

**SB0020**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB0020**

Introduced 1/13/2025, by Sen. Kimberly A. Lightford

**SYNOPSIS AS INTRODUCED:**

See Index

Creates the Hemp Consumer Products Act. Sets forth provisions concerning definitions; prohibitions and compliance; applications and licensing for hemp consumer product manufacturers; requirements for licensees; registration of hemp consumer CBD products; requirements of hemp consumer CBD products; packaging and labeling of hemp consumer CBD products; testing requirements; marketing and sale of hemp consumer CBD products; penalties; the administration and enforcement of the Act and rulemaking, including emergency rulemaking, by the Department of Agriculture; and other matters. Amends the Cannabis Regulation and Tax Act. Provides that a violation of provisions concerning unlicensed practice is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Sets forth penalties for unlicensed practice as a cultivation center, infuser, or craft grower. Sets forth provisions concerning the use of hemp in cannabis-infused products. Allows a craft grower and infuser to purchase a hemp-derived intoxicating product from a hemp consumer product manufacturer and offer a hemp-derived intoxicating product for sale to another cannabis establishment, after which the product is considered cannabis and the craft grower or infuser must ensure the product meets all the requirements of the Act. Makes other changes. Amends the Illinois Administrative Procedure Act, the Illinois Procurement Code, the State Finance Act, the Industrial Hemp Act, the Cannabis Control Act, and the Consumer Fraud and Deceptive Business Practices Act to make conforming changes. Effective immediately.

LRB104 07738 BDA 17783 b

**A BILL FOR**

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Hemp  
5 Consumer Products Act.

6 Section 5. Definitions. In this Act:

7 "Accreditation body" means an impartial non-profit  
8 organization that operates in conformance with the  
9 International Organization for Standardization  
10 (ISO)/International Electrotechnical Commission (IEC)  
11 standard 17011 and is a signatory to the International  
12 Laboratory Accreditation Cooperation (ILAC) Mutual Recognition  
13 Arrangement (MRA) for Testing.

14 "Artificially derived cannabinoid" means a cannabinoid  
15 that is created by a chemical or physical reaction that  
16 changes the molecular structure of any chemical substance  
17 derived from Cannabis sativa.

18 "Department" means the Department of Agriculture.

19 "Director" means the Director of Agriculture.

20 "Hemp cannabinoid" means a naturally occurring  
21 phytocannabinoid derived from the hemp plant that does not  
22 have an intoxicating effect on the mind and body, as  
23 determined by the Department by rule, including:

- 1 (1) cannabidiol (CBD);
- 2 (2) cannabichromene (CBC);
- 3 (3) cannabicitran (CBT);
- 4 (4) cannabicyclol (CBL);
- 5 (5) cannabielsoin (CBE);
- 6 (6) cannabigerol (CBG);
- 7 (7) cannabidivarin (CBDV); or
- 8 (8) cannabinalol (CBN).

9 "Hemp consumer CBD product" means a product offered for  
10 sale or distribution that:

11 (1) contains naturally occurring hemp  
12 phytocannabinoids;

13 (2) is intended for consumption by any means,  
14 including, but not limited to, oral ingestion, inhalation,  
15 smoking, or topical absorption;

16 (3) contains a total tetrahydrocannabinol  
17 concentration of no greater than:

18 (a) 0.3%; or

19 (b) 0.5 milligrams per serving or individual  
20 product unit, and 2 milligrams per package for  
21 products sold in multiple servings or units, for any  
22 beverage, food, oil, ointment, tincture, topical  
23 formation, or any other product that is intended for  
24 human or animal consumption by means other than  
25 inhalation or smoking; and

26 (4) contains a total hemp cannabinoid concentration

1           that is at least 25 times greater than the total  
2           tetrahydrocannabinol concentration per serving and per  
3           package.

4           "Hemp consumer CBD product registrant" means a person or  
5           entity that manufactures, processes, packages, handles,  
6           distributes or otherwise adds value to the hemp consumer CBD  
7           product, and made the first sale of the hemp consumer CBD  
8           product in Illinois to an Illinois wholesaler, processor,  
9           distributor, retailer, or consumer, or as otherwise defined by  
10          rule. A hemp consumer CBD product registrant is required to  
11          register hemp consumer CBD products with the Department of  
12          Agriculture prior to sale of hemp consumer CBD products in  
13          Illinois.

