is defined in administrative rules
25 made under the authority in the Compassionate Use of Medical
26 Cannabis Program Act.

1 (k) An Early Approval Adult Use Dispensing Organization
2 License is valid until March 31, 2021. A dispensing
3 organization that obtains an Early Approval Adult Use
4 Dispensing Organization License shall receive written or
5 electronic notice 90 days before the expiration of the license
6 that the license will expire, and that informs the license
7 holder that it may apply to renew its Early Approval Adult Use
8 Dispensing Organization License on forms provided by the
9 Department. The Department shall renew the Early Approval
10 Adult Use Dispensing Organization License within 60 days of
11 the renewal application being deemed complete if:

12 (1) the dispensing organization submits an application
13 and the required nonrefundable renewal fee of \$30,000, to
14 be deposited into the Cannabis Regulation Fund;

15 (2) the Department has not suspended or permanently
16 revoked the Early Approval Adult Use Dispensing
17 Organization License or a medical cannabis dispensing
18 organization license on the same premises for violations
19 of this Act, the Compassionate Use of Medical Cannabis
20 Program Act, or rules adopted pursuant to those Acts;

21 (3) the dispensing organization has completed a Social
22 Equity Inclusion Plan as provided by parts (A), (B), and
23 (C) of paragraph (8) of subsection (b) of this Section or
24 has made substantial progress toward completing a Social
25 Equity Inclusion Plan as provided by parts (D) and (E) of
26 paragraph (8) of subsection (b) of this Section; and

1 (4) the dispensing organization is in compliance with
2 this Act and rules.

3 (1) The Early Approval Adult Use Dispensing Organization
4 License renewed pursuant to subsection (k) of this Section
5 shall expire March 31, 2022. The Early Approval Adult Use
6 Dispensing Organization Licensee shall receive written or
7 electronic notice 90 days before the expiration of the license
8 that the license will expire, and that informs the license
9 holder that it may apply for an Adult Use Dispensing
10 Organization License on forms provided by the Department. The
11 Department shall grant an Adult Use Dispensing Organization
12 License within 60 days of an application being deemed complete
13 if the applicant has met all of the criteria in Section 15-36.

14 (m) If a dispensing organization fails to submit an
15 application for renewal of an Early Approval Adult Use
16 Dispensing Organization License or for an Adult Use Dispensing
17 Organization License before the expiration dates provided in
18 subsections (k) and (l) of this Section, the dispensing
19 organization shall cease serving purchasers and cease all
20 operations until it receives a renewal or an Adult Use
21 Dispensing Organization License, as the case may be.

22 (n) A dispensing organization agent who holds a valid
23 dispensing organization agent identification card issued under
24 the Compassionate Use of Medical Cannabis Program Act and is
25 an officer, director, manager, or employee of the dispensing
26 organization licensed under this Section may engage in all

1 activities authorized by this Article to be performed by a
2 dispensing organization agent.

3 (o) If the Department suspends, permanently revokes, or
4 otherwise disciplines the Early Approval Adult Use Dispensing
5 Organization License of a dispensing organization that also
6 holds a medical cannabis dispensing organization license
7 issued under the Compassionate Use of Medical Cannabis Program
8 Act, the Department may consider the suspension, permanent
9 revocation, or other discipline of the medical cannabis
10 dispensing organization license.

11 (p) All fees collected pursuant to this Section shall be
12 deposited into the Cannabis Regulation Fund, unless otherwise
13 specified.

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

16 (410 ILCS 705/15-20)

17 Sec. 15-20. Early Approval Adult Use Dispensing
18 Organization License; secondary site.

19 (a) Any medical cannabis dispensing organization holding a
20 valid registration under the Compassionate Use of Medical
21 Cannabis Program Act as of the effective date of this Act may,
22 within 60 days of the effective date of this Act, apply to the
23 Department for an Early Approval Adult Use Dispensing
24 Organization License to operate a dispensing organization to
25 serve purchasers at a secondary site not within 1,500 feet of

1 another medical cannabis dispensing organization or adult use
2 dispensing organization. The Early Approval Adult Use
3 Dispensing Organization secondary site shall be within any BLS
4 Region that shares territory with the dispensing organization
5 district to which the medical cannabis dispensing organization
6 is assigned under the administrative rules for dispensing
7 organizations under the Compassionate Use of Medical Cannabis
8 Program Act.

9 (a-5) If, within 360 days of the effective date of this
10 Act, a dispensing organization is unable to find a location
11 within the BLS Regions prescribed in subsection (a) of this
12 Section in which to operate an Early Approval Adult Use
13 Dispensing Organization at a secondary site because no
14 jurisdiction within the prescribed area allows the operation
15 of an Adult Use Cannabis Dispensing Organization, the
16 Department of Financial and Professional Regulation may waive
17 the geographic restrictions of subsection (a) of this Section
18 and specify another BLS Region into which the dispensary may
19 be placed.

20 (b) (Blank).

21 (c) A medical cannabis dispensing organization seeking
22 issuance of an Early Approval Adult Use Dispensing
23 Organization License at a secondary site to serve purchasers
24 at a secondary site as prescribed in subsection (a) of this
25 Section shall submit an application on forms provided by the
26 Department. The application must meet or include the following

1 qualifications:

2 (1) a payment of a nonrefundable application fee of
3 \$30,000;

4 (2) proof of registration as a medical cannabis
5 dispensing organization that is in good standing;

6 (3) submission of the application by the same person
7 or entity that holds the medical cannabis dispensing
8 organization registration;

9 (4) the legal name of the medical cannabis dispensing
10 organization;

11 (5) the physical address of the medical cannabis
12 dispensing organization and the proposed physical address
13 of the secondary site;

14 (6) a copy of the current local zoning ordinance
15 Sections relevant to dispensary operations and
16 documentation of the approval, the conditional approval or
17 the status of a request for zoning approval from the local
18 zoning office that the proposed dispensary location is in
19 compliance with the local zoning rules;

20 (7) a plot plan of the dispensary drawn to scale. The
21 applicant shall submit general specifications of the
22 building exterior and interior layout;

23 (8) a statement that the dispensing organization
24 agrees to respond to the Department's supplemental
25 requests for information;

26 (9) for the building or land to be used as the proposed

1 dispensary:

2 (A) if the property is not owned by the applicant,
3 a written statement from the property owner and
4 landlord, if any, certifying consent that the
5 applicant may operate a dispensary on the premises; or

6 (B) if the property is owned by the applicant,
7 confirmation of ownership;

8 (10) a copy of the proposed operating bylaws;

9 (11) a copy of the proposed business plan that
10 complies with the requirements in this Act, including, at
11 a minimum, the following:

12 (A) a description of services to be offered; and

13 (B) a description of the process of dispensing
14 cannabis;

15 (12) a copy of the proposed security plan that
16 complies with the requirements in this Article, including:

17 (A) a description of the delivery process by which
18 cannabis will be received from a transporting
19 organization, including receipt of manifests and
20 protocols that will be used to avoid diversion, theft,
21 or loss at the dispensary acceptance point; and

22 (B) the process or controls that will be
23 implemented to monitor the dispensary, secure the
24 premises, agents, patients, and currency, and prevent
25 the diversion, theft, or loss of cannabis; and

26 (C) the process to ensure that access to the

1 restricted access areas is restricted to, registered
2 agents, service professionals, transporting
3 organization agents, Department inspectors, and
4 security personnel;

5 (13) a proposed inventory control plan that complies
6 with this Section;

7 (14) the name, address, social security number, and
8 date of birth of each principal officer and board member
9 of the dispensing organization; each of those individuals
10 shall be at least 21 years of age;

11 (15) a nonrefundable Cannabis Business Development Fee
12 equal to \$200,000, to be deposited into the Cannabis
13 Business Development Fund; and

14 (16) a commitment to completing one of the following
15 Social Equity Inclusion Plans in subsection (d).

16 (d) Before receiving an Early Approval Adult Use
17 Dispensing Organization License at a secondary site, a
18 dispensing organization shall indicate the Social Equity
19 Inclusion Plan that the applicant plans to achieve before the
20 expiration of the Early Approval Adult Use Dispensing
21 Organization License from the list below:

22 (1) make a contribution of 3% of total sales from June
23 1, 2018 to June 1, 2019, or \$100,000, whichever is less, to
24 the Cannabis Business Development Fund. This is in
25 addition to the fee required by paragraph (16) of
26 subsection (c) of this Section;

1 (2) make a grant of 3% of total sales from June 1, 2018
2 to June 1, 2019, or \$100,000, whichever is less, to a
3 cannabis industry training or education program at an
4 Illinois community college as defined in the Public
5 Community College Act;

6 (3) make a donation of \$100,000 or more to a program
7 that provides job training services to persons recently
8 incarcerated or that operates in a Disproportionately
9 Impacted Area;

10 (4) participate as a host in a cannabis business
11 establishment incubator program approved by the Department
12 of Commerce and Economic Opportunity, and in which an
13 Early Approval Adult Use Dispensing Organization License
14 at a secondary site holder agrees to provide a loan of at
15 least \$100,000 and mentorship to incubate, for at least a
16 year, a Social Equity Applicant intending to seek a
17 license or a licensee that qualifies as a Social Equity
18 Applicant. In this paragraph (4), "incubate" means
19 providing direct financial assistance and training
20 necessary to engage in licensed cannabis industry activity
21 similar to that of the host licensee. The Early Approval
22 Adult Use Dispensing Organization License holder or the
23 same entity holding any other licenses issued under this
24 Act shall not take an ownership stake of greater than 10%
25 in any business receiving incubation services to comply
26 with this subsection. If an Early Approval Adult Use

1 Dispensing Organization License at a secondary site holder
2 fails to find a business to incubate in order to comply
3 with this subsection before its Early Approval Adult Use
4 Dispensing Organization License at a secondary site
5 expires, it may opt to meet the requirement of this
6 subsection by completing another item from this subsection
7 before the expiration of its Early Approval Adult Use
8 Dispensing Organization License at a secondary site to
9 avoid a penalty; or

10 (5) participate in a sponsorship program for at least
11 2 years approved by the Department of Commerce and
12 Economic Opportunity in which an Early Approval Adult Use
13 Dispensing Organization License at a secondary site holder
14 agrees to provide an interest-free loan of at least
15 \$200,000 to a Social Equity Applicant. The sponsor shall
16 not take an ownership stake of greater than 10% in any
17 business receiving sponsorship services to comply with
18 this subsection.

19 (e) The license fee required by paragraph (1) of
20 subsection (c) of this Section is in addition to any license
21 fee required for the renewal of a registered medical cannabis
22 dispensing organization license.

23 (f) Applicants must submit all required information,
24 including the requirements in subsection (c) of this Section,
25 to the Department. Failure by an applicant to submit all
26 required information may result in the application being

1 disqualified. Principal officers shall not be required to
2 submit to the fingerprint and background check requirements of
3 Section 5-20.

4 (g) If the Department receives an application that fails
5 to provide the required elements contained in subsection (c),
6 the Department shall issue a deficiency notice to the
7 applicant. The applicant shall have 10 calendar days from the
8 date of the deficiency notice to submit complete information.
9 Applications that are still incomplete after this opportunity
10 to cure may be disqualified.

11 (h) Once all required information and documents have been
12 submitted, the Department will review the application. The
13 Department may request revisions and retains final approval
14 over dispensary features. Once the application is complete and
15 meets the Department's approval, the Department shall
16 conditionally approve the license. Final approval is
17 contingent on the build-out and Department inspection.

18 (i) Upon submission of the Early Approval Adult Use
19 Dispensing Organization at a secondary site application, the
20 applicant shall request an inspection and the Department may
21 inspect the Early Approval Adult Use Dispensing Organization's
22 secondary site to confirm compliance with the application and
23 this Act.

24 (j) The Department shall only issue an Early Approval
25 Adult Use Dispensing Organization License at a secondary site
26 after the completion of a successful inspection.

1 (k) If an applicant passes the inspection under this
2 Section, the Department shall issue the Early Approval Adult
3 Use Dispensing Organization License at a secondary site within
4 10 business days unless:

5 (1) The licensee, any principal officer or board
6 member of the licensee, or any person having a financial
7 or voting interest of 5% or greater in the licensee is
8 delinquent in filing any required tax returns or paying
9 any amounts owed to the State of Illinois; or

10 (2) The Secretary of Financial and Professional
11 Regulation determines there is reason, based on documented
12 compliance violations, the licensee is not entitled to an
13 Early Approval Adult Use Dispensing Organization License
14 at its secondary site.

15 (l) Once the Department has issued a license, the
16 dispensing organization shall notify the Department of the
17 proposed opening date.

18 (m) A registered medical cannabis dispensing organization
19 that obtains an Early Approval Adult Use Dispensing
20 Organization License at a secondary site may begin selling
21 cannabis, cannabis-infused products, paraphernalia, and
22 related items to purchasers under the rules of this Act no
23 sooner than January 1, 2020.

24 (n) If there is a shortage of cannabis or cannabis-infused
25 products, a dispensing organization holding both a dispensing
26 organization license under the Compassionate Use of Medical

1 Cannabis Program Act and this Article shall prioritize serving
2 qualifying patients, provisional patients, and designated
3 caregivers before serving purchasers.

4 (o) An Early Approval Adult Use Dispensing Organization
5 License at a secondary site is valid until March 31, 2021. A
6 dispensing organization that obtains an Early Approval Adult
7 Use Dispensing Organization License at a secondary site shall
8 receive written or electronic notice 90 days before the
9 expiration of the license that the license will expire, and
10 inform the license holder that it may renew its Early Approval
11 Adult Use Dispensing Organization License at a secondary site.
12 The Department shall renew an Early Approval Adult Use
13 Dispensing Organization License at a secondary site within 60
14 days of submission of the renewal application being deemed
15 complete if:

16 (1) the dispensing organization submits an application
17 and the required nonrefundable renewal fee of \$30,000, to
18 be deposited into the Cannabis Regulation Fund;

19 (2) the Department has not suspended or permanently
20 revoked the Early Approval Adult Use Dispensing
21 Organization License or a medical cannabis dispensing
22 organization license held by the same person or entity for
23 violating this Act or rules adopted under this Act or the
24 Compassionate Use of Medical Cannabis Program Act or rules
25 adopted under that Act; and

26 (3) the dispensing organization has completed a Social

1 Equity Inclusion Plan provided by paragraph (1), (2), or
2 (3) of subsection (d) of this Section or has made
3 substantial progress toward completing a Social Equity
4 Inclusion Plan provided by paragraph (4) or (5) of
5 subsection (d) of this Section.

6 (p) The Early Approval Adult Use Dispensing Organization
7 Licensee at a secondary site renewed pursuant to subsection
8 (o) shall receive written or electronic notice 90 days before
9 the expiration of the license that the license will expire,
10 and that informs the license holder that it may apply for an
11 Adult Use Dispensing Organization License on forms provided by
12 the Department. The Department shall grant an Adult Use
13 Dispensing Organization License within 60 days of an
14 application being deemed complete if the applicant has meet
15 all of the criteria in Section 15-36.

16 (q) If a dispensing organization fails to submit an
17 application for renewal of an Early Approval Adult Use
18 Dispensing Organization License or for an Adult Use Dispensing
19 Organization License before the expiration dates provided in
20 subsections (o) and (p) of this Section, the dispensing
21 organization shall cease serving purchasers until it receives
22 a renewal or an Adult Use Dispensing Organization License.

23 (r) A dispensing organization agent who holds a valid
24 dispensing organization agent identification card issued under
25 the Compassionate Use of Medical Cannabis Program Act and is
26 an officer, director, manager, or employee of the dispensing

1 organization licensed under this Section may engage in all
2 activities authorized by this Article to be performed by a
3 dispensing organization agent.

4 (s) If the Department suspends, permanently revokes, or
5 otherwise disciplines the Early Approval Adult Use Dispensing
6 Organization License of a dispensing organization that also
7 holds a medical cannabis dispensing organization license
8 issued under the Compassionate Use of Medical Cannabis Program
9 Act, the Department may consider the suspension, permanent
10 revocation, or other discipline as grounds to take
11 disciplinary action against the medical cannabis dispensing
12 organization.

13 (t) All fees collected pursuant to this Section shall be
14 deposited into the Cannabis Regulation Fund, unless otherwise
15 specified.

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

17 (410 ILCS 705/15-24 new)

18 Sec. 15-24. Adult Use Dispensing Organization licensees
19 relocation.

20 (a) An Adult Use Dispensing Organization licensee may
21 apply to relocate within the licensee's specific BLS Region. A
22 request to relocate under this Section is subject to approval
23 by the Department. An Adult Use Dispensing Organization's
24 application to relocate its license under this Section shall
25 be considered to be approved 30 days following the submission

1 of a complete application to relocate, unless the request is
2 sooner approved or denied in writing by the Department. If an
3 application to relocate is denied, the Department shall
4 provide, in writing, the specific reason for denial. An Adult
5 Use Dispensing Organization may request to relocate under this
6 Section if:

7 (1) the Adult Use Dispensing Organization's existing
8 location is within the boundaries of a unit of local
9 government that prohibits the sale of adult use cannabis;

10 (2) the Adult Use Dispensing Organization has obtained
11 the approval of the municipality or, if outside the
12 boundaries of a municipality in an unincorporated area of
13 the county, the approval of the county where the existing
14 license is located, to move to another location within
15 that unit of local government; or

16 (3) the Adult Use Dispensing Organization has obtained
17 the approval, as evidenced by a letter of intent or full
18 zoning approval, to operate within the boundaries of a new
19 unit of local government, so long as the new unit of local
20 government is within the dispensing organization's
21 specific BLS Region.

22 (b) The relocation of an Adult Use Dispensing Organization
23 Licensee under this Section shall be subject to Sections 55-25
24 and 55-28.

1 Sec. 15-25. Awarding of Conditional Adult Use Dispensing
2 Organization Licenses prior to January 1, 2021.

3 (a) The Department shall issue up to 75 Conditional Adult
4 Use Dispensing Organization Licenses before May 1, 2020.

5 (b) The Department shall make the application for a
6 Conditional Adult Use Dispensing Organization License
7 available no later than October 1, 2019 and shall accept
8 applications no later than January 1, 2020.