14          "Hemp consumer products manufacturer" means a person or  
15          entity located in Illinois licensed to source industrial hemp  
16          plant material from a licensed state, tribal, or USDA hemp  
17          cultivator, and process, manufacture, and distribute hemp  
18          products for human or animal consumption.

19          "Hemp-derived intoxicating product" means a beverage,  
20          food, oil, ointment, tincture, topical formulation, or other  
21          product intended for human or animal consumption that is  
22          derived from hemp extract and does not contain more than 5  
23          milligrams per serving or 10 milligrams per package of delta-9  
24          THC derived from any naturally occurring cannabinoids found in  
25          hemp and that may only be offered for sale at a dispensing  
26          organization under the Cannabis Regulation and Tax Act.

1 "Scope of accreditation" means a document issued by an  
2 accreditation body that attests to a testing laboratory's  
3 competence to carry out specific testing and analysis.

4 "Synthetic cannabinoid" means a cannabinoid-like compound  
5 that was produced using chemical synthesis, chemical  
6 modification, or chemical conversion, including in vitro  
7 biosynthesis or other bioconversion methods. "Synthetic  
8 cannabinoid" includes cannabinoids converted from one chemical  
9 structure into another, such as tetrahydrocannabinol produced  
10 by the conversion of cannabidiol.

11 "Testing laboratory" means an independent, third-party  
12 laboratory approved and registered with the Department that is  
13 contracted to test hemp consumer CBD products. A testing  
14 laboratory may include laboratories approved by the Department  
15 under the Cannabis Regulation and Tax Act or a laboratory  
16 operated by the State.

17 "Tetrahydrocannabinol" or "THC" means any naturally  
18 occurring or synthetic tetrahydrocannabinol, including its  
19 salts, isomers, and salts of isomers, whenever the existence  
20 of such salts, isomers, and salts of isomers is possible  
21 within the specific chemical designation, and any preparation,  
22 mixture, or substance containing, or mixed or infused with,  
23 any detectable amount of tetrahydrocannabinol or  
24 tetrahydrocannabinolic acid, including, but not limited to,  
25 delta-8-tetrahydrocannabinol, delta-9-tetrahydrocannabinol,  
26 delta-10-tetrahydrocannabinol, tetrahydrocannabinolic acid,

1 tetrahydrocannabiphorol, or hexahydrocannabinol, however  
2 derived, or any other substance determined by the Department  
3 to have similar intoxicating effects on the mind or body. As  
4 used in this definition, "isomer" means the optical, position,  
5 and geometric isomers.

6 Section 10. Prohibitions; compliance.

7 (a) Beginning on the effective date of this Act, no  
8 person, retailer, or entity shall distribute for sale,  
9 manufacture, sell, offer for sale, market, or advertise any  
10 hemp product intended for human or animal consumption within  
11 this State unless the hemp product meets the definition of  
12 hemp consumer CBD product, is sold by a licensed cannabis  
13 business establishment under the Cannabis Regulation and Tax  
14 Act or Compassionate Use of Medical Cannabis Act, or is sold to  
15 or purchased by an industrial hemp processor or hemp consumer  
16 product manufacturer licensee for use in the manufacture of  
17 hemp products intended for human or animal consumption.

18 (b) Effective January 1, 2026 or upon the first date that a  
19 hemp consumer CBD product registration application is made  
20 available by the Department, whichever is sooner, all hemp  
21 consumer CBD products shall comply with all of the hemp  
22 consumer CBD product requirements of this Act.

23 (c) A product that has a THC concentration greater than  
24 the limits set forth for hemp consumer CBD products as defined  
25 in this Act shall, unless otherwise provided under this Act,

1 be regulated as cannabis as defined in the Cannabis Regulation  
2 and Tax Act, whether or not the product is made with or derived  
3 from hemp or industrial hemp or is derived from natural or  
4 synthetic sources.

5 (d) A product derived from hemp cannabinoids and sold by a  
6 cannabis business establishment as authorized by the Cannabis  
7 Regulation and Tax Act shall be cannabis as that term is used  
8 under the Cannabis Regulation and Tax Act and may be sold only  
9 by a licensed dispensing organization.

10 (e) Notwithstanding subsection (a) or (c), until January  
11 20, 2026 any beverage derived from hemp may be offered for sale  
12 or sold by (i) a person licensed under the Liquor Control Act  
13 as a retailer or a manufacturer that has retail privileges  
14 whose total sales of alcohol equal 90% or more of total sales  
15 or (ii) an industrial hemp manufacturer or hemp consumer  
16 product manufacturer who also holds retail privileges as a  
17 manufacturer as provided under the Liquor Control Act. No  
18 beverage derived from hemp may be given, sold, transferred, or  
19 delivered, with or without remuneration, to any person under  
20 21 years of age. A retailer subject to this subsection (e)  
21 shall refuse to sell any beverage derived from hemp to any  
22 person unless the person produces valid identification showing  
23 that the person is 21 years of age or older, which must be  
24 verified at the point of sale. Any hemp-derived beverages  
25 subject to this subsection (e) may contain only up to 10  
26 milligrams per individual container of

1 delta-9-tetrahydrocannabinol derived from any naturally  
2 occurring cannabinoids found in hemp.

3 (f) Nothing in this Act shall prohibit the transportation  
4 or shipment of hemp or hemp products through the State.

5 Section 15. Hemp consumer product manufacturers;  
6 applications and licensing.

7 (a) By January 1, 2026, the Department shall create  
8 applicable rules, guidance, and forms for licensing hemp  
9 consumer products manufacturers and a process to transition  
10 industrial hemp manufacturers registered under the Industrial  
11 Hemp Act that processes or manufactures products derived from  
12 hemp intended for human or animal consumption to a hemp  
13 consumer product license.

14 (b) An application for licensure shall be submitted to the  
15 Department on a form prescribed by the Department, which shall  
16 include:

17 (1) the name, address, email address, and telephone  
18 number of the applicant;

19 (2) identification of the facility that will be used  
20 for the processing, manufacturing, distribution, or retail  
21 sale of hemp, as applicable;

22 (3) a copy of the current local zoning ordinance or  
23 permit and verification that the proposed hemp consumer  
24 products processor is in compliance with the local zoning  
25 rules and distance limitations established by the local



1 jurisdiction for hemp consumer products processing;

2 (4) the federal employer identification number of the  
3 applicant;

4 (5) a copy and description of any other license or  
5 licenses issued by state or federal authorities related to  
6 hemp or cannabis operations or ancillary services;

7 (6) a summary of the sources of industrial processes,  
8 hemp materials, hemp consumer CBD products, and hemp  
9 extract to be used, as applicable;

10 (7) a description of any other businesses or business  
11 activities conducted on the premises to be licensed;

12 (8) identification of the person or persons with the  
13 ability to direct the activity of the applicant or  
14 licensee, including principals, officers, or others with  
15 such control; and

16 (9) any other information required by the Department.

17 (c) The Department may reject or deny an application if it  
18 determines that the information contained in the application  
19 does not meet the requirements or is incomplete, false,  
20 inaccurate, or omits a material fact.

21 (d) Licenses shall not be transferable or assignable to  
22 any person, including, without limitation, to another  
23 licensee, without prior written approval of the Department.

24 (e) Licenses are valid for a period of one year and must be  
25 renewed annually at a fee of \$5,000 or as otherwise determined  
26 by rule.

1 (f) The Department may revoke any license issued under  
2 this Act for failure to adhere to the requirements of this Act  
3 and the rules adopted by the Department.

4 Section 20. Requirements for hemp consumer products  
5 manufacturer licensees.

6 (a) The Department shall license and regulate hemp  
7 consumer products manufacturers for the purpose of allowing  
8 processors to obtain and source lawful industrial hemp and  
9 hemp plant materials for manufacturing and processing finished  
10 hemp consumer products in accordance with this Act.

11 (b) All hemp consumer products manufacturers shall:

12 (1) maintain sufficient records to demonstrate that  
13 any hemp or hemp extract used by the licensee was grown,  
14 derived, extracted, and transported in accordance with  
15 applicable laws and licensing requirements of the  
16 jurisdiction or jurisdictions from which the hemp or hemp  
17 extract was sourced and, for hemp received from an  
18 out-of-state grower, shall also maintain records of the  
19 out-of-state grower registration or license number in the  
20 respective jurisdiction;

21 (4) keep all designated extracting and manufacturing  
22 areas safe and sanitary, including, but not limited to,  
23 ensuring that those areas are adequately lit, cleaned, and  
24 smoke-free;

25 (5) not use, in the extraction or manufacturing of any

1 hemp consumer CBD products, synthetic cannabinoids,  
2 artificially derived cannabinoids, or  
3 tetrahydrocannabinol created through isomerization; and

4 (6) maintain the records required by this Act for at  
5 least 3 years and immediately produce those records upon  
6 request of the Department.