9 (c) To ensure the geographic dispersion of Conditional
10 Adult Use Dispensing Organization License holders, the
11 following number of licenses shall be awarded in each BLS
12 Region as determined by each region's percentage of the
13 State's population:

14 (1) Bloomington: 1

15 (2) Cape Girardeau: 1

16 (3) Carbondale-Marion: 1

17 (4) Champaign-Urbana: 1

18 (5) Chicago-Naperville-Elgin: 47

19 (6) Danville: 1

20 (7) Davenport-Moline-Rock Island: 1

21 (8) Decatur: 1

22 (9) Kankakee: 1

23 (10) Peoria: 3

24 (11) Rockford: 2

25 (12) St. Louis: 4

26 (13) Springfield: 1

1 (14) Northwest Illinois nonmetropolitan: 3

2 (15) West Central Illinois nonmetropolitan: 3

3 (16) East Central Illinois nonmetropolitan: 2

4 (17) South Illinois nonmetropolitan: 2

5 (d) An applicant seeking issuance of a Conditional Adult
6 Use Dispensing Organization License shall submit an
7 application on forms provided by the Department. An applicant
8 must meet the following requirements:

9 (1) Payment of a nonrefundable application fee of
10 \$5,000 for each license for which the applicant is
11 applying, which shall be deposited into the Cannabis
12 Regulation Fund;

13 (2) Certification that the applicant will comply with
14 the requirements contained in this Act;

15 (3) The legal name of the proposed dispensing
16 organization;

17 (4) A statement that the dispensing organization
18 agrees to respond to the Department's supplemental
19 requests for information;

20 (5) From each principal officer, a statement
21 indicating whether that person:

22 (A) has previously held or currently holds an
23 ownership interest in a cannabis business
24 establishment in Illinois; or

25 (B) has held an ownership interest in a dispensing
26 organization or its equivalent in another state or

1 territory of the United States that had the dispensing
2 organization registration or license suspended,
3 revoked, placed on probationary status, or subjected
4 to other disciplinary action;

5 (6) Disclosure of whether any principal officer has
6 ever filed for bankruptcy or defaulted on spousal support
7 or child support obligation;

8 (7) A resume for each principal officer, including
9 whether that person has an academic degree, certification,
10 or relevant experience with a cannabis business
11 establishment or in a related industry;

12 (8) A description of the training and education that
13 will be provided to dispensing organization agents;

14 (9) A copy of the proposed operating bylaws;

15 (10) A copy of the proposed business plan that
16 complies with the requirements in this Act, including, at
17 a minimum, the following:

18 (A) A description of services to be offered; and

19 (B) A description of the process of dispensing
20 cannabis;

21 (11) A copy of the proposed security plan that
22 complies with the requirements in this Article, including:

23 (A) The process or controls that will be
24 implemented to monitor the dispensary, secure the
25 premises, agents, and currency, and prevent the
26 diversion, theft, or loss of cannabis; and

1 (B) 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 (12) A proposed inventory control plan that complies
7 with this Section;

8 (13) A proposed floor plan, a square footage estimate,
9 and a description of proposed security devices, including,
10 without limitation, cameras, motion detectors, servers,
11 video storage capabilities, and alarm service providers;

12 (14) The name, address, social security number, and
13 date of birth of each principal officer and board member
14 of the dispensing organization; each of those individuals
15 shall be at least 21 years of age;

16 (15) Evidence of the applicant's status as a Social
17 Equity Applicant, if applicable, and whether a Social
18 Equity Applicant plans to apply for a loan or grant issued
19 by the Department of Commerce and Economic Opportunity;

20 (16) The address, telephone number, and email address
21 of the applicant's principal place of business, if
22 applicable. A post office box is not permitted;

23 (17) Written summaries of any information regarding
24 instances in which a business or not-for-profit that a
25 prospective board member previously managed or served on
26 were fined or censured, or any instances in which a

1 business or not-for-profit that a prospective board member
2 previously managed or served on had its registration
3 suspended or revoked in any administrative or judicial
4 proceeding;

5 (18) A plan for community engagement;

6 (19) Procedures to ensure accurate recordkeeping and
7 security measures that are in accordance with this Article
8 and Department rules;

9 (20) The estimated volume of cannabis it plans to
10 store at the dispensary;

11 (21) A description of the features that will provide
12 accessibility to purchasers as required by the Americans
13 with Disabilities Act;

14 (22) A detailed description of air treatment systems
15 that will be installed to reduce odors;

16 (23) A reasonable assurance that the issuance of a
17 license will not have a detrimental impact on the
18 community in which the applicant wishes to locate;

19 (24) The dated signature of each principal officer;

20 (25) A description of the enclosed, locked facility
21 where cannabis will be stored by the dispensing
22 organization;

23 (26) Signed statements from each dispensing
24 organization agent stating that he or she will not divert
25 cannabis;

26 (27) The number of licenses it is applying for in each

1 BLS Region;

2 (28) A diversity plan that includes a narrative of at
3 least 2,500 words that establishes a goal of diversity in
4 ownership, management, employment, and contracting to
5 ensure that diverse participants and groups are afforded
6 equality of opportunity;

7 (29) A contract with a private security contractor
8 agency that is licensed under Section 10-5 of the Private
9 Detective, Private Alarm, Private Security, Fingerprint
10 Vendor, and Locksmith Act of 2004 in order for the
11 dispensary to have adequate security at its facility; and

12 (30) Other information deemed necessary by the
13 Illinois Cannabis Regulation Oversight Officer to conduct
14 the disparity and availability study referenced in
15 subsection (e) of Section 5-45.

16 (e) An applicant who receives a Conditional Adult Use
17 Dispensing Organization License under this Section has 180
18 days from the date of award to identify a physical location for
19 the dispensing organization retail storefront. The applicant
20 shall provide evidence that the location is not within 1,500
21 feet of an existing dispensing organization, unless the
22 applicant is a Social Equity Applicant or Social Equity
23 Justice Involved Applicant located or seeking to locate within
24 1,500 feet of a dispensing organization licensed under Section
25 15-15 or Section 15-20. If an applicant is unable to find a
26 suitable physical address in the opinion of the Department

1 within 180 days of the issuance of the Conditional Adult Use
2 Dispensing Organization License, the Department may extend the
3 period for finding a physical address an additional 540 days
4 if the Conditional Adult Use Dispensing Organization License
5 holder demonstrates concrete attempts to secure a location and
6 a hardship. If the Department denies the extension or the
7 Conditional Adult Use Dispensing Organization License holder
8 is either unable to find a location within 720 days of being
9 awarded a conditional license and become operational within
10 180 days thereafter, or unable to become operational within
11 720 days of being awarded a conditional license, the
12 Department shall rescind the conditional license and award it
13 to the next highest scoring applicant in the BLS Region for
14 which the license was assigned, provided the applicant
15 receiving the license: (i) confirms a continued interest in
16 operating a dispensing organization; (ii) can provide evidence
17 that the applicant continues to meet all requirements for
18 holding a Conditional Adult Use Dispensing Organization
19 License set forth in this Act; and (iii) has not otherwise
20 become ineligible to be awarded a dispensing organization
21 license. If the new awardee is unable to accept the
22 Conditional Adult Use Dispensing Organization License, the
23 Department shall award the Conditional Adult Use Dispensing
24 Organization License to the next highest scoring applicant in
25 the same manner. The new awardee shall be subject to the same
26 required deadlines as provided in this subsection.

1 (e-5) If, within 720 days of being awarded a Conditional
2 Adult Use Dispensing Organization License, a dispensing
3 organization is unable to find a location within the BLS
4 Region in which it was awarded a Conditional Adult Use
5 Dispensing Organization License because no jurisdiction within
6 the BLS Region allows for the operation of an Adult Use
7 Dispensing Organization, the Department of Financial and
8 Professional Regulation may authorize the Conditional Adult
9 Use Dispensing Organization License holder to transfer its
10 license to a BLS Region specified by the Department.

11 (f) A dispensing organization that is awarded a
12 Conditional Adult Use Dispensing Organization License pursuant
13 to the criteria in Section 15-30 shall not purchase, possess,
14 sell, or dispense cannabis or cannabis-infused products until
15 the person has received an Adult Use Dispensing Organization
16 License issued by the Department pursuant to Section 15-36 of
17 this Act.

18 (g) The Department shall conduct a background check of the
19 prospective organization agents in order to carry out this
20 Article. The Illinois State Police shall charge the applicant
21 a fee for conducting the criminal history record check, which
22 shall be deposited into the State Police Services Fund and
23 shall not exceed the actual cost of the record check. Each
24 person applying as a dispensing organization agent shall
25 submit a full set of fingerprints to the Illinois State Police
26 for the purpose of obtaining a State and federal criminal

1 records check. These fingerprints shall be checked against the
2 fingerprint records now and hereafter, to the extent allowed
3 by law, filed in the Illinois State Police and Federal Bureau
4 of Identification criminal history records databases. The
5 Illinois State Police shall furnish, following positive
6 identification, all Illinois conviction information to the
7 Department.

8 (Source: P.A. 102-98, eff. 7-15-21; 102-538, eff. 8-20-21;
9 102-813, eff. 5-13-22; 103-8, eff. 6-7-23.)

10 (410 ILCS 705/15-35)

11 Sec. 15-35. Qualifying Applicant Lottery for Conditional
12 Adult Use Dispensing Organization Licenses.

13 (a) In addition to any of the licenses issued under
14 Section 15-15, Section 15-20, Section 15-25, Section 15-30.20,
15 or Section 15-35.10 of this Act, within 10 business days after
16 the resulting final scores for all scored applications
17 pursuant to Sections 15-25 and 15-30 are released, the
18 Department shall issue up to 55 Conditional Adult Use
19 Dispensing Organization Licenses by lot, pursuant to the
20 application process adopted under this Section. In order to be
21 eligible to be awarded a Conditional Adult Use Dispensing
22 Organization License by lot under this Section, a Dispensary
23 Applicant must be a Qualifying Applicant.

24 The licenses issued under this Section shall be awarded in
25 each BLS Region in the following amounts:

- 1 (1) Bloomington: 1.
- 2 (2) Cape Girardeau: 1.
- 3 (3) Carbondale-Marion: 1.
- 4 (4) Champaign-Urbana: 1.
- 5 (5) Chicago-Naperville-Elgin: 36.
- 6 (6) Danville: 1.
- 7 (7) Davenport-Moline-Rock Island: 1.
- 8 (8) Decatur: 1.
- 9 (9) Kankakee: 1.
- 10 (10) Peoria: 2.
- 11 (11) Rockford: 1.
- 12 (12) St. Louis: 3.
- 13 (13) Springfield: 1.
- 14 (14) Northwest Illinois nonmetropolitan: 1.
- 15 (15) West Central Illinois nonmetropolitan: 1.
- 16 (16) East Central Illinois nonmetropolitan: 1.
- 17 (17) South Illinois nonmetropolitan: 1.

18 (a-5) Prior to issuing licenses under subsection (a), the
19 Department may adopt rules through emergency rulemaking in
20 accordance with subsection (kk) of Section 5-45 of the
21 Illinois Administrative Procedure Act. The General Assembly
22 finds that the adoption of rules to regulate cannabis use is
23 deemed an emergency and necessary for the public interest,
24 safety, and welfare.

25 (b) The Department shall distribute the available licenses
26 established under this Section subject to the following:

1 (1) The drawing by lot for all available licenses
2 issued under this Section shall occur on the same day when
3 practicable.

4 (2) Within each BLS Region, the first Qualifying
5 Applicant drawn will have the first right to an available
6 license. The second Qualifying Applicant drawn will have
7 the second right to an available license. The same pattern
8 will continue for each subsequent Qualifying Applicant
9 drawn.

10 (3) The process for distributing available licenses
11 under this Section shall be recorded by the Department in
12 a format selected by the Department.

13 (4) A Dispensary Applicant is prohibited from becoming
14 a Qualifying Applicant if a principal officer resigns
15 after the resulting final scores for all scored
16 applications pursuant to Sections 15-25 and 15-30 are
17 released.

18 (5) No Qualifying Applicant may be awarded more than 2
19 Conditional Adult Use Dispensing Organization Licenses at
20 the conclusion of a lottery conducted under this Section.

21 (6) No individual may be listed as a principal officer
22 of more than 2 Conditional Adult Use Dispensing
23 Organization Licenses awarded under this Section.

24 (7) If, upon being selected for an available license
25 established under this Section, a Qualifying Applicant
26 exceeds the limits under paragraph (5) or (6), the

1 Qualifying Applicant must choose which license to abandon
2 and notify the Department in writing within 5 business
3 days. If the Qualifying Applicant does not notify the
4 Department as required, the Department shall refuse to
5 issue the Qualifying Applicant all available licenses
6 established under this Section obtained by lot in all BLS
7 Regions.

8 (8) If, upon being selected for an available license
9 established under this Section, a Qualifying Applicant has
10 a principal officer who is a principal officer in more
11 than 10 Early Approval Adult Use Dispensing Organization
12 Licenses, Conditional Adult Use Dispensing Organization
13 Licenses, Adult Use Dispensing Organization Licenses, or
14 any combination thereof, the licensees and the Qualifying
15 Applicant listing that principal officer must choose which
16 license to abandon pursuant to subsection (d) of Section
17 15-36 and notify the Department in writing within 5
18 business days. If the Qualifying Applicant or licensees do
19 not notify the Department as required, the Department
20 shall refuse to issue the Qualifying Applicant all
21 available licenses established under this Section obtained
22 by lot in all BLS Regions.

23 (9) All available licenses that have been abandoned
24 under paragraph (7) or (8) shall be distributed to the
25 next Qualifying Applicant drawn by lot.

26 Any and all rights conferred or obtained under this

1 Section shall be limited to the provisions of this Section.

2 (c) An applicant who receives a Conditional Adult Use
3 Dispensing Organization License under this Section has 180
4 days from the date it is awarded to identify a physical
5 location for the dispensing organization's retail storefront.
6 The applicant shall provide evidence that the location is not
7 within 1,500 feet of an existing dispensing organization,
8 unless the applicant is a Social Equity Applicant or Social
9 Equity Justice Involved Applicant located or seeking to locate
10 within 1,500 feet of a dispensing organization licensed under
11 Section 15-15 or Section 15-20. If an applicant is unable to
12 find a suitable physical address in the opinion of the
13 Department within 180 days from the issuance of the
14 Conditional Adult Use Dispensing Organization License, the
15 Department may extend the period for finding a physical
16 address an additional 540 days if the Conditional Adult Use
17 Dispensing Organization License holder demonstrates a concrete
18 attempt to secure a location and a hardship. If the Department
19 denies the extension or the Conditional Adult Use Dispensing
20 Organization License holder is either unable to find a
21 location within 720 days of being awarded a conditional
22 license and become operational within 180 days thereafter, or
23 unable to become operational within 720 days of being awarded
24 a Conditional Adult Use Dispensing Organization License under
25 this Section, the Department shall rescind the Conditional
26 Adult Use Dispensing Organization License and award it

1 pursuant to subsection (b), provided the applicant receiving
2 the Conditional Adult Use Dispensing Organization License: (i)
3 confirms a continued interest in operating a dispensing
4 organization; (ii) can provide evidence that the applicant
5 continues to meet all requirements for holding a Conditional
6 Adult Use Dispensing Organization License set forth in this
7 Act; and (iii) has not otherwise become ineligible to be
8 awarded a Conditional Adult Use Dispensing Organization
9 License. If the new awardee is unable to accept the
10 Conditional Adult Use Dispensing Organization License, the
11 Department shall award the Conditional Adult Use Dispensing
12 Organization License pursuant to subsection (b). The new
13 awardee shall be subject to the same required deadlines as
14 provided in this subsection.

15 (d) If, within 720 days of being awarded a Conditional
16 Adult Use Dispensing Organization License, a dispensing
17 organization is unable to find a location within the BLS
18 Region in which it was awarded a Conditional Adult Use
19 Dispensing Organization License because no jurisdiction within
20 the BLS Region allows for the operation of an Adult Use
21 Dispensing Organization, the Department may authorize the
22 Conditional Adult Use Dispensing Organization License holder
23 to transfer its Conditional Adult Use Dispensing Organization
24 License to a BLS Region specified by the Department.

25 (e) A dispensing organization that is awarded a
26 Conditional Adult Use Dispensing Organization License under

1 this Section shall not purchase, possess, sell, or dispense
2 cannabis or cannabis-infused products until the dispensing
3 organization has received an Adult Use Dispensing Organization
4 License issued by the Department pursuant to Section 15-36.

5 (f) The Department shall conduct a background check of the
6 prospective dispensing organization agents in order to carry
7 out this Article. The Illinois State Police shall charge the
8 applicant a fee for conducting the criminal history record
9 check, which shall be deposited into the State Police Services
10 Fund and shall not exceed the actual cost of the record check.
11 Each person applying as a dispensing organization agent shall
12 submit a full set of fingerprints to the Illinois State Police
13 for the purpose of obtaining a State and federal criminal
14 records check. These fingerprints shall be checked against the
15 fingerprint records now and hereafter, to the extent allowed
16 by law, filed with the Illinois State Police and the Federal
17 Bureau of Investigation criminal history records databases.
18 The Illinois State Police shall furnish, following positive
19 identification, all Illinois conviction information to the
20 Department.

21 (g) The Department may verify information contained in
22 each application and accompanying documentation to assess the
23 applicant's veracity and fitness to operate a dispensing
24 organization.

25 (h) The Department may, in its discretion, refuse to issue
26 authorization to an applicant who meets any of the following

1 criteria:

2 (1) An applicant who is unqualified to perform the
3 duties required of the applicant.

4 (2) An applicant who fails to disclose or states
5 falsely any information called for in the application.

6 (3) An applicant who has been found guilty of a
7 violation of this Act, who has had any disciplinary order
8 entered against the applicant by the Department, who has
9 entered into a disciplinary or nondisciplinary agreement
10 with the Department, whose medical cannabis dispensing
11 organization, medical cannabis cultivation organization,
12 Early Approval Adult Use Dispensing Organization License,
13 Early Approval Adult Use Dispensing Organization License
14 at a secondary site, Early Approval Cultivation Center
15 License, Conditional Adult Use Dispensing Organization
16 License, or Adult Use Dispensing Organization License was
17 suspended, restricted, revoked, or denied for just cause,
18 or whose cannabis business establishment license was
19 suspended, restricted, revoked, or denied in any other
20 state.

21 (4) An applicant who has engaged in a pattern or
22 practice of unfair or illegal practices, methods, or
23 activities in the conduct of owning a cannabis business
24 establishment or other business.

25 (i) The Department shall deny issuance of a license under
26 this Section if any principal officer, board member, or person

1 having a financial or voting interest of 5% or greater in the
2 licensee is delinquent in filing any required tax return or
3 paying any amount owed to the State of Illinois.

4 (j) The Department shall verify an applicant's compliance
5 with the requirements of this Article and rules adopted under
6 this Article before issuing a Conditional Adult Use Dispensing
7 Organization License under this Section.

8 (k) If an applicant is awarded a Conditional Adult Use
9 Dispensing Organization License under this Section, the
10 information and plans provided in the application, including
11 any plans submitted for bonus points, shall become a condition
12 of the Conditional Adult Use Dispensing Organization License
13 and any Adult Use Dispensing Organization License issued to
14 the holder of the Conditional Adult Use Dispensing
15 Organization License, except as otherwise provided by this Act
16 or by rule. A dispensing organization has a duty to disclose
17 any material changes to the application. The Department shall
18 review all material changes disclosed by the dispensing
19 organization and may reevaluate its prior decision regarding
20 the awarding of a Conditional Adult Use Dispensing
21 Organization License, including, but not limited to,
22 suspending or permanently revoking a Conditional Adult Use
23 Dispensing Organization License. Failure to comply with the
24 conditions or requirements in the application may subject the
25 dispensing organization to discipline up to and including
26 suspension or permanent revocation of its authorization or

1 Conditional Adult Use Dispensing Organization License by the
2 Department.

3 (1) If an applicant has not begun operating as a
4 dispensing organization within one year after the issuance of
5 the Conditional Adult Use Dispensing Organization License
6 under this Section, the Department may permanently revoke the
7 Conditional Adult Use Dispensing Organization License and
8 award it to the next highest scoring applicant in the BLS
9 Region if a suitable applicant indicates a continued interest
10 in the Conditional Adult Use Dispensing Organization License
11 or may begin a new selection process to award a Conditional
12 Adult Use Dispensing Organization License.

13 (Source: P.A. 102-98, eff. 7-15-21; 103-8, eff. 6-7-23.)

14 (410 ILCS 705/15-35.10)

15 Sec. 15-35.10. Social Equity Justice Involved Lottery for
16 Conditional Adult Use Dispensing Organization Licenses.

17 (a) In addition to any of the licenses issued under
18 Section 15-15, Section 15-20, Section 15-25, Section 15-30.20,
19 or Section 15-35, within 10 business days after the resulting
20 final scores for all scored applications pursuant to Sections
21 15-25 and 15-30 are released, the Department shall issue up to
22 55 Conditional Adult Use Dispensing Organization Licenses by
23 lot, pursuant to the application process adopted under this
24 Section. In order to be eligible to be awarded a Conditional
25 Adult Use Dispensing Organization License by lot, a Dispensary

1 Applicant must be a Qualifying Social Equity Justice Involved
2 Applicant.

3 The licenses issued under this Section shall be awarded in
4 each BLS Region in the following amounts:

5 (1) Bloomington: 1.

6 (2) Cape Girardeau: 1.

7 (3) Carbondale-Marion: 1.

8 (4) Champaign-Urbana: 1.

9 (5) Chicago-Naperville-Elgin: 36.

10 (6) Danville: 1.

11 (7) Davenport-Moline-Rock Island: 1.

12 (8) Decatur: 1.

13 (9) Kankakee: 1.

14 (10) Peoria: 2.

15 (11) Rockford: 1.

16 (12) St. Louis: 3.

17 (13) Springfield: 1.

18 (14) Northwest Illinois nonmetropolitan: 1.

19 (15) West Central Illinois nonmetropolitan: 1.

20 (16) East Central Illinois nonmetropolitan: 1.

21 (17) South Illinois nonmetropolitan: 1.

22 (a-5) Prior to issuing licenses under subsection (a), the
23 Department may adopt rules through emergency rulemaking in
24 accordance with subsection (kk) of Section 5-45 of the
25 Illinois Administrative Procedure Act. The General Assembly
26 finds that the adoption of rules to regulate cannabis use is

1 deemed an emergency and necessary for the public interest,
2 safety, and welfare.

3 (b) The Department shall distribute the available licenses
4 established under this Section subject to the following:

5 (1) The drawing by lot for all available licenses
6 established under this Section shall occur on the same day
7 when practicable.