7 (c) A hemp product manufacturer shall not offer for sale  
8 or distribution products to a location where prohibited by law  
9 or to a business that is not permitted to sell products made by  
10 the licensee.

11 (d) The Department may conduct announced or unannounced  
12 premises or product inspections, including, but not limited  
13 to, inspections, audits, sampling, and testing of hemp, hemp  
14 extract, hemp consumer CBD products, or any solvents,  
15 chemicals, or materials used by the licensee.

16 (e) A hemp consumer product manufacturer shall comply with  
17 any other requirements or prohibitions set by administrative  
18 rule by the Department.

19 Section 25. Registration of hemp consumer CBD products.

20 (a) Upon the availability of a hemp consumer CBD product  
21 registration application, all establishments, including  
22 physical and online establishments, shall register all hemp  
23 consumer CBD products offered for sale in the State with the  
24 Department. Hemp consumer CBD products must comply with  
25 registration requirements under this Act.

1           (b) The Department shall create an online hemp consumer  
2 CBD product registration application. The Department may  
3 reject an application if the product hemp consumer CBD product  
4 does not meet the definition of a hemp consumer CBD product or  
5 does not meet any other hemp consumer CBD product requirements  
6 under this Act or under rules adopted under this Act.

7           (c) The product registration application shall include,  
8 but is not limited to:

9                 (1) the name of the hemp consumer CBD product;

10                (2) a recently conducted certificate of analysis; and

11                (3) a depiction of the label on the hemp consumer CBD  
12 product.

13           (d) The Department shall maintain a list of registered  
14 hemp consumer CBD products on its website.

15           (e) A new registration shall be submitted if there is a  
16 change to the name, label, recipe, or chemical composition of  
17 the hemp consumer CBD product.

18           (f) Any registered hemp consumer CBD product offered for  
19 sale in the State may be subject to product inspection and  
20 sampling by the Department to ensure compliance with the  
21 registration requirements. Any retailer of a hemp consumer CBD  
22 product shall provide the Department with a reasonable sample  
23 upon request not to exceed 2 units per product type.

24           (g) The Department may deregister any registered hemp  
25 consumer CBD product that is found not to be in compliance with  
26 the Act. The Department shall maintain a list of hemp consumer

1 CBD products that have been deregistered on its website.  
2 Retail establishments shall have 30 days to remove from sale  
3 all hemp consumer CBD products that have been deregistered.

4 (h) The Department may prohibit a hemp consumer CBD  
5 product registrant from registering hemp consumer CBD products  
6 if the registrant has had 3 hemp consumer CBD products  
7 deregistered in a one-year period, or as otherwise provided  
8 for by rule.

9 (i) The Department shall set and collect a fee of \$150 for  
10 the registration of each hemp consumer CBD product, which  
11 shall be deposited into the Industrial Hemp Regulatory Fund.  
12 The Department may adjust the fee by rule.

13 (j) The Department may adopt rules regarding the  
14 registration of hemp consumer CBD products.

15 (k) Retailers or entities that offer for sale products  
16 that are found to meet the definition of a hemp consumer CBD  
17 product but are not registered are subject to a \$500 fine per  
18 product.

19 Section 30. Requirements of hemp consumer CBD products.

20 (a) All hemp consumer CBD products distributed, sold, or  
21 offered for sale in this State shall be subject to the  
22 following minimum requirements:

23 (1) the hemp consumer CBD product shall:

24 (A) contain naturally occurring hemp  
25 phytocannabinoids;

1 (B) be intended for consumption by any means,  
2 including, but not limited to, oral ingestion,  
3 inhalation, smoking, or topical absorption;

4 (C) contain a total tetrahydrocannabinol  
5 concentration of no greater than:

6 (i) 0.3%; or

7 (ii) 0.5 milligrams per serving or individual  
8 product unit, and 2 milligrams per package for  
9 products sold in multiple servings or units, for  
10 any beverage, food, oil, ointment, tincture,  
11 topical formation, or any other product that is  
12 intended for human or animal consumption by means  
13 other than inhalation or smoking;

14 (D) have total hemp cannabinoid concentration that  
15 is at least 25 times greater than the amount of total  
16 tetrahydrocannabinol concentration per serving and per  
17 package;

18 (2) not contain liquor, wine, beer, or cider or meet  
19 the definition of alcoholic liquor under the Liquor  
20 Control Act of 1934;

21 (3) not contain tobacco or nicotine in the product;

22 (4) accurately reflect testing results and not contain  
23 less than 90% or more than 110% of the concentration of  
24 total cannabinoid content as listed on the product label;

25 (5) be prepackaged and not added to food or any other  
26 consumable products at the point of sale;

1           (6) comply with product testing standards set forth in  
2 this Act; and

3           (7) not contain synthetic cannabinoids or artificially  
4 derived cannabinoids.

5           (b) All concentrated hemp consumer CBD products intended  
6 for inhalation or vaporization shall meet the following  
7 additional requirements:

8           (1) except for hemp-derived terpenes, excipients and  
9 ingredients must be pharmaceutical grade, unless otherwise  
10 approved by the Department, and shall not include:

11                   (A) synthetic terpenes;

12                   (B) polyethylene glycol (PEG);

13                   (C) vitamin E acetate;

14                   (D) medium chain triglycerides (MCT oil);

15                   (E) medicinal compounds;

16                   (F) illegal or controlled substances;

17                   (G) artificial food coloring;

18                   (H) benzoic acid;

19                   (I) diketones; or

20                   (J) any other compound or ingredient as determined  
21 by the Department in rules; and

22           (2) excipients and ingredients must not contain any  
23 flavors or flavoring agents, except for hemp-derived  
24 terpenes.

25           Section 35. Packaging and labeling of hemp consumer CBD

1 products.

2 (a) All hemp consumer CBD products distributed or offered  
3 for retail sale in this State shall include the following  
4 information on the product label or packaging:

5 (1) a list of all ingredients in descending order of  
6 predominance by weight in the product;

7 (2) The serving size and number of servings per  
8 package or container, including the milligrams per serving  
9 of detectable:

10 (A) individual hemp cannabinoids;

11 (B) total hemp cannabinoids;

12 (C) individual THC cannabinoids;

13 (D) total THC; and

14 (E) any other cannabinoids;

15 (3) an expiration date;

16 (4) the name of the hemp manufacturer, whether  
17 in-state or out-of-state;

18 (5) a means for reporting serious adverse events; and

19 (6) any other marking, statement, or symbol required  
20 by the Department, by rule.

21 (b) No hemp consumer CBD product offered for retail sale  
22 shall be made attractive to children; imitate a candy label or  
23 widely available food label; use fruit, cartoons, or other  
24 images popularly used to advertise to children; or otherwise  
25 be marketed to children.

26 (c) No hemp consumer CBD product shall be marketed,



1 advertised, or offered for sale in a manner that would cause a  
2 reasonable consumer:

3 (1) to be confused as to whether the hemp consumer CBD  
4 product is trademarked, marked, or labeled in a manner  
5 that violates any federal trademark law or regulation; or

6 (2) to believe that a hemp consumer CBD product is  
7 cannabis, or medical cannabis, or that a licensee is  
8 authorized to sell or dispense cannabis or medical  
9 cannabis, as those terms are defined in the Cannabis  
10 Regulation and Tax Act or the Compassionate Use of Medical  
11 Cannabis Program Act.

12 (d) All hemp consumer CBD products offered for retail sale  
13 shall include the following warnings on the product label or  
14 packaging, in a manner that is clear and conspicuous:

15 (1) a warning that the product must be kept out of the  
16 reach of children and pets;

17 (2) a warning that the product has not been evaluated  
18 or approved by the Food and Drug Administration for safety  
19 or efficacy;

20 (3) a warning that a pregnant or nursing consumer  
21 should consult the consumer's health care provider before  
22 use;

23 (4) for hemp consumer CBD products intended to be  
24 inhaled or vaporized, a warning stating that smoking or  
25 vaping is hazardous to your health; and

26 (5) any other warning required by the Department.

1 Section 40. Laboratory testing requirements for hemp  
2 consumer CBD products.

3 (a) The Department shall approve hemp consumer CBD product  
4 testing laboratories to be contracted by licensees under this  
5 Act for testing of hemp consumer CBD products. All approved  
6 testing laboratories shall be listed on the Department's  
7 website. Out-of-state laboratories may be approved by the  
8 Department.