8 (2) Within each BLS Region, the first Qualifying
9 Social Equity Justice Involved Applicant drawn will have
10 the first right to an available license. The second
11 Qualifying Social Equity Justice Involved Applicant drawn
12 will have the second right to an available license. The
13 same pattern will continue for each subsequent applicant
14 drawn.

15 (3) The process for distributing available licenses
16 under this Section shall be recorded by the Department in
17 a format selected by the Department.

18 (4) A Dispensary Applicant is prohibited from becoming
19 a Qualifying Social Equity Justice Involved Applicant if a
20 principal officer resigns after the resulting final scores
21 for all scored applications pursuant to Sections 15-25 and
22 15-30 are released.

23 (5) No Qualifying Social Equity Justice Involved
24 Applicant may be awarded more than 2 Conditional Adult Use
25 Dispensing Organization Licenses at the conclusion of a
26 lottery conducted under this Section.

1 (6) No individual may be listed as a principal officer
2 of more than 2 Conditional Adult Use Dispensing
3 Organization Licenses awarded under this Section.

4 (7) If, upon being selected for an available license
5 established under this Section, a Qualifying Social Equity
6 Justice Involved Applicant exceeds the limits under
7 paragraph (5) or (6), the Qualifying Social Equity Justice
8 Involved Applicant must choose which license to abandon
9 and notify the Department in writing within 5 business
10 days on forms prescribed by the Department. If the
11 Qualifying Social Equity Justice Involved Applicant does
12 not notify the Department as required, the Department
13 shall refuse to issue the Qualifying Social Equity Justice
14 Involved Applicant all available licenses established
15 under this Section obtained by lot in all BLS Regions.

16 (8) If, upon being selected for an available license
17 established under this Section, a Qualifying Social Equity
18 Justice Involved Applicant has a principal officer who is
19 a principal officer in more than 10 Early Approval Adult
20 Use Dispensing Organization Licenses, Conditional Adult
21 Use Dispensing Organization Licenses, Adult Use Dispensing
22 Organization Licenses, or any combination thereof, the
23 licensees and the Qualifying Social Equity Justice
24 Involved Applicant listing that principal officer must
25 choose which license to abandon pursuant to subsection (d)
26 of Section 15-36 and notify the Department in writing

1 within 5 business days on forms prescribed by the
2 Department. If the Dispensary Applicant or licensees do
3 not notify the Department as required, the Department
4 shall refuse to issue the Qualifying Social Equity Justice
5 Involved Applicant all available licenses established
6 under this Section obtained by lot in all BLS Regions.

7 (9) All available licenses that have been abandoned
8 under paragraph (7) or (8) shall be distributed to the
9 next Qualifying Social Equity Justice Involved Applicant
10 drawn by lot.

11 Any and all rights conferred or obtained under this
12 subsection shall be limited to the provisions of this
13 subsection.

14 (c) An applicant who receives a Conditional Adult Use
15 Dispensing Organization License under this Section has 180
16 days from the date of the award to identify a physical location
17 for the dispensing organization's retail storefront. The
18 applicant shall provide evidence that the location is not
19 within 1,500 feet of an existing dispensing organization,
20 unless the applicant is a Social Equity Applicant or Social
21 Equity Justice Involved Applicant located or seeking to locate
22 within 1,500 feet of a dispensing organization licensed under
23 Section 15-15 or Section 15-20. If an applicant is unable to
24 find a suitable physical address in the opinion of the
25 Department within 180 days from the issuance of the
26 Conditional Adult Use Dispensing Organization License, the

1 Department may extend the period for finding a physical
2 address an additional 540 days if the Conditional Adult Use
3 Dispensing Organization License holder demonstrates a concrete
4 attempt to secure a location and a hardship. If the Department
5 denies the extension or the Conditional Adult Use Dispensing
6 Organization License holder is either unable to find a
7 location within 720 days of being awarded a conditional
8 license and become operational within 180 days thereafter, or
9 unable to become operational within 720 days of being awarded
10 a Conditional Adult Use Dispensing Organization License under
11 this Section, the Department shall rescind the Conditional
12 Adult Use Dispensing Organization License and award it
13 pursuant to subsection (b) and notify the new awardee at the
14 email address provided in the awardee's application, provided
15 the applicant receiving the Conditional Adult Use Dispensing
16 Organization License: (i) confirms a continued interest in
17 operating a dispensing organization; (ii) can provide evidence
18 that the applicant continues to meet all requirements for
19 holding a Conditional Adult Use Dispensing Organization
20 License set forth in this Act; and (iii) has not otherwise
21 become ineligible to be awarded a Conditional Adult Use
22 Dispensing Organization License. If the new awardee is unable
23 to accept the Conditional Adult Use Dispensing Organization
24 License, the Department shall award the Conditional Adult Use
25 Dispensing Organization License pursuant to subsection (b).
26 The new awardee shall be subject to the same required

1 deadlines as provided in this subsection.

2 (d) If, within 720 ~~180~~ days of being awarded a Conditional
3 Adult Use Dispensing Organization License, a dispensing
4 organization is unable to find a location within the BLS
5 Region in which it was awarded a Conditional Adult Use
6 Dispensing Organization License under this Section because no
7 jurisdiction within the BLS Region allows for the operation of
8 an Adult Use Dispensing Organization, the Department may
9 authorize the Conditional Adult Use Dispensing Organization
10 License holder to transfer its Conditional Adult Use
11 Dispensing Organization License to a BLS Region specified by
12 the Department.

13 (e) A dispensing organization that is awarded a
14 Conditional Adult Use Dispensing Organization License under
15 this Section shall not purchase, possess, sell, or dispense
16 cannabis or cannabis-infused products until the dispensing
17 organization has received an Adult Use Dispensing Organization
18 License issued by the Department pursuant to Section 15-36.

19 (f) The Department shall conduct a background check of the
20 prospective dispensing organization agents in order to carry
21 out this Article. The Illinois State Police shall charge the
22 applicant a fee for conducting the criminal history record
23 check, which shall be deposited into the State Police Services
24 Fund and shall not exceed the actual cost of the record check.
25 Each person applying as a dispensing organization agent shall
26 submit a full set of fingerprints to the Illinois State Police

1 for the purpose of obtaining a State and federal criminal
2 records check. These fingerprints shall be checked against the
3 fingerprint records now and hereafter, to the extent allowed
4 by law, filed with the Illinois State Police and the Federal
5 Bureau of Investigation criminal history records databases.
6 The Illinois State Police shall furnish, following positive
7 identification, all Illinois conviction information to the
8 Department.

9 (g) The Department may verify information contained in
10 each application and accompanying documentation to assess the
11 applicant's veracity and fitness to operate a dispensing
12 organization.

13 (h) The Department may, in its discretion, refuse to issue
14 an authorization to an applicant who meets any of the
15 following criteria:

16 (1) An applicant who is unqualified to perform the
17 duties required of the applicant.

18 (2) An applicant who fails to disclose or states
19 falsely any information called for in the application.

20 (3) An applicant who has been found guilty of a
21 violation of this Act, who has had any disciplinary order
22 entered against the applicant by the Department, who has
23 entered into a disciplinary or nondisciplinary agreement
24 with the Department, whose medical cannabis dispensing
25 organization, medical cannabis cultivation organization,
26 Early Approval Adult Use Dispensing Organization License,

1 Early Approval Adult Use Dispensing Organization License
2 at a secondary site, Early Approval Cultivation Center
3 License, Conditional Adult Use Dispensing Organization
4 License, or Adult Use Dispensing Organization License was
5 suspended, restricted, revoked, or denied for just cause,
6 or whose cannabis business establishment license was
7 suspended, restricted, revoked, or denied in any other
8 state.

9 (4) An applicant who has engaged in a pattern or
10 practice of unfair or illegal practices, methods, or
11 activities in the conduct of owning a cannabis business
12 establishment or other business.

13 (i) The Department shall deny the license if any principal
14 officer, board member, or person having a financial or voting
15 interest of 5% or greater in the licensee is delinquent in
16 filing any required tax return or paying any amount owed to the
17 State of Illinois.

18 (j) The Department shall verify an applicant's compliance
19 with the requirements of this Article and rules adopted under
20 this Article before issuing a Conditional Adult Use Dispensing
21 Organization License.

22 (k) If an applicant is awarded a Conditional Adult Use
23 Dispensing Organization License under this Section, the
24 information and plans provided in the application, including
25 any plans submitted for bonus points, shall become a condition
26 of the Conditional Adult Use Dispensing Organization License

1 and any Adult Use Dispensing Organization License issued to
2 the holder of the Conditional Adult Use Dispensing
3 Organization License, except as otherwise provided by this Act
4 or by rule. Dispensing organizations have a duty to disclose
5 any material changes to the application. The Department shall
6 review all material changes disclosed by the dispensing
7 organization and may reevaluate its prior decision regarding
8 the awarding of a Conditional Adult Use Dispensing
9 Organization License, including, but not limited to,
10 suspending or permanently revoking a Conditional Adult Use
11 Dispensing Organization License. Failure to comply with the
12 conditions or requirements in the application may subject the
13 dispensing organization to discipline up to and including
14 suspension or permanent revocation of its authorization or
15 Conditional Adult Use Dispensing Organization License by the
16 Department.

17 (1) If an applicant has not begun operating as a
18 dispensing organization within one year after the issuance of
19 the Conditional Adult Use Dispensing Organization License
20 under this Section, the Department may permanently revoke the
21 Conditional Adult Use Dispensing Organization License and
22 award it to the next highest scoring applicant in the BLS
23 Region if a suitable applicant indicates a continued interest
24 in the Conditional Adult Use Dispensing Organization License
25 or may begin a new selection process to award a Conditional
26 Adult Use Dispensing Organization License.

1 (Source: P.A. 102-98, eff. 7-15-21; 103-8, eff. 6-7-23.)

2 (410 ILCS 705/15-36)

3 Sec. 15-36. Adult Use Dispensing Organization License.

4 (a) A person is only eligible to receive or hold an Adult
5 Use Dispensing Organization if the person has been awarded a
6 Conditional Adult Use Dispensing Organization License pursuant
7 to this Act or has renewed its license pursuant to Section
8 15-45, subsection (k) of Section 15-15, or subsection (p) of
9 Section 15-20.

10 (b) The Department shall not issue an Adult Use Dispensing
11 Organization License until:

12 (1) the Department has inspected the dispensary site
13 and proposed operations and verified that they are in
14 compliance with this Act and local zoning laws;

15 (2) the Conditional Adult Use Dispensing Organization
16 License holder has paid a license fee of \$60,000 or a
17 prorated amount accounting for the difference of time
18 between when the Adult Use Dispensing Organization License
19 is issued and March 31 of the next even-numbered year; and

20 (3) the Conditional Adult Use Dispensing Organization
21 License holder has met all the requirements in this Act
22 and rules.

23 (c) No person or entity shall hold any legal, equitable,
24 ownership, or beneficial interest, directly or indirectly, of
25 more than 10 dispensing organizations licensed under this

1 Article. Further, no person or entity that is:

2 (1) employed by, is an agent of, or participates in
3 the management of a dispensing organization or registered
4 medical cannabis dispensing organization;

5 (2) a principal officer of a dispensing organization
6 or registered medical cannabis dispensing organization; or

7 (3) an entity controlled by or affiliated with a
8 principal officer of a dispensing organization or
9 registered medical cannabis dispensing organization;

10 shall hold any legal, equitable, ownership, or beneficial
11 interest, directly or indirectly, in a dispensing organization
12 that would result in such person or entity owning or
13 participating in the management of more than 10 Early Approval
14 Adult Use Dispensing Organization Licenses, Early Approval
15 Adult Use Dispensing Organization Licenses at a secondary
16 site, Conditional Adult Use Dispensing Organization Licenses,
17 or Adult Use Dispensing Organization Licenses. For the purpose
18 of this subsection, participating in management may include,
19 without limitation, controlling decisions regarding staffing,
20 pricing, purchasing, marketing, store design, hiring, and
21 website design.

22 (d) The Department shall deny an application if granting
23 that application would result in a person or entity obtaining
24 direct or indirect financial interest in more than 10 Early
25 Approval Adult Use Dispensing Organization Licenses,
26 Conditional Adult Use Dispensing Organization Licenses, Adult

1 Use Dispensing Organization Licenses, or any combination
2 thereof. If a person or entity is awarded a Conditional Adult
3 Use Dispensing Organization License that would cause the
4 person or entity to be in violation of this subsection, he,
5 she, or it shall choose which license application it wants to
6 abandon and such licenses shall become available to the next
7 qualified applicant in the region in which the abandoned
8 license was awarded.

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

10 (410 ILCS 705/15-40)

11 Sec. 15-40. Dispensing organization agent identification
12 card; agent training.

13 (a) The Department shall:

14 (1) verify the information contained in an application
15 or renewal for a dispensing organization agent
16 identification card submitted under this Article, and
17 approve or deny an application or renewal, within 30 days
18 of receiving a completed application or renewal
19 application and all supporting documentation required by
20 rule;

21 (2) issue a dispensing organization agent
22 identification card to a qualifying agent within 15
23 business days of approving the application or renewal;

24 (3) enter the registry identification number of the
25 dispensing organization where the agent works;

1 (4) within one year from the effective date of this
2 Act, allow for an electronic application process and
3 provide a confirmation by electronic or other methods that
4 an application has been submitted; and

5 (5) collect a \$100 nonrefundable fee from the
6 applicant to be deposited into the Cannabis Regulation
7 Fund.

8 (b) A dispensing organization agent must keep his or her
9 identification card visible at all times when in the
10 dispensary.

11 (c) The dispensing organization agent identification cards
12 shall contain the following:

13 (1) the name of the cardholder;

14 (2) the date of issuance and expiration date of the
15 dispensing organization agent identification cards;

16 (3) a random 10-digit alphanumeric identification
17 number containing at least 4 numbers and at least 4
18 letters that is unique to the cardholder; and

19 (4) a photograph of the cardholder.

20 (d) The dispensing organization agent identification cards
21 shall be immediately returned to the dispensing organization
22 upon termination of employment.

23 (e) The Department shall not issue an agent identification
24 card if the applicant is delinquent in filing any required tax
25 returns or paying any amounts owed to the State of Illinois.

26 (f) Any card lost by a dispensing organization agent shall

1 be reported to the Illinois State Police and the Department
2 immediately upon discovery of the loss.

3 (g) An applicant shall be denied a dispensing organization
4 agent identification card renewal if he or she fails to
5 complete the training provided for in this Section.

6 (h) A dispensing organization agent shall only be required
7 to hold one card for the same employer regardless of what type
8 of dispensing organization license the employer holds.

9 (i) Cannabis retail sales training requirements.

10 (1) Within 90 days of September 1, 2019, or 90 days of
11 employment, whichever is later, all owners, managers,
12 employees, and agents involved in the handling or sale of
13 cannabis or cannabis-infused product employed by an adult
14 use dispensing organization or medical cannabis dispensing
15 organization as defined in Section 10 of the Compassionate
16 Use of Medical Cannabis Program Act shall attend and
17 successfully complete a Responsible Vendor Program.

18 (2) Each owner, manager, employee, and agent of an
19 adult use dispensing organization or medical cannabis
20 dispensing organization shall successfully complete the
21 program annually.

22 (3) Responsible Vendor Program Training modules shall
23 include at least 2 hours of instruction time approved by
24 the Department including:

25 (i) Health and safety concerns of cannabis use,
26 including the responsible use of cannabis, its

1 physical effects, onset of physiological effects,
2 recognizing signs of impairment, and appropriate
3 responses in the event of overconsumption.

4 (ii) Training on laws and regulations on driving
5 while under the influence and operating a watercraft
6 or snowmobile while under the influence.

7 (iii) Sales to minors prohibition. Training shall
8 cover all relevant Illinois laws and rules.

9 (iv) Quantity limitations on sales to purchasers.
10 Training shall cover all relevant Illinois laws and
11 rules.

12 (v) Acceptable forms of identification. Training
13 shall include:

14 (I) How to check identification; and

15 (II) Common mistakes made in verification;

16 (vi) Safe storage of cannabis;

17 (vii) Compliance with all inventory tracking
18 system regulations;

19 (viii) Waste handling, management, and disposal;

20 (ix) Health and safety standards;

21 (x) Maintenance of records;

22 (xi) Security and surveillance requirements;

23 (xii) Permitting inspections by State and local
24 licensing and enforcement authorities;

25 (xiii) Privacy issues;

26 (xiv) Packaging and labeling requirement for sales

1 to purchasers; and

2 (xv) Other areas as determined by rule.

3 (j) Blank.

4 (k) Upon the successful completion of the Responsible
5 Vendor Program, the provider shall deliver proof of completion
6 either through mail or electronic communication to the
7 dispensing organization, which shall retain a copy of the
8 certificate.

9 (l) The license of a dispensing organization or medical
10 cannabis dispensing organization whose owners, managers,
11 employees, or agents fail to comply with this Section may be
12 suspended or permanently revoked under Section 15-145 or may
13 face other disciplinary action.

14 (m) The regulation of dispensing organization and medical
15 cannabis dispensing employer and employee training is an
16 exclusive function of the State, and regulation by a unit of
17 local government, including a home rule unit, is prohibited.
18 This subsection (m) is a denial and limitation of home rule
19 powers and functions under subsection (h) of Section 6 of
20 Article VII of the Illinois Constitution.

21 (n) Persons seeking Department approval to offer the
22 training required by paragraph (3) of subsection (i) may apply
23 for such approval between August 1 and August 15 of each
24 odd-numbered year in a manner prescribed by the Department.

25 (o) Persons seeking Department approval to offer the
26 training required by paragraph (3) of subsection (i) shall

1 submit a nonrefundable application fee of \$2,000 to be
2 deposited into the Cannabis Regulation Fund or a fee as may be
3 set by rule. Any changes made to the training module shall be
4 approved by the Department.

5 (p) The Department shall not unreasonably deny approval of
6 a training module that meets all the requirements of paragraph
7 (3) of subsection (i). A denial of approval shall include a
8 detailed description of the reasons for the denial.

9 (q) Any person approved to provide the training required
10 by paragraph (3) of subsection (i) shall submit an application
11 for re-approval between August 1 and August 15 of each
12 odd-numbered year and include a nonrefundable application fee
13 of \$2,000 to be deposited into the Cannabis Regulation Fund or
14 a fee as may be set by rule.

15 (r) All persons applying to become or renewing their
16 registrations to be agents, including agents-in-charge and
17 principal officers, shall disclose any disciplinary action
18 taken against them that may have occurred in Illinois, another
19 state, or another country in relation to their employment at a
20 cannabis business establishment or at any cannabis cultivation
21 center, ~~processor~~, infuser, dispensary, or other cannabis
22 business establishment.

23 (s) An agent applicant may begin employment at a
24 dispensing organization while the agent applicant's
25 identification card application is pending. Upon approval, the
26 Department shall issue the agent's identification card to the

1 agent. If denied, the dispensing organization and the agent
2 applicant shall be notified and the agent applicant must cease
3 all activity at the dispensing organization immediately.

4 (t) The Department and the Department of Agriculture may
5 develop and implement an integrated system to issue an agent
6 identification card which identifies a dispensary agent
7 licensed by the Department as well as any cultivator, craft
8 grower, transporter, community college program or infuser
9 license or registration the agent may simultaneously hold.

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 705/15-50)

14 Sec. 15-50. Disclosure of ownership and control.

15 (a) Each dispensing organization applicant and licensee
16 shall file and maintain a Table of Organization, Ownership,
17 and Control with the Department. The Table of Organization,
18 Ownership, and Control shall contain the information required
19 by this Section in sufficient detail to identify all owners,
20 directors, and principal officers, and the title of each
21 principal officer or business entity that, through direct or
22 indirect means, manages, owns, or controls the applicant or
23 licensee.

24 (b) The Table of Organization, Ownership, and Control
25 shall identify the following information:

1 (1) The management structure, ownership, and control
2 of the applicant or license holder including the name of
3 each principal officer or business entity, the office or
4 position held, and the percentage ownership interest, if
5 any. If the business entity has a parent company, the name
6 of each owner, board member, and officer of the parent
7 company and his or her percentage ownership interest in
8 the parent company and the dispensing organization.

9 (2) If the applicant or licensee is a business entity
10 with publicly traded stock, the identification of
11 ownership shall be provided as required in subsection (c).

12 (c) If a business entity identified in subsection (b) is a
13 publicly traded company, the following information shall be
14 provided in the Table of Organization, Ownership, and Control:

15 (1) The name and percentage of ownership interest of
16 each individual or business entity with ownership of more
17 than 5% of the voting shares of the entity, to the extent
18 such information is known or contained in 13D or 13G
19 Securities and Exchange Commission filings.

20 (2) To the extent known, the names and percentage of
21 interest of ownership of persons who are relatives of one
22 another and who together exercise control over or own more
23 than 10% of the voting shares of the entity.

24 (d) A dispensing organization with a parent company or
25 companies, or partially owned or controlled by another entity
26 must disclose to the Department the relationship and all

1 owners, board members, officers, or individuals with control
2 or management of those entities. A dispensing organization
3 shall not shield its ownership or control from the Department.

4 (e) All principal officers must submit a complete online
5 application with the Department within 14 days of the
6 dispensing organization being licensed by the Department or
7 within 14 days of Department notice of approval as a new
8 principal officer.

9 (f) A principal officer may not allow his or her
10 registration to expire.

11 (g) A dispensing organization separating with a principal
12 officer must do so under this Act. The principal officer must
13 communicate the separation to the Department within 5 business
14 days.

15 (h) A principal officer not in compliance with the
16 requirements of this Act shall be removed from his or her
17 position with the dispensing organization or shall otherwise
18 terminate his or her affiliation. Failure to do so may subject
19 the dispensing organization to discipline, suspension, or
20 revocation of its license by the Department.

21 (i) It is the responsibility of the dispensing
22 organization and its principal officers to promptly notify the
23 Department of any change of the principal place of business
24 address, hours of operation, change in ownership or control,
25 or a change of the dispensing organization's primary or
26 secondary contact information. Any changes must be made to the

1 Department in writing.

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

3 (410 ILCS 705/15-60)

4 Sec. 15-60. Changes to a dispensing organization.

5 (a) A Conditional Adult Use Dispensing Organization
6 License may not be sold, transferred, assigned, used as
7 collateral, and the organization holding the license may not
8 add new principal officers to its ownership structure or
9 change its ownership structure. Notwithstanding the foregoing,
10 this prohibition does not preclude third parties who are not
11 registered as principal officers from investing in, lending
12 to, or otherwise providing capital to the Conditional Adult
13 Use Dispensing Organization License holder. Pursuant to this
14 subsection, third parties are not required to register as
15 principal officers of the Conditional Adult Use Dispensing
16 Organization License holder so long as any third party
17 interest cannot be realized or otherwise vest until the
18 Conditional Adult Use Dispensing Organization License holder
19 is issued a corresponding Adult Use Dispensing Organization
20 License under Section 15-36. In order to realize that interest
21 or have the interest vest, all third parties are subject to the
22 Department's approval processes in this Section, either
23 through the sale or transfer of the Adult Use Dispensing
24 Organization License to the third party or through the third
25 party's registration and approval as principal officer to the

1 Adult Use Dispensing Organization License holder.

2 (a-5) ~~(a)~~ A license shall be issued to the specific
3 dispensing organization identified on the application and for
4 the specific location proposed. The license is valid only as
5 designated on the license and for the location for which it is
6 issued.

7 (b) A dispensing organization may only add principal
8 officers after being approved by the Department.

9 (c) A dispensing organization shall provide written notice
10 of the removal of a principal officer within 5 business days
11 after removal. The notice shall include the written agreement
12 of the principal officer being removed, unless otherwise
13 approved by the Department, and allocation of ownership shares
14 after removal in an updated ownership chart.

15 (d) A dispensing organization shall provide a written
16 request to the Department for the addition of principal
17 officers. A dispensing organization shall submit proposed
18 principal officer applications on forms approved by the
19 Department.

20 (e) All proposed new principal officers shall be subject
21 to the requirements of this Act, this Article, and any rules
22 that may be adopted pursuant to this Act.

23 (f) The Department may prohibit the addition of a
24 principal officer to a dispensing organization for failure to
25 comply with this Act, this Article, and any rules that may be
26 adopted pursuant to this Act.

1 (g) A dispensing organization may not assign a license.

2 (h) A dispensing organization may not transfer a license
3 without prior Department approval. Such approval may be
4 withheld if the person to whom the license is being
5 transferred does not commit to the same or a similar community
6 engagement plan provided as part of the dispensing
7 organization's application under paragraph (18) of subsection
8 (d) of Section 15-25, and such transferee's license shall be
9 conditional upon that commitment.

10 (i) With the addition or removal of principal officers,
11 the Department will review the ownership structure to
12 determine whether the change in ownership has had the effect
13 of a transfer of the license. The dispensing organization
14 shall supply all ownership documents requested by the
15 Department.

16 (j) A dispensing organization may apply to the Department
17 to approve a sale of the dispensing organization. A request to
18 sell the dispensing organization must be on application forms
19 provided by the Department. A request for an approval to sell a
20 dispensing organization must comply with the following:

21 (1) New application materials shall comply with this
22 Act and any rules that may be adopted pursuant to this Act;

23 (2) Application materials shall include a change of
24 ownership fee of \$5,000 to be deposited into the Cannabis
25 Regulation Fund;

26 (3) The application materials shall provide proof that

1 the transfer of ownership will not have the effect of
2 granting any of the owners or principal officers direct or
3 indirect ownership or control of more than 10 adult use
4 dispensing organization licenses;

5 (4) New principal officers shall each complete the
6 proposed new principal officer application;

7 (5) If the Department approves the application
8 materials and proposed new principal officer applications,
9 it will perform an inspection before approving the sale
10 and issuing the dispensing organization license;

11 (6) If a new license is approved, the Department will
12 issue a new license number and certificate to the new
13 dispensing organization.

14 (k) The dispensing organization shall provide the
15 Department with the personal information for all new
16 dispensing organizations agents as required in this Article
17 and all new dispensing organization agents shall be subject to
18 the requirements of this Article. A dispensing organization
19 agent must obtain an agent identification card from the
20 Department before beginning work at a dispensary.

21 (l) Before remodeling, expansion, reduction, or other
22 physical, noncosmetic alteration of a dispensary, the
23 dispensing organization must notify the Department and confirm
24 the alterations are in compliance with this Act and any rules
25 that may be adopted pursuant to this Act.

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

1 (410 ILCS 705/15-70)

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

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

6 (b) (Blank). ~~A dispensing organization must include the~~
7 ~~legal name of the dispensary on the packaging of any cannabis~~
8 ~~product it sells.~~

9 (c) All cannabis, cannabis-infused products, and cannabis
10 seeds must be obtained from an Illinois registered ~~adult use~~
11 cultivation center, craft grower, infuser, or another
12 dispensary.

13 (c-5) A dispensing organization may sell cannabis and
14 cannabis-infused products purchased from any cultivation
15 center, craft grower, infuser, or other dispensary to persons
16 over 21 years of age and to qualifying patients, designated
17 caregivers, and provisional patients.

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

21 (e) A dispensing organization shall inspect and count
22 product received from a transporting organization, adult use
23 cultivation center, craft grower, infuser organization, or
24 other dispensing organization before dispensing it.

25 (f) A dispensing organization may only accept cannabis

1 deliveries into a restricted access area. Deliveries may not
2 be accepted through the public or limited access areas unless
3 otherwise approved by the Department.

4 (g) A dispensing organization shall maintain compliance
5 with State and local building, fire, and zoning requirements
6 or regulations.

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

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

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

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

22 (l) A dispensing organization must keep all air treatment
23 systems that will be installed to reduce odors in good working
24 order.

25 (m) A dispensing organization must contract with a private
26 security contractor that is licensed under Section 10-5 of the

1 Private Detective, Private Alarm, Private Security,
2 Fingerprint Vendor, and Locksmith Act of 2004 to provide
3 on-site security at all hours of the dispensary's operation.

4 (n) A dispensing organization shall ensure that any
5 building or equipment used by a dispensing organization for
6 the storage or sale of cannabis is maintained in a clean and
7 sanitary condition.

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

10 (p) A dispensing organization shall not:

11 (1) Produce or manufacture cannabis;

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

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

19 (4) Sell cannabis or cannabis-infused products to a
20 purchaser unless the dispensing organization is licensed
21 under the Compassionate Use of Medical Cannabis Program
22 Act, and the individual is registered under the
23 Compassionate Use of Medical Cannabis Program or the
24 purchaser has been verified to be 21 years of age or older;

25 (5) Enter into an exclusive agreement with any adult
26 use cultivation center, craft grower, or infuser.

1 Dispensaries shall provide consumers an assortment of
2 products from various cannabis business establishment
3 licensees such that the inventory available for sale at
4 any dispensary from any single cultivation center, craft
5 grower, ~~processor,~~ transporter, or infuser entity shall
6 not be more than 40% of the total inventory available for
7 sale. For the purpose of this subsection, a cultivation
8 center, craft grower, ~~processor,~~ or infuser shall be
9 considered part of the same entity if the licensees share
10 at least one principal officer. The Department may request
11 that a dispensary diversify its products as needed or
12 otherwise discipline a dispensing organization for
13 violating this requirement;

14 (6) Refuse to conduct business with an adult use
15 cultivation center, craft grower, transporting
16 organization, or infuser that has the ability to properly
17 deliver the product and is permitted by the Department of
18 Agriculture, on the same terms as other adult use
19 cultivation centers, craft growers, infusers, or
20 transporters with whom it is dealing;

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

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

24 (9) Transport cannabis to residences or transport
25 cannabis to other locations where purchasers may be for
26 delivery, except for the limited circumstances provided in

1 paragraph (5.5) of subsection (c) of Section 15-100;

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

5 (11) Operate a dispensary if its video surveillance
6 equipment is inoperative;

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

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

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

13 (15) Be located within 1,500 feet of the property line
14 of a pre-existing dispensing organization, unless the
15 applicant is a Social Equity Applicant or Social Equity
16 Justice Involved Applicant located or seeking to locate
17 within 1,500 feet of a dispensing organization licensed
18 under Section 15-15 or Section 15-20;

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

20 (17) Sell cannabis, cannabis concentrate, or
21 cannabis-infused products in combination or bundled with
22 each other or any other items for one price, and each item
23 of cannabis, concentrate, or cannabis-infused product must
24 be separately identified by quantity and price on the
25 receipt;

26 (18) Violate any other requirements or prohibitions

1 set by Department rules.

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

20 (r) 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, an
23 Adult Use Dispensing Organization License, or a medical
24 cannabis dispensing organization license issued under the
25 Compassionate Use of Medical Cannabis Program to enter into
26 any contract with any person licensed to cultivate, process,

1 or transport cannabis whereby such dispensing organization
2 agrees not to sell any cannabis cultivated, processed,
3 transported, manufactured, or distributed by any other
4 cultivator, transporter, or infuser, and any provision in any
5 contract violative of this Section shall render the whole of
6 such contract void and no action shall be brought thereon in
7 any court.

8 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
9 102-98, eff. 7-15-21.)

10 (410 ILCS 705/15-85)

11 Sec. 15-85. Dispensing cannabis.

12 (a) Before a dispensing organization agent dispenses
13 cannabis to a purchaser, the agent shall:

14 (1) Verify the age of the purchaser by checking a
15 government-issued identification card by use of an
16 electronic reader or electronic scanning device to scan a
17 purchaser's government-issued identification, if
18 applicable, to determine the purchaser's age and the
19 validity of the identification;

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

1 (3) Offer any appropriate purchaser education or
2 support materials;

3 (4) Enter the following information into the State's
4 cannabis electronic verification system:

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

10 (ii) The dispensing organization's identification
11 number;

12 (iii) The amount, type (including strain, if
13 applicable) of cannabis or cannabis-infused product
14 dispensed;

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

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

24 (c) For the purposes of this Section, valid identification
25 must:

26 (1) Be valid and unexpired;

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

3 (d) Notwithstanding any other provision of law, a
4 dispensing organization may offer pickup or drive-through
5 locations for cannabis or cannabis-infused products to
6 purchasers over 21 years of age, qualifying patients,
7 provisional patients, and designated caregivers, in accordance
8 with Section 15-100.

9 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
10 102-98, eff. 7-15-21.)

11 (410 ILCS 705/15-100)

12 Sec. 15-100. Security.

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

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

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

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

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

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

7 (4) Dispose of cannabis in accordance with this Act
8 and rules;

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

14 (5.5) During hours of operation, dispense all cannabis
15 from the restricted access area, including a drive-through
16 window, or from a pickup location in close proximity to
17 the restricted access area if (i) all orders in the pickup
18 or drive-through location are placed in advance, (ii) no
19 in-person or on-site ordering is permitted, and (iii) the
20 dispensing organization confirms that the purchaser,
21 registered qualifying patient, provisional patient, or
22 designated caregiver complies with Section 15-85; as used
23 in this paragraph, "pickup location in close proximity"
24 means an area contiguous to the real property of the
25 dispensary, such as a sidewalk or parking lot;

26 (6) When the dispensary is closed, store all cannabis

1 and currency in a reinforced vault room in the restricted
2 access area and in a manner as to prevent diversion,
3 theft, or loss;

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

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

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

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

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

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

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

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

26 (15) Develop emergency policies and procedures for

1 securing all product and currency following any instance
2 of diversion, theft, or loss of cannabis, and conduct an
3 assessment to determine whether additional safeguards are
4 necessary; and

5 (16) Develop sufficient additional safeguards in
6 response to any special security concerns, or as required
7 by the Department.

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

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

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

22 (g) Restricted access areas.

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

1 than one inch in height.

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

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

11 (h) Security and alarm.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 obscure the picture;

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

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

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

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

26 (11) A failure notification system that provides an

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

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

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

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

13 (410 ILCS 705/15-145)

14 Sec. 15-145. Grounds for discipline.

15 (a) The Department may deny issuance, refuse to renew or
16 restore, or may reprimand, place on probation, suspend,
17 revoke, or take other disciplinary or nondisciplinary action
18 against any license or agent identification card or may impose
19 a fine for any of the following:

20 (1) Material misstatement in furnishing information to
21 the Department;

22 (2) Violations of this Act or rules;

23 (3) Obtaining an authorization or license by fraud or
24 misrepresentation;

25 (4) A pattern of conduct that demonstrates

1 incompetence or that the applicant has engaged in conduct
2 or actions that would constitute grounds for discipline
3 under this Act;

4 (5) Aiding or assisting another person in violating
5 any provision of this Act or rules;

6 (6) Failing to respond to a written request for
7 information by the Department within 30 days;

8 (7) Engaging in unprofessional, dishonorable, or
9 unethical conduct of a character likely to deceive,
10 defraud, or harm the public;

11 (8) Adverse action by another United States
12 jurisdiction or foreign nation;

13 (9) A finding by the Department that the licensee,
14 after having his or her license placed on suspended or
15 probationary status, has violated the terms of the
16 suspension or probation;

17 (10) Conviction, entry of a plea of guilty, nolo
18 contendere, or the equivalent in a State or federal court
19 of a principal officer or agent-in-charge of a felony
20 offense in accordance with Sections 2105-131, 2105-135,
21 and 2105-205 of the Department of Professional Regulation
22 Law of the Civil Administrative Code of Illinois;

23 (11) Excessive use of or addiction to alcohol,
24 narcotics, stimulants, or any other chemical agent or
25 drug;

26 (12) A finding by the Department of a discrepancy in a

1 Department audit of cannabis;

2 (13) A finding by the Department of a discrepancy in a
3 Department audit of capital or funds;

4 (14) A finding by the Department of acceptance of
5 cannabis from a source other than an Adult Use Cultivation
6 Center, craft grower, infuser, or transporting
7 organization licensed by the Department of Agriculture, or
8 a dispensing organization licensed by the Department;

9 (15) An inability to operate using reasonable
10 judgment, skill, or safety due to physical or mental
11 illness or other impairment or disability, including,
12 without limitation, deterioration through the aging
13 process or loss of motor skills or mental incompetence;

14 (16) Failing to report to the Department within the
15 time frames established, or if not identified, 14 days, of
16 any adverse action taken against the dispensing
17 organization or an agent by a licensing jurisdiction in
18 any state or any territory of the United States or any
19 foreign jurisdiction, any governmental agency, any law
20 enforcement agency or any court defined in this Section;

21 (17) Any violation of the dispensing organization's
22 policies and procedures submitted to the Department
23 annually as a condition for licensure;

24 (18) Failure to inform the Department of any change of
25 address within 10 business days;

26 (19) Disclosing customer names, personal information,

1 or protected health information in violation of any State
2 or federal law;

3 (20) Operating a dispensary before obtaining a license
4 from the Department;

5 (21) Performing duties authorized by this Act prior to
6 receiving a license to perform such duties;

7 (22) Dispensing cannabis when prohibited by this Act
8 or rules;

9 (23) Any fact or condition that, if it had existed at
10 the time of the original application for the license,
11 would have warranted the denial of the license;

12 (24) Permitting a person without a valid agent
13 identification card to perform licensed activities under
14 this Act;

15 (25) Failure to assign an agent-in-charge as required
16 by this Article;

17 (26) Failure to provide the training required by
18 paragraph (3) of subsection (i) of Section 15-40 within
19 the provided timeframe;

20 (27) Personnel insufficient in number or unqualified
21 in training or experience to properly operate the
22 dispensary business;

23 (28) Any pattern of activity that causes a harmful
24 impact on the community; ~~and~~

25 (29) Failing to prevent diversion, theft, or loss of
26 cannabis; and -

1 (30) Engaging in a pattern of nonpayment or late
2 payment for goods or services to a cannabis business
3 establishment.

4 (b) All fines and fees imposed under this Section shall be
5 paid within 60 days after the effective date of the order
6 imposing the fine or as otherwise specified in the order.

7 (c) A circuit court order establishing that an
8 agent-in-charge or principal officer holding an agent
9 identification card is subject to involuntary admission as
10 that term is defined in Section 1-119 or 1-119.1 of the Mental
11 Health and Developmental Disabilities Code shall operate as a
12 suspension of that card.

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

14 (410 ILCS 705/20-15)

15 Sec. 20-15. Conditional Adult Use Cultivation Center
16 application.

17 (a) If the Department of Agriculture makes available
18 additional cultivation center licenses pursuant to Section
19 20-5, applicants for a Conditional Adult Use Cultivation
20 Center License shall electronically submit the following in
21 such form as the Department of Agriculture may direct:

22 (1) the nonrefundable application fee set by rule by
23 the Department of Agriculture, to be deposited into the
24 Cannabis Regulation Fund;

25 (2) the legal name of the cultivation center;

1 (3) the proposed physical address of the cultivation
2 center;

3 (4) the name, address, social security number, and
4 date of birth of each principal officer and board member
5 of the cultivation center; each principal officer and
6 board member shall be at least 21 years of age;

7 (5) the details of any administrative or judicial
8 proceeding in which any of the principal officers or board
9 members of the cultivation center (i) pled guilty, were
10 convicted, were fined, or had a registration or license
11 suspended or revoked, or (ii) managed or served on the
12 board of a business or non-profit organization that pled
13 guilty, was convicted, was fined, or had a registration or
14 license suspended or revoked;

15 (6) proposed operating bylaws that include procedures
16 for the oversight of the cultivation center, including the
17 development and implementation of a plant monitoring
18 system, accurate recordkeeping, staffing plan, and
19 security plan approved by the Illinois State Police that
20 are in accordance with the rules issued by the Department
21 of Agriculture under this Act. A physical inventory shall
22 be performed of all plants and cannabis on a weekly basis
23 by the cultivation center;

24 (7) verification from the Illinois State Police that
25 all background checks of the prospective principal
26 officers, board members, and agents of the cannabis

1 business establishment have been conducted;

2 (8) a copy of the current local zoning ordinance or
3 permit and verification that the proposed cultivation
4 center is in compliance with the local zoning rules and
5 distance limitations established by the local
6 jurisdiction;

7 (9) proposed employment practices, in which the
8 applicant must demonstrate a plan of action to inform,
9 hire, and educate minorities, women, veterans, and persons
10 with disabilities, engage in fair labor practices, and
11 provide worker protections;

12 (10) whether an applicant can demonstrate experience
13 in or business practices that promote economic empowerment
14 in Disproportionately Impacted Areas;

15 (11) experience with the cultivation of agricultural
16 or horticultural products, operating an agriculturally
17 related business, or operating a horticultural business;

18 (12) a description of the enclosed, locked facility
19 where cannabis will be grown, harvested, manufactured,
20 processed, packaged, or otherwise prepared for
21 distribution to a dispensing organization;

22 (13) a survey of the enclosed, locked facility,
23 including the space used for cultivation;

24 (14) cultivation, processing, inventory, and packaging
25 plans;

26 (15) a description of the applicant's experience with

1 agricultural cultivation techniques and industry
2 standards;

3 (16) a list of any academic degrees, certifications,
4 or relevant experience of all prospective principal
5 officers, board members, and agents of the related
6 business;

7 (17) the identity of every person having a financial
8 or voting interest of 5% or greater in the cultivation
9 center operation with respect to which the license is
10 sought, whether a trust, corporation, partnership, limited
11 liability company, or sole proprietorship, including the
12 name and address of each person;

13 (18) a plan describing how the cultivation center will
14 address each of the following:

15 (i) energy needs, including estimates of monthly
16 electricity and gas usage, to what extent it will
17 procure energy from a local utility or from on-site
18 generation, and if it has or will adopt a sustainable
19 energy use and energy conservation policy;

20 (ii) water needs, including estimated water draw
21 and if it has or will adopt a sustainable water use and
22 water conservation policy; and

23 (iii) waste management, including if it has or
24 will adopt a waste reduction policy;

25 (19) a diversity plan that includes a narrative of not
26 more than 2,500 words that establishes a goal of diversity

1 in ownership, management, employment, and contracting to
2 ensure that diverse participants and groups are afforded
3 equality of opportunity;

4 (20) any other information required by rule;

5 (21) 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 cannabis
9 cultivation facility shall be recycled per applicable
10 State 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 (22) commitment to comply with local waste provisions:
20 a cultivation facility must remain in compliance with
21 applicable State and federal environmental requirements,
22 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; and

8 (23) a commitment to a technology standard for
9 resource efficiency of the cultivation center facility.