9 (b) All approved testing laboratories shall maintain:

10 (1) ISO/IEC 17025 accreditation for the physical  
11 testing location and for the testing of one or more of the  
12 analytes determined by the department;

13 (2) a valid scope of accreditation, issued by an  
14 accreditation body, that attests to the laboratory's  
15 competence to perform testing of hemp consumer CBD  
16 products;

17 (3) method validation records for all testing  
18 conducted;

19 (4) standard operating procedures for the sampling of  
20 hemp consumer CBD products; and

21 (5) maintain testing methodologies to ascertain the  
22 presence of synthetic cannabinoids, artificially derived  
23 cannabinoids, or cannabinoids created through  
24 isomerization, including tetrahydrocannabinol created  
25 through isomerization.

1           (c) Hemp cannabinoid products shall not be sold within  
2 this State if hemp cannabinoid, THC, or other contaminants are  
3 detected at levels greater than provided for by this Act or  
4 rules or guidance adopted by the Department.

5           (d) Hemp cannabinoid products shall be considered  
6 adulterated and shall not be sold within this State if there is  
7 the presence of synthetic cannabinoids, artificially derived  
8 cannabinoids, or cannabinoids created through isomerization,  
9 including tetrahydrocannabinol created through isomerization.

10          (e) The Department may impose additional testing  
11 requirements, including, but not limited to, testing for  
12 additional analytes, setting stricter analyte, and mandating  
13 the use of specific sampling methodologies per lot, analyte  
14 per process, or batch manufactured.

15          (f) The Department shall make available a list of required  
16 analytes, their acceptable limits, and approved testing  
17 methods on the Department's website and in any other manner as  
18 determined by the Department.

19          (g) The total tetrahydrocannabinol concentration for hemp  
20 consumer CBD products shall not exceed the limits established  
21 in this Act.

22          (h) If a hemp consumer CBD product fails testing, the  
23 processor may elect to reformulate the failing batch to reduce  
24 the total tetrahydrocannabinol of the batch to comply with the  
25 THC limits established by this Act. If the reformulated batch  
26 still exceeds the THC limits, the processor shall destroy the

1 batch.

2 (i) If a hemp consumer CBD product is found to contain  
3 levels of any pathogen, toxicant, residual solvent, metal, or  
4 pesticide not enumerated in this Section or by other State  
5 law, then the product may not be sold in this State.

6 Section 45. Advertising requirements. An advertisement for  
7 a hemp consumer CBD product shall not:

8 (1) include any false or misleading statements,  
9 images, or other content, including, but not limited to,  
10 any health claims;

11 (2) contain claims that hemp consumption or a hemp  
12 consumer CBD product can, or is intended to, diagnose,  
13 cure, mitigate, treat, or prevent disease;

14 (3) lead a reasonable consumer to believe that a hemp  
15 consumer CBD product is cannabis or medical cannabis,  
16 including any product that exceeds the THC limits  
17 established under this Act for lawful hemp consumer CBD  
18 products, or that a licensee is authorized to sell or  
19 dispense cannabis or medical cannabis; or

20 (4) have the purpose or effect of targeting or being  
21 attractive to individuals under 21 years of age. The use  
22 of images of children or minors consuming hemp consumer  
23 CBD products and the use of words, designs, or brands that  
24 resemble products commonly associated with children,  
25 minors, or marketed to children or minors, is prohibited.

1           Section 50. Sale of hemp-derived products to cannabis  
2 business establishments.

3           (a) A hemp product manufacturer may sell final  
4 hemp-derived intoxicating products to a craft grower and  
5 infuser organization licensed under the Cannabis Regulation  
6 and Tax Act to be sold as a cannabis-infused product to a  
7 dispensing organization.

8           (b) A hemp-derived intoxicating product may contain up to  
9 5 milligrams per serving and 10 milligrams per package of  
10 delta-9-tetrahydrocannabinol. A hemp-derived intoxicating  
11 product may not contain any other form of THC except  
12 delta-9-tetrahydrocannabinol.

13           (c) A hemp-derived intoxicating product received by a  
14 craft grower or infuser must comply with all requirements of  
15 the Cannabis Regulation and Tax Act before sale to a  
16 dispensing organization.

17           (d) The sale of hemp-derived intoxicating product to  
18 cannabis business establishments shall be subject to any  
19 requirements and prohibitions set by administrative rule by  
20 the Department.

21           (e) A hemp-derived intoxicating product, in addition to  
22 meeting any label requirement of the Cannabis Regulation and  
23 Tax Act, must indicate on the label that the product was  
24 derived from hemp.