10 (A) A cannabis cultivation 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 items (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. The ~~(i) For cannabis grow operations~~
8 ~~with less than 6,000 square feet of canopy, the~~
9 licensee commits that all HVAC units will be
10 high-efficiency ductless split HVAC units, or other
11 more energy efficient equipment.

12 ~~(ii) For cannabis grow operations with 6,000~~
13 ~~square feet of canopy or more, the licensee~~
14 ~~commits that all HVAC units will be variable~~
15 ~~refrigerant flow HVAC units, or other more energy~~
16 ~~efficient equipment.~~

17 (D) Water application.

18 (i) The cannabis cultivation facility commits
19 to use automated watering systems, including, but
20 not limited to, drip irrigation and flood tables,
21 to irrigate cannabis crops ~~crop~~.

22 (ii) The cannabis cultivation facility commits
23 to measure runoff from watering events and report
24 this volume in its water usage plan, and that on
25 average, watering events shall have no more than
26 20% of runoff of water.

1 (E) Filtration. The cultivator commits that HVAC
2 condensate, dehumidification water, excess runoff, and
3 other wastewater produced by the cannabis cultivation
4 facility shall be captured and filtered to the best of
5 the facility's ability to achieve the quality needed
6 to be reused in subsequent watering rounds.

7 (F) Reporting energy use and efficiency as
8 required by rule.

9 (b) Applicants must submit all required information,
10 including the information required in Section 20-10, to the
11 Department of Agriculture. Failure by an applicant to submit
12 all required information may result in the application being
13 disqualified.

14 (c) If the Department of Agriculture receives an
15 application with missing information, the Department of
16 Agriculture may issue a deficiency notice to the applicant.
17 The applicant shall have 10 calendar days from the date of the
18 deficiency notice to resubmit the incomplete information.
19 Applications that are still incomplete after this opportunity
20 to cure will not be scored and will be disqualified.

21 (e) A cultivation center that is awarded a Conditional
22 Adult Use Cultivation Center License pursuant to the criteria
23 in Section 20-20 shall not grow, purchase, possess, or sell
24 cannabis or cannabis-infused products until the person has
25 received an Adult Use Cultivation Center License issued by the
26 Department of Agriculture pursuant to Section 20-21 of this

1 Act.

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

4 (410 ILCS 705/20-30)

5 Sec. 20-30. Cultivation center requirements; prohibitions.

6 (a) The operating documents of a cultivation center shall
7 include procedures for the oversight of the cultivation
8 center, a cannabis plant monitoring system including a
9 physical inventory recorded weekly, accurate recordkeeping,
10 and a staffing plan.

11 (b) A cultivation center shall implement a security plan
12 reviewed by the Illinois State Police that includes, but is
13 not limited to: facility access controls, perimeter intrusion
14 detection systems, personnel identification systems, 24-hour
15 surveillance system to monitor the interior and exterior of
16 the cultivation center facility and accessibility to
17 authorized law enforcement, the Department of Public Health
18 where processing takes place, and the Department of
19 Agriculture in real time.

20 (c) All cultivation of cannabis by a cultivation center
21 must take place in an enclosed, locked facility at the
22 physical address provided to the Department of Agriculture
23 during the licensing process. The cultivation center location
24 shall only be accessed by the agents working for the
25 cultivation center, the Department of Agriculture staff

1 performing inspections, the Department of Public Health staff
2 performing inspections, local and State law enforcement or
3 other emergency personnel, contractors working on jobs
4 unrelated to cannabis, such as installing or maintaining
5 security devices or performing electrical wiring, transporting
6 organization agents as provided in this Act, individuals in a
7 mentoring or educational program approved by the State, or
8 other individuals as provided by rule.

9 (d) A cultivation center may not sell or distribute any
10 cannabis or cannabis-infused products to any person other than
11 a dispensing organization, craft grower, infuser organization,
12 transporter, or as otherwise authorized by rule.

13 (e) A cultivation center may not either directly or
14 indirectly discriminate in price between different dispensing
15 organizations, craft growers, or infuser organizations that
16 are purchasing a like grade, strain, brand, and quality of
17 cannabis or cannabis-infused product. Nothing in this
18 subsection (e) prevents a cultivation center from pricing
19 cannabis differently based on differences in the cost of
20 manufacturing or processing, the quantities sold, such as
21 volume discounts, or the way the products are delivered.

22 (f) All cannabis harvested by a cultivation center and
23 intended for distribution to a dispensing organization must be
24 entered into a data collection system, packaged and labeled
25 under Section 55-21, and placed into a cannabis container for
26 transport. All cannabis harvested by a cultivation center and

1 intended for distribution to a craft grower or infuser
2 organization must be packaged in a labeled cannabis container
3 and entered into a data collection system before transport.

4 (g) Cultivation centers are subject to random inspections
5 by the Department of Agriculture, the Department of Public
6 Health, local safety or health inspectors, the Illinois State
7 Police, or as provided by rule.

8 (h) A cultivation center agent shall notify local law
9 enforcement, the Illinois State Police, and the Department of
10 Agriculture within 24 hours of the discovery of any loss or
11 theft. Notification shall be made by phone or in person, or by
12 written or electronic communication.

13 (i) A cultivation center shall comply with all State and
14 any applicable federal rules and regulations regarding the use
15 of pesticides on cannabis plants.

16 (j) No person or entity shall hold any legal, equitable,
17 ownership, or beneficial interest, directly or indirectly, of
18 more than 3 cultivation centers licensed under this Article.
19 Further, no person or entity that is employed by, an agent of,
20 has a contract to receive payment in any form from a
21 cultivation center, is a principal officer of a cultivation
22 center, or entity controlled by or affiliated with a principal
23 officer of a cultivation shall hold any legal, equitable,
24 ownership, or beneficial interest, directly or indirectly, in
25 a cultivation that would result in the person or entity owning
26 or controlling in combination with any cultivation center,

1 principal officer of a cultivation center, or entity
2 controlled or affiliated with a principal officer of a
3 cultivation center by which he, she, or it is employed, is an
4 agent of, or participates in the management of, more than 3
5 cultivation center licenses.

6 (k) A cultivation center may not contain more than 210,000
7 square feet of canopy space for plants in the flowering stage
8 for cultivation of adult use cannabis as provided in this Act.

9 (l) A cultivation center may process cannabis, cannabis
10 concentrates, and cannabis-infused products.

11 (m) Beginning July 1, 2020, a cultivation center shall not
12 transport cannabis or cannabis-infused products to a craft
13 grower, dispensing organization, infuser organization, or
14 laboratory licensed under this Act, unless it has obtained a
15 transporting organization license.

16 (n) It is unlawful for any person having a cultivation
17 center license or any officer, associate, member,
18 representative, or agent of such licensee to offer or deliver
19 money, or anything else of value, directly or indirectly to
20 any person having an Early Approval Adult Use Dispensing
21 Organization License, a Conditional Adult Use Dispensing
22 Organization License, an Adult Use Dispensing Organization
23 License, or a medical cannabis dispensing organization license
24 issued under the Compassionate Use of Medical Cannabis Program
25 Act, or to any person connected with or in any way
26 representing, or to any member of the family of, such person

1 holding an Early Approval Adult Use Dispensing Organization
2 License, a Conditional Adult Use Dispensing Organization
3 License, an Adult Use Dispensing Organization License, or a
4 medical cannabis dispensing organization license issued under
5 the Compassionate Use of Medical Cannabis Program Act, or to
6 any stockholders in any corporation engaged in the retail sale
7 of cannabis, or to any officer, manager, agent, or
8 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 (o) A cultivation center must comply with any other
18 requirements or prohibitions set by administrative rule of the
19 Department of Agriculture.

20 (p) Cannabis business establishments shall adhere to the
21 traceability and consumer protection guidelines established by
22 the Department of Agriculture when utilizing the cannabis
23 plant monitoring system or cannabis transport GPS tracking
24 system.

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 705/20-35)

3 Sec. 20-35. Cultivation center agent identification card.

4 (a) The Department of Agriculture shall:

5 (1) establish by rule the information required in an
6 initial application or renewal application for an agent
7 identification card submitted under this Act and the
8 nonrefundable fee to accompany the initial application or
9 renewal application;

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

16 (3) issue an agent identification card to a qualifying
17 agent within 15 business days of approving the initial
18 application or renewal application;

19 (4) enter the license number of the cultivation center
20 where the agent works; and

21 (5) allow for an electronic initial application and
22 renewal application process, and provide a confirmation by
23 electronic or other methods that an application has been
24 submitted. The Department of Agriculture may by rule
25 require prospective agents to file their applications by

1 electronic means and provide notices to the agents by
2 electronic means.

3 (b) An agent must keep his or her identification card
4 visible at all times when on the property of the cultivation
5 center at which the agent is employed.

6 (c) The agent identification cards shall contain the
7 following:

8 (1) the name of the cardholder;

9 (2) the date of issuance and expiration date of the
10 identification card;

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

14 (4) a photograph of the cardholder; and

15 (5) the legal name of the cultivation center employing
16 the agent.

17 (d) An agent identification card shall be immediately
18 returned to the cultivation center of the agent upon
19 termination of his or her employment.

20 (e) Any agent identification card lost by a cultivation
21 center agent shall be reported to the Illinois State Police
22 and the Department of Agriculture immediately upon discovery
23 of the loss.

24 (f) The Department of Agriculture shall not issue an agent
25 identification card if the applicant is delinquent in filing
26 any required tax returns or paying any amounts owed to the

1 State of Illinois.

2 (g) The Department and the Department of Financial and
3 Professional Regulation may develop and implement an
4 integrated system to issue an agent identification card which
5 identifies a cultivation center agent licensed by the
6 Department as well as any craft grower, transporter,
7 dispensing organization, community college program, or infuser
8 license or registration the agent may simultaneously hold.

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

10 (410 ILCS 705/20-45)

11 Sec. 20-45. Renewal of cultivation center licenses and
12 agent identification cards.

13 (a) Licenses and identification cards issued under this
14 Act shall be renewed annually. A cultivation center shall
15 receive written or electronic notice 90 days before the
16 expiration of its current license that the license will
17 expire. The Department of Agriculture shall grant a renewal
18 within 45 days of submission of a renewal application if:

19 (1) the cultivation center submits a renewal
20 application and the required nonrefundable renewal fee of
21 \$100,000, or another amount as the Department of
22 Agriculture may set by rule after January 1, 2021, to be
23 deposited into the Cannabis Regulation Fund.

24 (2) the Department of Agriculture has not suspended
25 the license of the cultivation center or suspended or

1 revoked the license for violating this Act or rules
2 adopted under this Act;

3 (3) the cultivation center has continued to operate in
4 accordance with all plans submitted as part of its
5 application and approved by the Department of Agriculture
6 or any amendments thereto that have been approved by the
7 Department of Agriculture;

8 (4) the cultivation center has submitted an agent,
9 employee, contracting, and subcontracting diversity report
10 as required by the Department; and

11 (5) the cultivation center has submitted an
12 environmental impact report.

13 (b) If a cultivation center fails to renew its license
14 before expiration, it shall cease operations until its license
15 is renewed.

16 (c) If a cultivation center agent fails to renew his or her
17 identification card before its expiration, he or she shall
18 cease to work as an agent of the cultivation center until his
19 or her identification card is renewed.

20 (d) Any cultivation center that continues to operate, or
21 any cultivation center agent who continues to work as an
22 agent, after the applicable license or identification card has
23 expired without renewal is subject to the penalties provided
24 under Section 45-5.

25 (e) The Department of Agriculture shall not renew a
26 license or an agent identification card if the applicant is

1 delinquent in filing any required tax returns or paying any
2 amounts owed to the State.

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

4 (410 ILCS 705/25-35)

5 (Section scheduled to be repealed on July 1, 2026)

6 Sec. 25-35. Community College Cannabis Vocational Training
7 Pilot Program faculty participant agent identification card.

8 (a) The Department shall:

9 (1) establish by rule the information required in an
10 initial application or renewal application for an agent
11 identification card submitted under this Article and the
12 nonrefundable fee to accompany the initial application or
13 renewal application;

14 (2) verify the information contained in an initial
15 application or renewal application for an agent
16 identification card submitted under this Article, and
17 approve or deny an application within 30 days of receiving
18 a completed initial application or renewal application and
19 all supporting documentation required by rule;

20 (3) issue an agent identification card to a qualifying
21 agent within 15 business days of approving the initial
22 application or renewal application;

23 (4) enter the license number of the community college
24 where the agent works; and

25 (5) allow for an electronic initial application and

1 renewal application process, and provide a confirmation by
2 electronic or other methods that an application has been
3 submitted. Each Department may by rule require prospective
4 agents to file their applications by electronic means and
5 to provide notices to the agents by electronic means.

6 (b) An agent must keep his or her identification card
7 visible at all times when in the enclosed, locked facility, or
8 facilities for which he or she is an agent.

9 (c) The agent identification cards shall contain the
10 following:

11 (1) the name of the cardholder;

12 (2) the date of issuance and expiration date of the
13 identification card;

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

17 (4) a photograph of the cardholder; and

18 (5) the legal name of the community college employing
19 the agent.

20 (d) An agent identification card shall be immediately
21 returned to the community college of the agent upon
22 termination of his or her employment.

23 (e) Any agent identification card lost shall be reported
24 to the Illinois State Police and the Department of Agriculture
25 immediately upon discovery of the loss.

26 (f) An agent applicant may begin employment at a Community

1 College Cannabis Vocational Training Pilot Program while the
2 agent applicant's identification card application is pending.
3 Upon approval, the Department shall issue the agent's
4 identification card to the agent. If denied, the Community
5 College Cannabis Vocational Training Pilot Program and the
6 agent applicant shall be notified and the agent applicant must
7 cease all activity at the Community College Cannabis
8 Vocational Training Pilot Program immediately.

9 (g) The Department of Agriculture shall not issue an agent
10 identification card if the applicant is delinquent in filing
11 any required tax returns or paying any amounts owed to the
12 State.

13 (h) The Department of Agriculture and the Department of
14 Financial and Professional Regulation may develop and
15 implement an integrated system to issue an agent
16 identification card which identifies a community college
17 program agent licensed by the Department as well as any
18 cultivation center, craft grower, transporter, dispensing
19 organization, or infuser license or registration the agent may
20 simultaneously hold.

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

23 (410 ILCS 705/30-10)

24 Sec. 30-10. Application.

25 (a) When applying for a license, the applicant shall

1 electronically submit the following in such form as the
2 Department of Agriculture may direct:

3 (1) the nonrefundable application fee of \$5,000 to be
4 deposited into the Cannabis Regulation Fund, or another
5 amount as the Department of Agriculture may set by rule
6 after January 1, 2021;

7 (2) the legal name of the craft grower;

8 (3) the proposed physical address of the craft grower;

9 (4) the name, address, social security number, and
10 date of birth of each principal officer and board member
11 of the craft grower; each principal officer and board
12 member shall be at least 21 years of age;

13 (5) the details of any administrative or judicial
14 proceeding in which any of the principal officers or board
15 members of the craft grower (i) pled guilty, were
16 convicted, were fined, or had a registration or license
17 suspended or revoked or (ii) managed or served on the
18 board of a business or non-profit organization that pled
19 guilty, was convicted, was fined, or had a registration or
20 license suspended or revoked;

21 (6) proposed operating bylaws that include procedures
22 for the oversight of the craft grower, including the
23 development and implementation of a plant monitoring
24 system, accurate recordkeeping, staffing plan, and
25 security plan approved by the Illinois State Police that
26 are in accordance with the rules issued by the Department

1 of Agriculture under this Act; a physical inventory shall
2 be performed of all plants and on a weekly basis by the
3 craft grower;

4 (7) verification from the Illinois State Police that
5 all background checks of the prospective principal
6 officers, board members, and agents of the cannabis
7 business establishment have been conducted;

8 (8) a copy of the current local zoning ordinance or
9 permit and verification that the proposed craft grower is
10 in compliance with the local zoning rules and distance
11 limitations established by the local jurisdiction;

12 (9) proposed employment practices, in which the
13 applicant must demonstrate a plan of action to inform,
14 hire, and educate minorities, women, veterans, and persons
15 with disabilities, engage in fair labor practices, and
16 provide worker protections;

17 (10) whether an applicant can demonstrate experience
18 in or business practices that promote economic empowerment
19 in Disproportionately Impacted Areas;

20 (11) experience with the cultivation of agricultural
21 or horticultural products, operating an agriculturally
22 related business, or operating a horticultural business;

23 (12) a description of the enclosed, locked facility
24 where cannabis will be grown, harvested, manufactured,
25 packaged, or otherwise prepared for distribution to a
26 dispensing organization or other cannabis business

1 establishment;

2 (13) a survey of the enclosed, locked facility,
3 including the space used for cultivation;

4 (14) cultivation, processing, inventory, and packaging
5 plans;

6 (15) a description of the applicant's experience with
7 agricultural cultivation techniques and industry
8 standards;

9 (16) a list of any academic degrees, certifications,
10 or relevant experience of all prospective principal
11 officers, board members, and agents of the related
12 business;

13 (17) the identity of every person having a financial
14 or voting interest of 5% or greater in the craft grower
15 operation, whether a trust, corporation, partnership,
16 limited liability company, or sole proprietorship,
17 including the name and address of each person;

18 (18) a plan describing how the craft grower will
19 address each of the following:

20 (i) energy needs, including estimates of monthly
21 electricity and gas usage, to what extent it will
22 procure energy from a local utility or from on-site
23 generation, and if it has or will adopt a sustainable
24 energy use and energy conservation policy;

25 (ii) water needs, including estimated water draw
26 and if it has or will adopt a sustainable water use and

1 water conservation policy; and

2 (iii) waste management, including if it has or
3 will adopt a waste reduction policy;

4 (19) a recycling plan:

5 (A) Purchaser packaging, including cartridges,
6 shall be accepted by the applicant and recycled.

7 (B) Any recyclable waste generated by the craft
8 grower facility shall be recycled per applicable State
9 and local laws, ordinances, and rules.

10 (C) Any cannabis waste, liquid waste, or hazardous
11 waste shall be disposed of in accordance with 8 Ill.
12 Adm. Code 1000.460, except, to the greatest extent
13 feasible, all cannabis plant waste will be rendered
14 unusable by grinding and incorporating the cannabis
15 plant waste with compostable mixed waste to be
16 disposed of in accordance with 8 Ill. Adm. Code
17 1000.460(g)(1);

18 (20) a commitment to comply with local waste
19 provisions: a craft grower facility must remain in
20 compliance with applicable State and federal environmental
21 requirements, including, but not limited to:

22 (A) storing, securing, and managing all
23 recyclables and waste, including organic waste
24 composed of or containing finished cannabis and
25 cannabis products, in accordance with applicable State
26 and local laws, ordinances, and rules; and

1 (B) disposing liquid waste containing cannabis or
2 byproducts of cannabis processing in compliance with
3 all applicable State and federal requirements,
4 including, but not limited to, the cannabis
5 cultivation facility's permits under Title X of the
6 Environmental Protection Act;

7 (21) a commitment to a technology standard for
8 resource efficiency of the craft grower facility.

9 (A) A craft grower facility commits to use
10 resources efficiently, including energy and water. For
11 the following, a cannabis cultivation facility commits
12 to meet or exceed the technology standard identified
13 in paragraphs (i), (ii), (iii), and (iv), which may be
14 modified by rule:

15 (i) lighting systems, including light bulbs;

16 (ii) HVAC system;

17 (iii) water application system to the crop;

18 and

19 (iv) filtration system for removing
20 contaminants from wastewater.

21 (B) Lighting. The Lighting Power Densities (LPD)
22 for cultivation space commits to not exceed an average
23 of 36 watts per gross square foot of active and growing
24 space canopy, or all installed lighting technology
25 shall meet a photosynthetic photon efficacy (PPE) of
26 no less than 2.2 micromoles per joule fixture and

1 shall be featured on the DesignLights Consortium (DLC)
2 Horticultural Specification Qualified Products List
3 (QPL). In the event that DLC requirement for minimum
4 efficacy exceeds 2.2 micromoles per joule fixture,
5 that PPE shall become the new standard.

6 (C) HVAC.

7 (i) ~~The For cannabis grow operations with less~~
8 ~~than 6,000 square feet of canopy, the licensee~~
9 commits that all HVAC units will be
10 high-efficiency ductless split HVAC units, or
11 other more energy efficient equipment.

12 (ii) (Blank). ~~For cannabis grow operations~~
13 ~~with 6,000 square feet of canopy or more, the~~
14 ~~licensee commits that all HVAC units will be~~
15 ~~variable refrigerant flow HVAC units, or other~~
16 ~~more energy efficient equipment.~~

17 (D) Water application.

18 (i) The craft grower facility commits to use
19 automated watering systems, including, but not
20 limited to, drip irrigation and flood tables, to
21 irrigate cannabis crop.

22 (ii) The craft grower facility commits to
23 measure runoff from watering events and report
24 this volume in its water usage plan, and that on
25 average, watering events shall have no more than
26 20% of runoff of water.

1 (E) Filtration. The craft grower commits that HVAC
2 condensate, dehumidification water, excess runoff, and
3 other wastewater produced by the craft grower facility
4 shall be captured and filtered to the best of the
5 facility's ability to achieve the quality needed to be
6 reused in subsequent watering rounds.

7 (F) Reporting energy use and efficiency as
8 required by rule; and

9 (22) any other information required by rule.

10 (b) Applicants must submit all required information,
11 including the information required in Section 30-15, to the
12 Department of Agriculture. Failure by an applicant to submit
13 all required information may result in the application being
14 disqualified.

15 (c) If the Department of Agriculture receives an
16 application with missing information, the Department of
17 Agriculture may issue a deficiency notice to the applicant.
18 The applicant shall have 10 calendar days from the date of the
19 deficiency notice to resubmit the incomplete information.
20 Applications that are still incomplete after this opportunity
21 to cure will not be scored and will be disqualified.

22 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
23 102-538, eff. 8-20-21.)

24 (410 ILCS 705/30-30)

25 Sec. 30-30. Craft grower requirements; prohibitions.

1 (a) The operating documents of a craft grower shall
2 include procedures for the oversight of the craft grower, a
3 cannabis plant monitoring system including a physical
4 inventory recorded weekly, accurate recordkeeping, and a
5 staffing plan.

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

14 (c) All cultivation of cannabis by a craft grower must
15 take place in an enclosed, locked facility at the physical
16 address provided to the Department of Agriculture during the
17 licensing process. The craft grower location shall only be
18 accessed by the agents working for the craft grower, the
19 Department of Agriculture staff performing inspections, the
20 Department of Public Health staff performing inspections,
21 State and local law enforcement or other emergency personnel,
22 contractors working on jobs unrelated to cannabis, such as
23 installing or maintaining security devices or performing
24 electrical wiring, transporting organization agents as
25 provided in this Act, or participants in the incubator
26 program, individuals in a mentoring or educational program

1 approved by the State, or other individuals as provided by
2 rule. However, if a craft grower shares a premises with an
3 infuser or dispensing organization, agents from those other
4 licensees may access the craft grower portion of the premises
5 if that is the location of common bathrooms, lunchrooms,
6 locker rooms, or other areas of the building where work or
7 cultivation of cannabis is not performed. At no time may an
8 infuser or dispensing organization agent perform work at a
9 craft grower without being a registered agent of the craft
10 grower.

11 (d) A craft grower may not sell or distribute any cannabis
12 to any person other than a cultivation center, a craft grower,
13 an infuser organization, a dispensing organization, or as
14 otherwise authorized by rule.

15 (e) A craft grower may not be located in an area zoned for
16 residential use.

17 (f) A craft grower may not either directly or indirectly
18 discriminate in price between different cannabis business
19 establishments that are purchasing a like grade, strain,
20 brand, and quality of cannabis or cannabis-infused product.
21 Nothing in this subsection (f) prevents a craft grower from
22 pricing cannabis differently based on differences in the cost
23 of manufacturing or processing, the quantities sold, such as
24 volume discounts, or the way the products are delivered.

25 (g) All cannabis harvested by a craft grower and intended
26 for distribution to a dispensing organization must be entered

1 into a data collection system, packaged and labeled under
2 Section 55-21, and, if distribution is to a dispensing
3 organization that does not share a premises with the
4 dispensing organization receiving the cannabis, placed into a
5 cannabis container for transport. All cannabis harvested by a
6 craft grower and intended for distribution to a cultivation
7 center, to an infuser organization, or to a craft grower with
8 which it does not share a premises, must be packaged in a
9 labeled cannabis container and entered into a data collection
10 system before transport.

11 (h) Craft growers are subject to random inspections by the
12 Department of Agriculture, local safety or health inspectors,
13 the Illinois State Police, or as provided by rule.

14 (i) A craft grower agent shall notify local law
15 enforcement, the Illinois State Police, and the Department of
16 Agriculture within 24 hours of the discovery of any loss or
17 theft. Notification shall be made by phone, in person, or
18 written or electronic communication.

19 (j) A craft grower shall comply with all State and any
20 applicable federal rules and regulations regarding the use of
21 pesticides.

22 (k) A craft grower or craft grower agent shall not
23 transport cannabis or cannabis-infused products to any other
24 cannabis business establishment without a transport
25 organization license unless:

26 (i) If the craft grower is located in a county with a

1 population of 3,000,000 or more, the cannabis business
2 establishment receiving the cannabis is within 2,000 feet
3 of the property line of the craft grower;

4 (ii) If the craft grower is located in a county with a
5 population of more than 700,000 but fewer than 3,000,000,
6 the cannabis business establishment receiving the cannabis
7 is within 2 miles of the craft grower; or

8 (iii) If the craft grower is located in a county with a
9 population of fewer than 700,000, the cannabis business
10 establishment receiving the cannabis is within 15 miles of
11 the craft grower.

12 (l) A craft grower may enter into a contract with a
13 transporting organization to transport cannabis to a
14 consolidated transport center, a different transporting
15 organization at the consolidated transport center, a
16 cultivation center, a craft grower, an infuser organization, a
17 dispensing organization, or a laboratory. All products
18 received and shipped to and from a consolidated transport
19 center shall be tracked within the cannabis plant monitoring
20 system.

21 (m) No person or entity shall hold any legal, equitable,
22 ownership, or beneficial interest, directly or indirectly, of
23 more than 3 craft grower licenses. Further, no person or
24 entity that is employed by, an agent of, or has a contract to
25 receive payment from or participate in the management of a
26 craft grower, is a principal officer of a craft grower, or

1 entity controlled by or affiliated with a principal officer of
2 a craft grower shall hold any legal, equitable, ownership, or
3 beneficial interest, directly or indirectly, in a craft grower
4 license that would result in the person or entity owning or
5 controlling in combination with any craft grower, principal
6 officer of a craft grower, or entity controlled or affiliated
7 with a principal officer of a craft grower by which he, she, or
8 it is employed, is an agent of, or participates in the
9 management of more than 3 craft grower licenses.

10 (n) It is unlawful for any person having a craft grower
11 license or any officer, associate, member, representative, or
12 agent of the licensee to offer or deliver money, or anything
13 else of value, directly or indirectly, to any person having an
14 Early Approval Adult Use Dispensing Organization License, a
15 Conditional Adult Use Dispensing Organization License, an
16 Adult Use Dispensing Organization License, or a medical
17 cannabis dispensing organization license issued under the
18 Compassionate Use of Medical Cannabis Program Act, or to any
19 person connected with or in any way representing, or to any
20 member of the family of, the person holding an Early Approval
21 Adult Use Dispensing Organization License, a Conditional Adult
22 Use 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 stockholders in any
26 corporation engaged in the retail sale of cannabis, or to any

1 officer, manager, agent, or representative of the Early
2 Approval Adult Use Dispensing Organization License, a
3 Conditional Adult Use Dispensing Organization License, an
4 Adult Use Dispensing Organization License, or a medical
5 cannabis dispensing organization license issued under the
6 Compassionate Use of Medical Cannabis Program Act to obtain
7 preferential placement within the dispensing organization,
8 including, without limitation, on shelves and in display cases
9 where purchasers can view products, or on the dispensing
10 organization's website.

11 (o) A craft grower shall not be located within 1,500 feet
12 of another craft grower or a cultivation center.

13 (p) A craft grower may process cannabis, cannabis
14 concentrates, and cannabis-infused products.

15 (q) A craft grower must comply with any other requirements
16 or prohibitions set by administrative rule of the Department
17 of Agriculture.

18 (r) Cannabis business establishments shall adhere to the
19 traceability and consumer protection guidelines established by
20 the Department of Agriculture when utilizing the cannabis
21 plant monitoring system or cannabis transport GPS tracking
22 system.

23 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
24 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
25 5-13-22.)

1 (410 ILCS 705/30-35)

2 Sec. 30-35. Craft grower agent identification card.

3 (a) The Department of Agriculture shall:

4 (1) establish by rule the information required in an
5 initial application or renewal application for an agent
6 identification card submitted under this Act and the
7 nonrefundable fee to accompany the initial application or
8 renewal application;

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

15 (3) issue an agent identification card to a qualifying
16 agent within 15 business days of approving the initial
17 application or renewal application;

18 (4) enter the license number of the craft grower where
19 the agent works; and

20 (5) allow for an electronic initial application and
21 renewal application process, and provide a confirmation by
22 electronic or other methods that an application has been
23 submitted. The Department of Agriculture may by rule
24 require prospective agents to file their applications by
25 electronic means and provide notices to the agents by
26 electronic means.

1 (b) An agent must keep his or her identification card
2 visible at all times when on the property of a cannabis
3 business establishment, including the craft grower
4 organization for which he or she is an agent.

5 (c) The agent identification cards shall contain the
6 following:

7 (1) the name of the cardholder;

8 (2) the date of issuance and expiration date of the
9 identification card;

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

13 (4) a photograph of the cardholder; and

14 (5) the legal name of the craft grower organization
15 employing the agent.

16 (d) An agent identification card shall be immediately
17 returned to the cannabis business establishment of the agent
18 upon termination of his or her employment.

19 (e) Any agent identification card lost by a craft grower
20 agent shall be reported to the Illinois State Police and the
21 Department of Agriculture immediately upon discovery of the
22 loss.

23 (f) The Department of Agriculture shall not issue an agent
24 identification card to an applicant if the applicant is
25 delinquent in filing any required tax returns or paying any
26 amounts owed to the State.

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

2 (410 ILCS 705/30-45)

3 Sec. 30-45. Renewal of craft grower licenses and agent
4 identification cards.

5 (a) Licenses and identification cards issued under this
6 Act shall be renewed annually. A craft grower shall receive
7 written or electronic notice 90 days before the expiration of
8 its current license that the license will expire. The
9 Department of Agriculture shall grant a renewal within 45 days
10 of submission of a renewal application if:

11 (1) the craft grower submits a renewal application and
12 the required nonrefundable renewal fee of \$40,000, or
13 another amount as the Department of Agriculture may set by
14 rule after January 1, 2021;

15 (2) the Department of Agriculture has not suspended
16 the license of the craft grower or suspended or revoked
17 the license for violating this Act or rules adopted under
18 this Act;

19 (3) the craft grower has continued to operate in
20 accordance with all plans submitted as part of its
21 application and approved by the Department of Agriculture
22 or any amendments thereto that have been approved by the
23 Department of Agriculture;

24 (4) the craft grower has submitted an agent, employee,
25 contracting, and subcontracting diversity report as

1 required by the Department; and

2 (5) the craft grower has submitted an environmental
3 impact report.

4 (b) If a craft grower fails to renew its license before
5 expiration, it shall cease operations until its license is
6 renewed.

7 (c) If a craft grower agent fails to renew his or her
8 identification card before its expiration, he or she shall
9 cease to work as an agent of the craft grower organization
10 until his or her identification card is renewed.

11 (d) Any craft grower that continues to operate, or any
12 craft grower agent who continues to work as an agent, after the
13 applicable license or identification card has expired without
14 renewal is subject to the penalties provided under Section
15 45-5.

16 (e) All fees or fines collected from the renewal of a craft
17 grower license shall be deposited into the Cannabis Regulation
18 Fund.

19 (f) The Department of Agriculture shall not renew an
20 applicant's license or agent identification card if the
21 applicant is delinquent in filing any required tax returns or
22 paying any amounts owed to the State.

23 (g) The Department and the Department of Financial and
24 Professional Regulation may develop and implement an
25 integrated system to issue an agent identification card which
26 identifies a craft grower agent licensed by the Department as

1 well as any cultivator, dispensary, transporter, community
2 college program, or infuser license or registration the agent
3 may simultaneously hold.

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

5 (410 ILCS 705/35-25)

6 Sec. 35-25. Infuser organization requirements;
7 prohibitions.

8 (a) The operating documents of an infuser shall include
9 procedures for the oversight of the infuser, an inventory
10 monitoring system including a physical inventory recorded
11 weekly, accurate recordkeeping, and a staffing plan.

12 (b) An infuser shall implement a security plan reviewed by
13 the Illinois State Police that includes, but is not limited
14 to: facility access controls, perimeter intrusion detection
15 systems, personnel identification systems, and a 24-hour
16 surveillance system to monitor the interior and exterior of
17 the infuser facility and that is accessible to authorized law
18 enforcement, the Department of Public Health, and the
19 Department of Agriculture in real time.

20 (c) All processing of cannabis by an infuser must take
21 place in an enclosed, locked facility at the physical address
22 provided to the Department of Agriculture during the licensing
23 process. The infuser location shall only be accessed by the
24 agents working for the infuser, the Department of Agriculture
25 staff performing inspections, the Department of Public Health

1 staff performing inspections, State and local law enforcement
2 or other emergency personnel, contractors working on jobs
3 unrelated to cannabis, such as installing or maintaining
4 security devices or performing electrical wiring, transporting
5 organization agents as provided in this Act, participants in
6 the incubator program, individuals in a mentoring or
7 educational program approved by the State, local safety or
8 health inspectors, or other individuals as provided by rule.
9 However, if an infuser shares a premises with a craft grower or
10 dispensing organization, agents from these other licensees may
11 access the infuser portion of the premises if that is the
12 location of common bathrooms, lunchrooms, locker rooms, or
13 other areas of the building where processing of cannabis is
14 not performed. At no time may a craft grower or dispensing
15 organization agent perform work at an infuser without being a
16 registered agent of the infuser.

17 (d) An infuser may not sell or distribute any cannabis to
18 any person other than a dispensing organization, or as
19 otherwise authorized by rule.

20 (e) An infuser may not either directly or indirectly
21 discriminate in price between different cannabis business
22 establishments that are purchasing a like grade, strain,
23 brand, and quality of cannabis or cannabis-infused product.
24 Nothing in this subsection (e) prevents an infuser from
25 pricing cannabis differently based on differences in the cost
26 of manufacturing or processing, the quantities sold, such

1 volume discounts, or the way the products are delivered.

2 (f) All cannabis infused by an infuser and intended for
3 distribution to a dispensing organization must be entered into
4 a data collection system, packaged and labeled under Section
5 55-21, and, if distribution is to a dispensing organization
6 that does not share a premises with the infuser, placed into a
7 cannabis container for transport. All cannabis produced by an
8 infuser and intended for distribution to a cultivation center,
9 infuser organization, or craft grower with which it does not
10 share a premises, must be packaged in a labeled cannabis
11 container and entered into a data collection system before
12 transport.

13 (g) Infusers are subject to random inspections by the
14 Department of Agriculture, the Department of Public Health,
15 the Illinois State Police, local law enforcement, or as
16 provided by rule.

17 (h) An infuser agent shall notify local law enforcement,
18 the Illinois State Police, and the Department of Agriculture
19 within 24 hours of the discovery of any loss or theft.
20 Notification shall be made by phone, in person, or by written
21 or electronic communication.

22 (i) An infuser organization may not be located in an area
23 zoned for residential use.

24 (j) An infuser or infuser agent shall not transport
25 cannabis or cannabis-infused products to any other cannabis
26 business establishment without a transport organization

1 license unless:

2 (i) If the infuser is located in a county with a
3 population of 3,000,000 or more, the cannabis business
4 establishment receiving the cannabis or cannabis-infused
5 product is within 2,000 feet of the property line of the
6 infuser;

7 (ii) If the infuser is located in a county with a
8 population of more than 700,000 but fewer than 3,000,000,
9 the cannabis business establishment receiving the cannabis
10 or cannabis-infused product is within 2 miles of the
11 infuser; or

12 (iii) If the infuser is located in a county with a
13 population of fewer than 700,000, the cannabis business
14 establishment receiving the cannabis or cannabis-infused
15 product is within 15 miles of the infuser.

16 (k) An infuser may enter into a contract with a
17 transporting organization to transport cannabis to a
18 consolidated transport center, a different transporting
19 organization at a consolidated transport center, a dispensing
20 organization, or a laboratory. All products received and
21 shipped to and from a consolidated transport center shall be
22 tracked within the cannabis plant monitoring system.

23 (l) An infuser organization may share premises with a
24 craft grower or a dispensing organization, or both, provided
25 each licensee stores currency and cannabis or cannabis-infused
26 products in a separate secured vault to which the other

1 licensee does not have access or all licensees sharing a vault
2 share more than 50% of the same ownership.

3 (m) It is unlawful for any person or entity having an
4 infuser organization license or any officer, associate,
5 member, representative or agent of such licensee to offer or
6 deliver money, or anything else of value, directly or
7 indirectly to any person having an Early Approval Adult Use
8 Dispensing Organization License, a Conditional Adult Use
9 Dispensing Organization License, an Adult Use Dispensing
10 Organization License, or a medical cannabis dispensing
11 organization license issued under the Compassionate Use of
12 Medical Cannabis Program Act, or to any person connected with
13 or in any way representing, or to any member of the family of,
14 such person holding an Early Approval Adult Use Dispensing
15 Organization License, a Conditional Adult Use Dispensing
16 Organization License, an Adult Use Dispensing Organization
17 License, or a medical cannabis dispensing organization license
18 issued under the Compassionate Use of Medical Cannabis Program
19 Act, or to any stockholders in any corporation engaged the
20 retail sales of cannabis, or to any officer, manager, agent,
21 or representative of the Early Approval Adult Use Dispensing
22 Organization License, a Conditional Adult Use Dispensing
23 Organization License, an Adult Use Dispensing Organization
24 License, or a medical cannabis dispensing organization license
25 issued under the Compassionate Use of Medical Cannabis Program
26 Act to obtain preferential placement within the dispensing

1 organization, including, without limitation, on shelves and in
2 display cases where purchasers can view products, or on the
3 dispensing organization's website.

4 (n) At no time shall an infuser organization or an infuser
5 agent perform the extraction of cannabis concentrate from
6 cannabis flower except if the infuser organization has also
7 been issued a processor license under subsection (f) of
8 Section 35-31.

9 (o) Cannabis business establishments shall adhere to the
10 traceability and consumer protection guidelines established by
11 the Department of Agriculture when utilizing the cannabis
12 plant monitoring system or cannabis transport GPS tracking
13 system.

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 705/35-30)

18 Sec. 35-30. Infuser 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 infuser where the
10 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 cannabis business
21 establishment 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 infuser organization
6 employing the agent.

7 (d) An agent identification card shall be immediately
8 returned to the infuser organization of the agent upon
9 termination of his or her employment.

10 (e) Any agent identification card lost by a transporting
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) An agent applicant may begin employment at an infuser
15 organization while the agent applicant's identification card
16 application is pending. Upon approval, the Department shall
17 issue the agent's identification card to the agent. If denied,
18 the infuser organization and the agent applicant shall be
19 notified and the agent applicant must cease all activity at
20 the infuser organization immediately.