1 Section 55. License suspension; revocation; other  
2 penalties.

3 (a) Notwithstanding any other criminal penalties related  
4 to the unlawful possession of cannabis, the Department may  
5 revoke, suspend, place on probation, reprimand, issue cease  
6 and desist orders, refuse to issue or renew a license, or take  
7 any other disciplinary or nondisciplinary action as the  
8 Department may deem proper with regard to a hemp consumer  
9 product manufacturer, including fines not to exceed \$15,000  
10 for each violation of this Act or rules adopted under this Act.

11 (b) The Department shall consider licensee cooperation in  
12 any agency or other investigation in its determination of  
13 penalties imposed under this Section.

14 (c) The procedures for disciplining a hemp consumer  
15 product manufacturer and for administrative hearings shall be  
16 determined by rule, and shall provide for the review of final  
17 decisions under the Administrative Review Law.

18 Section 60. Administration and enforcement; rules;  
19 inspections.

20 (a) The Department shall administer and enforce this Act  
21 and may adopt rules under the Illinois Administrative  
22 Procedure Act for the purpose of administering and enforcing  
23 this Act.

24 (b) The Department shall update, through official guidance  
25 and publish publicly on its website, the cannabinoids that it

1 deems tetrahydrocannabinol or THC on or before January 1 and  
2 July 1 of each calendar year.

3 (c) The Department may develop rules setting forth  
4 labeling, packaging, and minimum testing requirements of  
5 cannabinoid products.

6 (d) The Department of Public Health, local health  
7 departments, the Illinois State Police, local sheriff's  
8 departments, municipal police departments, and the Department  
9 of Revenue may inspect any business that manufactures,  
10 processes, or offers for sale cannabinoid products in the  
11 State if a formal complaint is registered with the appropriate  
12 agency in order to ensure compliance with this Act. The  
13 Department may inspect any business that manufactures,  
14 processes, or offers for sale cannabinoid products in the  
15 State to ensure compliance with this Act. The Department may  
16 enter into intergovernmental agreements to enforce this Act  
17 and any rules adopted under this Act.

18 Section 70. Temporary restraining order or injunction. The  
19 Director, through the Attorney General or any unit of local  
20 government, may file a complaint and apply to the circuit  
21 court for, and the court upon hearing and for cause shown may  
22 grant, a temporary restraining order or a preliminary or  
23 permanent injunction restraining any person from violating  
24 this Act.

1 Section 805. The Illinois Procurement Code is amended by  
2 changing Section 1-10 as follows:

3 (30 ILCS 500/1-10)

4 Sec. 1-10. Application.

5 (a) This Code applies only to procurements for which  
6 bidders, offerors, potential contractors, or contractors were  
7 first solicited on or after July 1, 1998. This Code shall not  
8 be construed to affect or impair any contract, or any  
9 provision of a contract, entered into based on a solicitation  
10 prior to the implementation date of this Code as described in  
11 Article 99, including, but not limited to, any covenant  
12 entered into with respect to any revenue bonds or similar  
13 instruments. All procurements for which contracts are  
14 solicited between the effective date of Articles 50 and 99 and  
15 July 1, 1998 shall be substantially in accordance with this  
16 Code and its intent.

17 (b) This Code shall apply regardless of the source of the  
18 funds with which the contracts are paid, including federal  
19 assistance moneys. This Code shall not apply to:

20 (1) Contracts between the State and its political  
21 subdivisions or other governments, or between State  
22 governmental bodies, except as specifically provided in  
23 this Code.

24 (2) Grants, except for the filing requirements of  
25 Section 20-80.



1           (3) Purchase of care, except as provided in Section  
2           5-30.6 of the Illinois Public Aid Code and this Section.

3           (4) Hiring of an individual as an employee and not as  
4           an independent contractor, whether pursuant to an  
5           employment code or policy or by contract directly with  
6           that individual.

7           (5) Collective bargaining contracts.

8           (6) Purchase of real estate, except that notice of  
9           this type of contract with a value of more than \$25,000  
10          must be published in the Procurement Bulletin within 10  
11          calendar days after the deed is recorded in the county of  
12          jurisdiction. The notice shall identify the real estate  
13          purchased, the names of all parties to the contract, the  
14          value of the contract, and the effective date of the  
15          contract.