21 (g) The Department of Agriculture shall not issue an
22 applicant an agent identification card if the applicant is
23 delinquent in filing any required tax returns or paying any
24 amounts owed to the State.

25 (h) 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 an infuser agent licensed by the Department as well
3 as any cultivation center, craft grower, transporter,
4 dispensing organization, or community college program license
5 or registration the agent may simultaneously hold.

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 705/40-25)

9 Sec. 40-25. Transporting organization requirements;
10 prohibitions.

11 (a) The operating documents of a transporting organization
12 shall include procedures for the oversight of the transporter,
13 an inventory monitoring system including a physical inventory
14 recorded weekly, accurate recordkeeping, and a staffing plan.

15 (b) A transporting organization may not transport cannabis
16 or cannabis-infused products to any person other than a
17 cultivation center, a craft grower, an infuser organization, a
18 dispensing organization, a testing facility, a consolidated
19 transport center, or as otherwise authorized by rule.

20 (c) All cannabis transported by a transporting
21 organization must be entered into a data collection system and
22 placed into a cannabis container for transport.

23 (d) Transporters are subject to random inspections by the
24 Department of Agriculture, the Department of Public Health,
25 the Illinois State Police, or as provided by rule.

1 (e) A transporting organization agent shall notify local
2 law enforcement, the Illinois State Police, and the Department
3 of Agriculture within 24 hours of the discovery of any loss or
4 theft. Notification shall be made by phone, in person, or by
5 written or electronic communication.

6 (f) No person under the age of 21 years shall be in a
7 commercial vehicle or trailer transporting cannabis goods.

8 (g) No person or individual who is not a transporting
9 organization agent shall be in a vehicle while transporting
10 cannabis goods.

11 (h) Transporters may not use commercial motor vehicles
12 with a weight rating of over 10,001 pounds.

13 (i) It is unlawful for any person to offer or deliver
14 money, or anything else of value, directly or indirectly, to
15 any of the following persons to obtain preferential placement
16 within the dispensing organization, including, without
17 limitation, on shelves and in display cases where purchasers
18 can view products, or on the dispensing organization's
19 website:

20 (1) a person having a transporting organization
21 license, or any officer, associate, member,
22 representative, or agent of the licensee;

23 (2) a person having an Early Applicant Adult Use
24 Dispensing Organization License, an Adult Use Dispensing
25 Organization License, or a medical cannabis dispensing
26 organization license issued under the Compassionate Use of

1 Medical Cannabis Program Act;

2 (3) a person connected with or in any way
3 representing, or a member of the family of, a person
4 holding an Early Applicant Adult Use Dispensing
5 Organization License, an Adult Use Dispensing Organization
6 License, or a medical cannabis dispensing organization
7 license issued under the Compassionate Use of Medical
8 Cannabis Program Act; or

9 (4) a stockholder, officer, manager, agent, or
10 representative of a corporation engaged in the retail sale
11 of cannabis, an Early Applicant Adult Use Dispensing
12 Organization License, an Adult Use Dispensing Organization
13 License, or a medical cannabis dispensing organization
14 license issued under the Compassionate Use of Medical
15 Cannabis Program Act.

16 (j) A transporting organization agent must keep his or her
17 identification card visible at all times when on the property
18 of a cannabis business establishment and during the
19 transporting of cannabis when acting under his or her duties
20 as a transportation organization agent. During these times,
21 the transporting organization agent must also provide the
22 identification card upon request of any law enforcement
23 officer engaged in his or her official duties.

24 (j-5) A transporting organization agent may not be
25 required to remain on the property of a cannabis business
26 establishment after transferring cannabis goods into the

1 control of the cannabis business establishment. A cannabis
2 business establishment may examine the cannabis goods from the
3 delivery after the transporting organization has transferred
4 control of the cannabis goods to the cannabis business
5 establishment.

6 (k) A copy of the transporting organization's registration
7 and a manifest for the delivery shall be present in any vehicle
8 transporting cannabis. A manifest for the delivery may be
9 amended under rules adopted by the Department.

10 (l) Cannabis shall be transported so it is not visible or
11 recognizable from outside the vehicle.

12 (m) A vehicle transporting cannabis must not bear any
13 markings to indicate the vehicle contains cannabis or bear the
14 name or logo of the cannabis business establishment.

15 (n) Cannabis must be transported in an enclosed, locked
16 storage compartment that is secured or affixed to the vehicle.

17 (o) The Department of Agriculture may, by rule, impose any
18 other requirements or prohibitions on the transportation of
19 cannabis.

20 (p) No person, cannabis business establishment, or entity
21 other than an entity with a transporting license may transport
22 cannabis or cannabis-infused products on behalf of a cannabis
23 business establishment to or from a consolidated transport
24 center, unless otherwise authorized by rule.

25 (q) At least 50% of deliveries from a consolidated
26 transport center to a dispensing organization must be

1 allocated to at least 4 distinct independent social equity
2 transporting organizations other than the transporter that
3 operates the consolidated transport center.

4 (r) Cannabis business establishments shall adhere to the
5 traceability and consumer protection guidelines established by
6 the Department of Agriculture when utilizing the cannabis
7 plant monitoring system or cannabis transport GPS tracking
8 system.

9 (s) A cannabis business establishment may not schedule any
10 delivery from a transporting organization within 1 hour of the
11 cannabis business establishment's close of business on any
12 business day.

13 (s) A transporting organization may begin a delivery to a
14 cannabis business establishment at any time during the day. A
15 transporting organization may not be restricted from beginning
16 a delivery based on a cannabis business establishment's listed
17 business hours.

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

21 (410 ILCS 705/40-50 new)

22 Sec. 40-50. Consolidated transport center requirements;
23 prohibitions.

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

1 consolidated transport center and a cannabis or
2 cannabis-infused products monitoring system, including, a
3 physical inventory recorded weekly, accurate recordkeeping,
4 and a staffing plan that is available to the Department of
5 Revenue, the Department of Agriculture, the Department of
6 Financial and Professional Regulation, and the Illinois State
7 Police.

8 (b) A consolidated transport center shall implement a
9 security plan reviewed by the Illinois State Police that
10 includes, but is not limited to, facility access controls,
11 perimeter intrusion detection systems, personnel
12 identification systems, 24-hour surveillance system to monitor
13 the interior and exterior of the consolidated transport
14 center, and accessibility to authorized law enforcement
15 agencies and officers, and the Department of Agriculture in
16 real time.

17 (c) All consolidating transport center activities by a
18 consolidated transport center must take place in an enclosed,
19 fenced, and locked facility at the physical address provided
20 to the Department of Agriculture during the licensing process.
21 The consolidated transport center location shall only be
22 accessed by the agents working for the consolidated transport
23 center, the Department of Agriculture staff performing
24 inspections, local and State law enforcement or other
25 emergency personnel, contractors working on jobs unrelated to
26 cannabis, such as installing or maintaining security devices

1 or performing electrical wiring, transporting organization
2 agents as provided in this Act, individuals in a mentoring or
3 educational program approved by the State, or other
4 individuals as provided by rule.

5 (d) A consolidated transport center may not store cannabis
6 for more than 48 hours, excluding weekends or holidays.

7 (e) A consolidated transport center may not distribute any
8 cannabis or cannabis-infused products to any person other than
9 a dispensing organization, craft grower, infuser organization,
10 transporter, consolidated transport center, or as otherwise
11 authorized by rule.

12 (f) A consolidated transport center shall enter into a
13 contract with, and allocate at least 50% of all transport
14 routes to, at least 4 separate independent social equity
15 transporting organizations to deliver product to receiving
16 dispensaries. The contracted independent social equity
17 transporting organizations may not own a consolidated
18 transport center. The transport routes may not be completed by
19 the transporter that operates that consolidated transport
20 center.

21 (g) All cannabis or cannabis-infused products received by
22 a consolidated transport center for distribution to a cannabis
23 business establishment must be entered into the cannabis plant
24 monitoring system, packaged and labeled under Section 55-21,
25 and placed into a cannabis container for transport.

26 (h) Consolidated transport centers are subject to random

1 inspections by the Department of Agriculture, local safety or
2 health inspectors, and the Illinois State Police.

3 (i) A consolidated transport center agent shall notify
4 local law enforcement, the Illinois State Police, and the
5 Department of Agriculture within 24 hours of the discovery of
6 any loss or theft. Notification shall be made by phone, in
7 person, or by written or electronic communication.

8 (j) No person or entity shall hold any legal, equitable,
9 ownership, or beneficial interest, directly or indirectly, of
10 more than 3 consolidated transport center licenses under this
11 Act. Further, no person or entity that is employed by a
12 cannabis business establishment, an agent of a cannabis
13 business establishment, has a contract to receive payment in
14 any form from a cannabis business establishment, is a
15 principal officer of a cannabis business establishment, or is
16 an entity controlled by or affiliated with a principal officer
17 of a cannabis business establishment shall hold any legal,
18 equitable, ownership, or beneficial interest, directly or
19 indirectly, in a cannabis business establishment that would
20 result in the person or entity owning or controlling in
21 combination with any cannabis business establishment,
22 principal officer of a cannabis business establishment, or
23 entity controlled or affiliated with a principal officer of a
24 cannabis business establishment by which he, she, or it is
25 employed, is an agent of, or participates in the management
26 of, more than 3 consolidated transport center licenses.

1 (k) It is unlawful for any person having a consolidated
2 transport center license or any officer, associate, member,
3 representative, or agent of such licensee to offer money, or
4 anything else of value, directly or indirectly to any person
5 having an Early Approval Adult Use Dispensing Organization
6 License, a Conditional Adult Use Dispensing Organization
7 License, an Adult Use Dispensing Organization License, or a
8 medical cannabis dispensing organization license issued under
9 the Compassionate Use of Medical Cannabis Program Act, or to
10 any person connected with or in any way representing, or to any
11 member of the family of, such person holding an Early Approval
12 Adult Use Dispensing Organization License, a Conditional Adult
13 Use Dispensing Organization License, an Adult Use Dispensing
14 Organization License, or a medical cannabis dispensing
15 organization license issued under the Compassionate Use of
16 Medical Cannabis Program Act, or to any stockholders in any
17 corporation engaged in the retail sale of cannabis, or to any
18 officer, manager, agent, or representative of the Early
19 Approval Adult Use Dispensing Organization License, a
20 Conditional Adult Use Dispensing Organization License, an
21 Adult Use Dispensing Organization License, or a medical
22 cannabis dispensing organization license issued under the
23 Compassionate Use of Medical Cannabis Program Act to obtain
24 preferential placement within the dispensing organization,
25 including, without limitation, on shelves and in display cases
26 where purchasers can view products, or on the dispensing

1 organization's website.

2 (l) A consolidated transport center must comply with the
3 application process, mandatory fees, compliance requirements,
4 and prohibitions set by administrative rules of the Department
5 of Agriculture.

6 (m) All fees and fines collected under this Section shall
7 be deposited into the Cannabis Regulation Fund, unless
8 otherwise specified by rule by the Department of Agriculture.

9 (n) A consolidated transport center may not transfer an
10 ownership interest in a license without prior Department
11 approval. Such approval may be withheld if the person or
12 entity to whom the license is being transferred does not meet
13 the definition of independent social equity transporting
14 organization under this Act.

15 (o) The Department of Agriculture shall award up to 10
16 statewide licenses to consolidated transport centers.

17 (p) The Department of Agriculture shall adopt rules to
18 implement and administer a program permitting independent
19 social equity transporting organizations may temporarily store
20 rejected product until a consolidated transportation center is
21 operational.

22 (q) The Department of Agriculture may not impose a maximum
23 size limit for a consolidated transport center.

24 (410 ILCS 705/45-5)

25 Sec. 45-5. License suspension; revocation; other

1 penalties.

2 (a) Notwithstanding any other criminal penalties related
3 to the unlawful possession of cannabis, the Department of
4 Financial and Professional Regulation and the Department of
5 Agriculture may revoke, suspend, place on probation,
6 reprimand, issue cease and desist orders, refuse to issue or
7 renew a license, or take any other disciplinary or
8 nondisciplinary action as each department may deem proper with
9 regard to a cannabis business establishment or cannabis
10 business establishment agent, including fines not to exceed:

11 (1) \$50,000 for each violation of this Act or rules
12 adopted under this Act by a cultivation center or
13 cultivation center agent;

14 (2) \$20,000 for each violation of this Act or rules
15 adopted under this Act by a dispensing organization or
16 dispensing organization agent;

17 (3) \$15,000 for each violation of this Act or rules
18 adopted under this Act by a craft grower or craft grower
19 agent;

20 (4) \$10,000 for each violation of this Act or rules
21 adopted under this Act by an infuser organization or
22 infuser organization agent; and

23 (5) \$10,000 for each violation of this Act or rules
24 adopted under this Act by a transporting organization or
25 transporting organization agent.

26 (6) \$15,000 for each violation of this Act or rules

1 adopted under this Act by a cannabis testing facility.

2 (b) The Department of Financial and Professional
3 Regulation and the Department of Agriculture, as the case may
4 be, shall consider licensee cooperation in any agency or other
5 investigation in its determination of penalties imposed under
6 this Section.

7 (c) The procedures for disciplining a cannabis business
8 establishment or cannabis business establishment agent and for
9 administrative hearings shall be determined by rule, and shall
10 provide for the review of final decisions under the
11 Administrative Review Law.

12 (d) The Attorney General may also enforce a violation of
13 Section 55-20, Section 55-21, and Section 15-155 as an
14 unlawful practice under the Consumer Fraud and Deceptive
15 Business Practices Act.

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

17 (410 ILCS 705/50-5)

18 Sec. 50-5. Laboratory testing.

19 (a) Notwithstanding any other provision of law, the
20 following acts, when performed by a cannabis testing facility
21 with a current, valid license ~~registration~~, or a person 21
22 years of age or older who is acting in his or her capacity as
23 an owner, employee, or agent of a cannabis testing facility,
24 are not unlawful and shall not be an offense under Illinois law
25 or be a basis for seizure or forfeiture of assets under

1 Illinois law:

2 (1) possessing, repackaging, transporting, storing, or
3 displaying cannabis or cannabis-infused products;

4 (2) receiving or transporting cannabis or
5 cannabis-infused products from a cannabis business
6 establishment, a community college licensed under the
7 Community College Cannabis Vocational Training Pilot
8 Program, or a person 21 years of age or older; and

9 (3) returning or transporting cannabis or
10 cannabis-infused products to a cannabis business
11 establishment, a community college licensed under the
12 Community College Cannabis Vocational Training Pilot
13 Program, or a person 21 years of age or older.

14 (b)(1) No laboratory shall handle, test, or analyze
15 cannabis unless approved by the Department of Agriculture in
16 accordance with this Section.

17 (2) No laboratory shall be approved to handle, test, or
18 analyze cannabis unless the laboratory:

19 (A) is licensed by the Department of Agriculture;

20 (A-5) is accredited by a private laboratory
21 accrediting organization;

22 (B) is independent from all other persons involved in
23 the cannabis industry in Illinois and no person with a
24 direct or indirect interest in the laboratory has a direct
25 or indirect financial, management, or other interest in an
26 Illinois cultivation center, craft grower, dispensary,

1 infuser, transporter, certifying physician, or any other
2 entity in the State that may benefit from the production,
3 manufacture, dispensing, sale, purchase, or use of
4 cannabis; and

5 (C) has employed at least one person to oversee and be
6 responsible for the laboratory testing who has earned,
7 from a college or university accredited by a national or
8 regional certifying authority, at least:

9 (i) a master's level degree in chemical or
10 biological sciences and a minimum of 2 years'
11 post-degree laboratory experience; or

12 (ii) a bachelor's degree in chemical or biological
13 sciences and a minimum of 4 years' post-degree
14 laboratory experience.

15 (3) Each independent testing laboratory that claims to be
16 accredited must provide the Department of Agriculture with a
17 copy of the most recent annual inspection report granting
18 accreditation and every annual report thereafter.

19 (c) Immediately before manufacturing or natural processing
20 of any cannabis or cannabis-infused product or packaging
21 cannabis for sale to a dispensary, each batch shall be made
22 available by the cultivation center, craft grower, or infuser
23 for an employee of an approved laboratory to select a random
24 sample, which shall be tested by the approved laboratory for:

25 (1) microbiological contaminants;

26 (2) mycotoxins;

1 (3) pesticide active ingredients;

2 (4) residual solvent; and

3 (5) an active ingredient analysis.

4 (d) The Department of Agriculture may select a random
5 sample that shall, for the purposes of conducting an active
6 ingredient analysis, be tested by the Department of
7 Agriculture for verification of label information and any
8 other testing deemed necessary by the Department.

9 (e) A laboratory shall immediately return or dispose of
10 any cannabis upon the completion of any testing, use, or
11 research. If cannabis is disposed of, it shall be done in
12 compliance with Department of Agriculture rule.

13 (f) If a sample of cannabis does not pass the
14 microbiological, mycotoxin, pesticide chemical residue, or
15 solvent residue test, based on the standards established by
16 the Department of Agriculture, the following shall apply:

17 (1) If the sample failed the pesticide chemical
18 residue test, the entire batch from which the sample was
19 taken shall, if applicable, be recalled as provided by
20 rule.

21 (2) If the sample failed any other test, the batch may
22 be used to make a CO₂-based or solvent based extract. After
23 processing, the CO₂-based or solvent based extract must
24 still pass all required tests.

25 (g) The Department of Agriculture shall establish
26 standards for microbial, mycotoxin, pesticide residue, solvent

1 residue, or other standards for the presence of possible
2 contaminants, in addition to labeling requirements for
3 contents and potency.

4 (h) The laboratory shall file with the Department of
5 Agriculture an electronic copy of each laboratory test result
6 for any batch that does not pass the microbiological,
7 mycotoxin, or pesticide chemical residue test, at the same
8 time that it transmits those results to the cultivation
9 center. In addition, the laboratory shall maintain the
10 laboratory test results for at least 5 years and make them
11 available at the Department of Agriculture's request.

12 (i) A cultivation center, craft grower, and infuser shall
13 provide to a dispensing organization the laboratory test
14 results for each batch of cannabis product purchased by the
15 dispensing organization, if sampled. Each dispensing
16 organization must have those laboratory results available upon
17 request to purchasers.

18 (j) The Department of Agriculture may adopt rules related
19 to testing and licensing of laboratories in furtherance of
20 this Act.

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

22 (410 ILCS 705/55-30)

23 Sec. 55-30. Confidentiality.

24 (a) Information provided by the cannabis business
25 establishment licensees or applicants to the Department of

1 Agriculture, the Department of Public Health, the Department
2 of Financial and Professional Regulation, the Department of
3 Commerce and Economic Opportunity, or other agency shall be
4 limited to information necessary for the purposes of
5 administering this Act. The information is subject to the
6 provisions and limitations contained in the Freedom of
7 Information Act and may be disclosed in accordance with
8 Section 55-65.

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

1 Department of Financial and Professional Regulation or the
2 Department of Agriculture may be disclosed to the Department
3 of Public Health, the Department of Agriculture, the
4 Department of Revenue, the Department of Commerce and Economic
5 Opportunity, the Illinois State Police, the Office of
6 Executive Inspector General, or the Attorney General upon
7 proper request:

8 (1) Applications and renewals, their contents, and
9 supporting information submitted by or on behalf of
10 dispensing organizations, cannabis business
11 establishments, or Community College Cannabis Vocational
12 Program licensees, in compliance with this Article,
13 including their physical addresses; however, this does not
14 preclude the release of ownership information about
15 cannabis business establishment licenses, or information
16 submitted with an application required to be disclosed
17 pursuant to subsection (f);

18 (2) Any plans, procedures, policies, or other records
19 relating to cannabis business establishment security; and

20 (3) Information otherwise exempt from disclosure by
21 State or federal law.

22 Illinois or national criminal history record information,
23 or the nonexistence or lack of such information, may not be
24 disclosed by the Department of Financial and Professional
25 Regulation or the Department of Agriculture, except as
26 necessary to the Attorney General to enforce this Act.

1 (c) The name and address of a dispensing organization
2 licensed under this Act shall be subject to disclosure under
3 the Freedom of Information Act. The name and cannabis business
4 establishment address of the person or entity holding each
5 cannabis business establishment license shall be subject to
6 disclosure.

7 (d) All information collected by the Department of
8 Financial and Professional Regulation or the Department of
9 Agriculture in the course of an examination, inspection, or
10 investigation of a licensee or applicant, including, but not
11 limited to, any complaint against a licensee or applicant
12 filed with the Department of Financial and Professional
13 Regulation or the Department of Agriculture and information
14 collected to investigate any such complaint, shall be
15 maintained for the confidential use of the Department of
16 Financial and Professional Regulation or the Department of
17 Agriculture and shall not be disclosed, except to those
18 involved in enforcing the State Officials and Employees Ethics
19 Act and as otherwise provided in this Act. A formal complaint
20 against a licensee by the Department of Financial and
21 Professional Regulation or the Department of Agriculture or
22 any disciplinary order issued by the Department of Financial
23 and Professional Regulation or the Department of Agriculture
24 against a licensee or applicant shall be a public record,
25 except as otherwise provided by law. Complaints from consumers
26 or members of the general public received regarding a

1 specific, named licensee or complaints regarding conduct by
2 unlicensed entities shall be subject to disclosure under the
3 Freedom of Information Act.

4 (e) The Department of Agriculture, the Illinois State
5 Police, and the Department of Financial and Professional
6 Regulation shall not share or disclose any Illinois or
7 national criminal history record information, or the
8 nonexistence or lack of such information, to any person or
9 entity not expressly authorized by this Act.

10 (f) Each Department responsible for licensure under this
11 Act shall publish on the Department's website a list of the
12 ownership information of cannabis business establishment
13 licensees under the Department's jurisdiction. The list shall
14 include, but is not limited to: the name of the person or
15 entity holding each cannabis business establishment license;
16 and the address at which the entity is operating under this
17 Act. This list shall be published and updated monthly.

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

21 (410 ILCS 705/55-65)

22 Sec. 55-65. Financial institutions.

23 (a) A financial institution that provides financial
24 services customarily provided by financial institutions to a
25 cannabis business establishment authorized under this Act or

1 the Compassionate Use of Medical Cannabis Program Act, or to a
2 person that is affiliated with such cannabis business
3 establishment, is exempt from any criminal law of this State
4 as it relates to cannabis-related conduct authorized under
5 State law.

6 (b) Upon request of a financial institution, a cannabis
7 business establishment or proposed cannabis business
8 establishment may provide to the financial institution the
9 following information:

10 (1) Whether a cannabis business establishment with
11 which the financial institution is doing or is considering
12 doing business holds a license under this Act or the
13 Compassionate Use of Medical Cannabis Program Act;

14 (2) The name of any other business or individual
15 affiliate with the cannabis business establishment;

16 (3) A copy of the application, and any supporting
17 documentation submitted with the application, for a
18 license or a permit submitted on behalf of the proposed
19 cannabis business establishment;

20 (4) If applicable, data relating to sales and the
21 volume of product sold by the cannabis business
22 establishment;

23 (5) Any past or pending violation by the person of
24 this Act, the Compassionate Use of Medical Cannabis
25 Program Act, or the rules adopted under these Acts where
26 applicable; and

1 (6) Any penalty imposed upon the person for violating
2 this Act, the Compassionate Use of Medical Cannabis
3 Program Act, or the rules adopted under these Acts.

4 (c) (Blank).

5 (d) (Blank).

6 (e) Information received by a financial institution under
7 this Section is confidential. Except as otherwise required or
8 permitted by this Act, State law or rule, or federal law or
9 regulation, a financial institution may not make the
10 information available to any person other than:

11 (1) the customer to whom the information applies;

12 (2) a trustee, conservator, guardian, personal
13 representative, or agent of the customer to whom the
14 information applies; a federal or State regulator when
15 requested in connection with an examination of the
16 financial institution or if otherwise necessary for
17 complying with federal or State law;

18 (3) a federal or State regulator when requested in
19 connection with an examination of the financial
20 institution or if otherwise necessary for complying with
21 federal or State law; ~~and~~

22 (4) a third party performing services for the
23 financial institution, provided the third party is
24 performing such services under a written agreement that
25 expressly or by operation of law prohibits the third
26 party's sharing and use of such confidential information

1 for any purpose other than as provided in its agreement to
2 provide services to the financial institution; and-

3 (5) the Office of Executive Inspector General pursuant
4 to an investigation.

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

6 (410 ILCS 705/60-10)

7 Sec. 60-10. Tax imposed.

8 (a) Beginning September 1, 2019, a tax is imposed upon the
9 privilege of cultivating cannabis at the rate of 7% of the
10 gross receipts from the first sale of cannabis by a
11 cultivator. The sale of any product that contains any amount
12 of cannabis or any derivative thereof is subject to the tax
13 under this Section on the full selling price of the product.
14 The Department may determine the selling price of the cannabis
15 when the seller and purchaser are affiliated persons, when the
16 sale and purchase of cannabis is not an arm's length
17 transaction, or when cannabis is transferred by a craft grower
18 to the craft grower's dispensing organization or infuser ~~or~~
19 ~~processing~~ organization and a value is not established for the
20 cannabis. The value determined by the Department shall be
21 commensurate with the actual price received for products of
22 like quality, character, and use in the area. If there are no
23 sales of cannabis of like quality, character, and use in the
24 same area, then the Department shall establish a reasonable
25 value based on sales of products of like quality, character,

1 and use in other areas of the State, taking into consideration
2 any other relevant factors.

3 (b) The Cannabis Cultivation Privilege Tax imposed under
4 this Article is solely the responsibility of the cultivator
5 who makes the first sale and is not the responsibility of a
6 subsequent purchaser, a dispensing organization, or an
7 infuser. Persons subject to the tax imposed under this Article
8 may, however, reimburse themselves for their tax liability
9 hereunder by separately stating reimbursement for their tax
10 liability as an additional charge.

11 (c) The tax imposed under this Article shall be in
12 addition to all other occupation, privilege, or excise taxes
13 imposed by the State of Illinois or by any unit of local
14 government.

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

16 (410 ILCS 705/65-10)

17 Sec. 65-10. Tax imposed.

18 (a) Beginning January 1, 2020, a tax is imposed upon
19 purchasers for the privilege of using cannabis, and not for
20 the purpose of resale, at the following rates:

21 (1) Any cannabis, other than a cannabis-infused
22 product, with an adjusted delta-9-tetrahydrocannabinol
23 level at or below 35% shall be taxed at a rate of 10% of
24 the purchase price;

25 (2) Any cannabis, other than a cannabis-infused

1 product, with an adjusted delta-9-tetrahydrocannabinol
2 level above 35% shall be taxed at a rate of 25% of the
3 purchase price; and

4 (3) A cannabis-infused product shall be taxed at a
5 rate of 20% of the purchase price.

6 (b) The purchase of any product that contains any amount
7 of cannabis or any derivative thereof is subject to the tax
8 under subsection (a) of this Section on the full purchase
9 price of the product.

10 (c) The tax imposed under this Section is not imposed on
11 cannabis that is subject to tax under the Compassionate Use of
12 Medical Cannabis Program Act. The tax imposed by this Section
13 is not imposed with respect to any transaction in interstate
14 commerce, to the extent the transaction may not, under the
15 Constitution and statutes of the United States, be made the
16 subject of taxation by this State.

17 (d) The tax imposed under this Article shall be in
18 addition to all other occupation, privilege, or excise taxes
19 imposed by the State of Illinois or by any municipal
20 corporation or political subdivision thereof.

21 (e) The tax imposed under this Article shall not be
22 imposed on any purchase by a purchaser if the cannabis
23 retailer is prohibited by federal or State Constitution,
24 treaty, convention, statute, or court decision from collecting
25 the tax from the purchaser.

26 (f) The tax imposed under this Article shall not be

1 imposed on cannabis or cannabis infused products purchased by
2 a qualified patient, designated caregiver, or provisional
3 patient when purchasing cannabis as part of their adequate
4 medical supply as these terms are defined under the
5 Compassionate Use of Medical Cannabis Program Act and this
6 Act.

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

8 (410 ILCS 705/65-38)

9 Sec. 65-38. Violations and penalties.

10 (a) When the amount due is under \$300, any retailer of
11 cannabis who fails to file a return, willfully fails or
12 refuses to make any payment to the Department of the tax
13 imposed by this Article, or files a fraudulent return, or any
14 officer or agent of a corporation engaged in the business of
15 selling cannabis to purchasers located in this State who signs
16 a fraudulent return filed on behalf of the corporation, or any
17 accountant or other agent who knowingly enters false
18 information on the return of any taxpayer under this Article
19 is guilty of a Class 4 felony.

20 (b) When the amount due is \$300 or more, any retailer of
21 cannabis who files, or causes to be filed, a fraudulent
22 return, or any officer or agent of a corporation engaged in the
23 business of selling cannabis to purchasers located in this
24 State who files or causes to be filed or signs or causes to be
25 signed a fraudulent return filed on behalf of the corporation,

1 or any accountant or other agent who knowingly enters false
2 information on the return of any taxpayer under this Article
3 is guilty of a Class 3 felony.

4 (c) Any person who violates any provision of Section
5 65-20, fails to keep books and records as required under this
6 Article, or willfully violates a rule of the Department for
7 the administration and enforcement of this Article is guilty
8 of a Class 4 felony. A person commits a separate offense on
9 each day that he or she engages in business in violation of
10 Section 65-20 or a rule of the Department for the
11 administration and enforcement of this Article. If a person
12 fails to produce the books and records for inspection by the
13 Department upon request, a prima facie presumption shall arise
14 that the person has failed to keep books and records as
15 required under this Article. A person who is unable to rebut
16 this presumption is in violation of this Article and is
17 subject to the penalties provided in this Section.

18 (d) Any person who violates any provision of Sections
19 ~~65-20, fails to keep books and records as required under this~~
20 ~~Article,~~ or willfully violates a rule of the Department for
21 the administration and enforcement of this Article, is guilty
22 of a business offense and may be fined up to \$5,000. ~~If a~~
23 ~~person fails to produce books and records for inspection by~~
24 ~~the Department upon request, a prima facie presumption shall~~
25 ~~arise that the person has failed to keep books and records as~~
26 ~~required under this Article. A person who is unable to rebut~~

1 ~~this presumption is in violation of this Article and is~~
2 ~~subject to the penalties provided in this Section.~~ A person
3 commits a separate offense on each day that he or she engages
4 in business in violation of Section 65-20.

5 (e) Any taxpayer or agent of a taxpayer who with the intent
6 to defraud purports to make a payment due to the Department by
7 issuing or delivering a check or other order upon a real or
8 fictitious depository for the payment of money, knowing that
9 it will not be paid by the depository, is guilty of a deceptive
10 practice in violation of Section 17-1 of the Criminal Code of
11 2012.

12 (f) Any person who fails to keep books and records or fails
13 to produce books and records for inspection, as required by
14 Section 65-36, is liable to pay to the Department, for deposit
15 in the Tax Compliance and Administration Fund, a penalty of
16 \$1,000 for the first failure to keep books and records or
17 failure to produce books and records for inspection, as
18 required by Section 65-36, and \$3,000 for each subsequent
19 failure to keep books and records or failure to produce books
20 and records for inspection, as required by Section 65-36.

21 (g) Any person who knowingly acts as a retailer of
22 cannabis in this State without first having obtained a
23 certificate of registration to do so in compliance with
24 Section 65-20 of this Article shall be guilty of a Class 4
25 felony.

26 (h) A person commits the offense of tax evasion under this

1 Article when he or she knowingly attempts in any manner to
2 evade or defeat the tax imposed on him or her or on any other
3 person, or the payment thereof, and he or she commits an
4 affirmative act in furtherance of the evasion. As used in this
5 Section, "affirmative act in furtherance of the evasion" means
6 an act designed in whole or in part to (i) conceal,
7 misrepresent, falsify, or manipulate any material fact or (ii)
8 tamper with or destroy documents or materials related to a
9 person's tax liability under this Article. Two or more acts of
10 sales tax evasion may be charged as a single count in any
11 indictment, information, or complaint and the amount of tax
12 deficiency may be aggregated for purposes of determining the
13 amount of tax that is attempted to be or is evaded and the
14 period between the first and last acts may be alleged as the
15 date of the offense.

16 (1) When the amount of tax, the assessment or payment
17 of which is attempted to be or is evaded is less than \$500,
18 a person is guilty of a Class 4 felony.

19 (2) When the amount of tax, the assessment or payment
20 of which is attempted to be or is evaded is \$500 or more
21 but less than \$10,000, a person is guilty of a Class 3
22 felony.

23 (3) When the amount of tax, the assessment or payment
24 of which is attempted to be or is evaded is \$10,000 or more
25 but less than \$100,000, a person is guilty of a Class 2
26 felony.

1 (4) When the amount of tax, the assessment or payment
2 of which is attempted to be or is evaded is \$100,000 or
3 more, a person is guilty of a Class 1 felony.

4 Any person who knowingly sells, purchases, installs,
5 transfers, possesses, uses, or accesses any automated sales
6 suppression device, zapper, or phantom-ware in this State is
7 guilty of a Class 3 felony.

8 As used in this Section:

9 "Automated sales suppression device" or "zapper" means a
10 software program that falsifies the electronic records of an
11 electronic cash register or other point-of-sale system,
12 including, but not limited to, transaction data and
13 transaction reports. The term includes the software program,
14 any device that carries the software program, or an Internet
15 link to the software program.

16 "Phantom-ware" means a hidden programming option embedded
17 in the operating system of an electronic cash register or
18 hardwired into an electronic cash register that can be used to
19 create a second set of records or that can eliminate or
20 manipulate transaction records in an electronic cash register.

21 "Electronic cash register" means a device that keeps a
22 register or supporting documents through the use of an
23 electronic device or computer system designed to record
24 transaction data for the purpose of computing, compiling, or
25 processing retail sales transaction data in any manner.

26 "Transaction data" includes: items purchased by a

1 purchaser; the price of each item; a taxability determination
2 for each item; a segregated tax amount for each taxed item; the
3 amount of cash or credit tendered; the net amount returned to
4 the customer in change; the date and time of the purchase; the
5 name, address, and identification number of the vendor; and
6 the receipt or invoice number of the transaction.

7 "Transaction report" means a report that documents,
8 without limitation, the sales, taxes, or fees collected, media
9 totals, and discount voids at an electronic cash register and
10 that is printed on a cash register tape at the end of a day or
11 shift, or a report that documents every action at an
12 electronic cash register and is stored electronically.

13 A prosecution for any act in violation of this Section may
14 be commenced at any time within 5 years of the commission of
15 that act.

16 (i) The Department may adopt rules to administer the
17 penalties under this Section.

18 (j) Any person whose principal place of business is in
19 this State and who is charged with a violation under this
20 Section shall be tried in the county where his or her principal
21 place of business is located unless he or she asserts a right
22 to be tried in another venue.

23 (k) Except as otherwise provided in subsection (h), a
24 prosecution for a violation described in this Section may be
25 commenced within 3 years after the commission of the act
26 constituting the violation.

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

2 (410 ILCS 705/65-42)

3 Sec. 65-42. Seizure and forfeiture. After seizing any
4 cannabis as provided in Section 65-41, the Department must
5 hold a hearing and determine whether (i) the retailer was
6 properly registered to sell the cannabis; (ii) the retailer
7 possessed the cannabis in violation of this Act; (iii) the
8 retailer possessed the cannabis in violation of any reasonable
9 rule or regulation adopted by the Department for the
10 enforcement of this Act; or (iv) the tax imposed by Article 60
11 had been paid on the cannabis at the time of its seizure by the
12 Department. The Department shall give not less than 20 days'
13 notice of the time and place of the hearing to the owner of the
14 cannabis, if the owner is known, and also to the person in
15 whose possession the cannabis was found, if that person is
16 known and if the person in possession is not the owner of the
17 cannabis. If neither the owner nor the person in possession of
18 the cannabis is known, the Department must cause publication
19 of the time and place of the hearing to be made at least once
20 in each week for 3 weeks successively in a newspaper of general
21 circulation in the county where the hearing is to be held.

22 If, as the result of the hearing, the Department makes any
23 of the findings listed in items (i) through (iv) above
24 ~~determines that the retailer was not properly registered at~~
25 ~~the time the cannabis was seized,~~ the Department must enter an

1 order declaring the cannabis confiscated and forfeited to the
2 State, to be held by the Department for disposal by it as
3 provided in Section 65-43. The Department must give notice of
4 the order to the owner of the cannabis, if the owner is known,
5 and also to the person in whose possession the cannabis was
6 found, if that person is known and if the person in possession
7 is not the owner of the cannabis. If neither the owner nor the
8 person in possession of the cannabis is known, the Department
9 must cause publication of the order to be made at least once in
10 each week for 3 weeks successively in a newspaper of general
11 circulation in the county where the hearing was held.

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

13 (410 ILCS 705/15-10 rep.)

14 (410 ILCS 705/20-50 rep.)

15 (410 ILCS 705/30-50 rep.)

16 Section 30. The Cannabis Regulation and Tax Act is amended
17 by repealing Sections 15-10, 20-50, and 30-50.

18 Section 35. The Illinois Vehicle Code is amended by
19 changing Sections 11-502.1 and 11-502.15 as follows:

20 (625 ILCS 5/11-502.1)

21 Sec. 11-502.1. Possession of medical cannabis in a motor
22 vehicle.

23 (a) No driver, who is a medical cannabis cardholder, may

1 use medical cannabis within the passenger area of any motor
2 vehicle upon a highway in this State.

3 (b) No driver, who is a medical cannabis cardholder,
4 medical cannabis provisional patient, a medical cannabis
5 designated caregiver, medical cannabis cultivation center
6 agent, or dispensing organization agent may possess ~~medical~~
7 cannabis within any area of any motor vehicle upon a highway in
8 this State except in a secured, sealed or resealable,
9 odor-proof, and child-resistant ~~medical-cannabis~~ container
10 that is inaccessible.

11 (c) No passenger, who is a medical cannabis card holder,
12 medical cannabis provisional patient, a medical cannabis
13 designated caregiver, or medical cannabis dispensing
14 organization agent may possess ~~medical~~ cannabis within any
15 passenger area of any motor vehicle upon a highway in this
16 State except in a secured, sealed or resealable, odor-proof,
17 and child-resistant ~~medical-cannabis~~ container that is
18 inaccessible.

19 (d) Any person who violates subsections (a) through (c) of
20 this Section:

21 (1) commits a Class A misdemeanor;

22 (2) shall be subject to revocation of his or her
23 medical cannabis card for a period of 2 years from the end
24 of the sentence imposed; and

25 (3) shall be subject to revocation of his or her
26 status as a designated ~~medical-cannabis~~ caregiver, medical

1 cannabis cultivation center agent, or medical cannabis
2 dispensing organization agent for a period of 2 years from
3 the end of the sentence imposed.

4 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21;
5 102-558, eff. 8-20-21.)

6 (625 ILCS 5/11-502.15)

7 Sec. 11-502.15. Possession of adult use cannabis in a
8 motor vehicle.

9 (a) No driver may use cannabis within the passenger area
10 of any motor vehicle upon a highway in this State.

11 (b) No driver may possess cannabis within any area of any
12 motor vehicle upon a highway in this State except in a secured,
13 sealed or resealable, odor-proof, child-resistant ~~cannabis~~
14 container that is inaccessible.

15 (c) No passenger may possess cannabis within any passenger
16 area of any motor vehicle upon a highway in this State except
17 in a secured, sealed or resealable, odor-proof,
18 child-resistant ~~cannabis~~ container that is inaccessible.

19 (d) Any person who knowingly violates subsection (a), (b),
20 or (c) of this Section commits a Class A misdemeanor.

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

22 Section 40. The Tobacco Accessories and Smoking Herbs
23 Control Act is amended by changing Section 2 as follows:

1 (720 ILCS 685/2) (from Ch. 23, par. 2358-2)

2 Sec. 2. Purpose. The sale and possession of ~~marijuana,~~
3 ~~hashish,~~ cocaine, opium, and their derivatives, is not only
4 prohibited by Illinois Law, but the use of these substances
5 has been deemed injurious to the health of the user.

6 It has further been determined by the Surgeon General of
7 the United States that the use of tobacco is hazardous to human
8 health.

9 The ready availability of smoking herbs to persons under
10 21 years of age could lead to the use of tobacco and illegal
11 drugs.

12 It is in the best interests of the citizens of the State of
13 Illinois to seek to prohibit the spread of illegal drugs,
14 tobacco or smoking materials to persons under 21 years of age.
15 The prohibition of the sale of tobacco and snuff accessories
16 and smoking herbs to persons under 21 years of age would help
17 to curb the usage of illegal drugs and tobacco products, among
18 our youth.

19 (Source: P.A. 101-2, eff. 7-1-19.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."