16          (7) Contracts necessary to prepare for anticipated  
17          litigation, enforcement actions, or investigations,  
18          provided that the chief legal counsel to the Governor  
19          shall give his or her prior approval when the procuring  
20          agency is one subject to the jurisdiction of the Governor,  
21          and provided that the chief legal counsel of any other  
22          procuring entity subject to this Code shall give his or  
23          her prior approval when the procuring entity is not one  
24          subject to the jurisdiction of the Governor.

25          (8) (Blank).

26          (9) Procurement expenditures by the Illinois

1 Conservation Foundation when only private funds are used.

2 (10) (Blank).

3 (11) Public-private agreements entered into according  
4 to the procurement requirements of Section 20 of the  
5 Public-Private Partnerships for Transportation Act and  
6 design-build agreements entered into according to the  
7 procurement requirements of Section 25 of the  
8 Public-Private Partnerships for Transportation Act.

9 (12) (A) Contracts for legal, financial, and other  
10 professional and artistic services entered into by the  
11 Illinois Finance Authority in which the State of Illinois  
12 is not obligated. Such contracts shall be awarded through  
13 a competitive process authorized by the members of the  
14 Illinois Finance Authority and are subject to Sections  
15 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,  
16 as well as the final approval by the members of the  
17 Illinois Finance Authority of the terms of the contract.

18 (B) Contracts for legal and financial services entered  
19 into by the Illinois Housing Development Authority in  
20 connection with the issuance of bonds in which the State  
21 of Illinois is not obligated. Such contracts shall be  
22 awarded through a competitive process authorized by the  
23 members of the Illinois Housing Development Authority and  
24 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,  
25 and 50-37 of this Code, as well as the final approval by  
26 the members of the Illinois Housing Development Authority

1 of the terms of the contract.

2 (13) Contracts for services, commodities, and  
3 equipment to support the delivery of timely forensic  
4 science services in consultation with and subject to the  
5 approval of the Chief Procurement Officer as provided in  
6 subsection (d) of Section 5-4-3a of the Unified Code of  
7 Corrections, except for the requirements of Sections  
8 20-60, 20-65, 20-70, and 20-160 and Article 50 of this  
9 Code; however, the Chief Procurement Officer may, in  
10 writing with justification, waive any certification  
11 required under Article 50 of this Code. For any contracts  
12 for services which are currently provided by members of a  
13 collective bargaining agreement, the applicable terms of  
14 the collective bargaining agreement concerning  
15 subcontracting shall be followed.

16 On and after January 1, 2019, this paragraph (13),  
17 except for this sentence, is inoperative.

18 (14) Contracts for participation expenditures required  
19 by a domestic or international trade show or exhibition of  
20 an exhibitor, member, or sponsor.

21 (15) Contracts with a railroad or utility that  
22 requires the State to reimburse the railroad or utilities  
23 for the relocation of utilities for construction or other  
24 public purpose. Contracts included within this paragraph  
25 (15) shall include, but not be limited to, those  
26 associated with: relocations, crossings, installations,

1 and maintenance. For the purposes of this paragraph (15),  
2 "railroad" means any form of non-highway ground  
3 transportation that runs on rails or electromagnetic  
4 guideways and "utility" means: (1) public utilities as  
5 defined in Section 3-105 of the Public Utilities Act, (2)  
6 telecommunications carriers as defined in Section 13-202  
7 of the Public Utilities Act, (3) electric cooperatives as  
8 defined in Section 3.4 of the Electric Supplier Act, (4)  
9 telephone or telecommunications cooperatives as defined in  
10 Section 13-212 of the Public Utilities Act, (5) rural  
11 water or waste water systems with 10,000 connections or  
12 less, (6) a holder as defined in Section 21-201 of the  
13 Public Utilities Act, and (7) municipalities owning or  
14 operating utility systems consisting of public utilities  
15 as that term is defined in Section 11-117-2 of the  
16 Illinois Municipal Code.

17 (16) Procurement expenditures necessary for the  
18 Department of Public Health to provide the delivery of  
19 timely newborn screening services in accordance with the  
20 Newborn Metabolic Screening Act.

21 (17) Procurement expenditures necessary for the  
22 Department of Agriculture, the Department of Financial and  
23 Professional Regulation, the Department of Human Services,  
24 and the Department of Public Health to implement the  
25 Compassionate Use of Medical Cannabis Program and Opioid  
26 Alternative Pilot Program requirements and ensure access

1 to medical cannabis for patients with debilitating medical  
2 conditions in accordance with the Compassionate Use of  
3 Medical Cannabis Program Act.

4 (18) This Code does not apply to any procurements  
5 necessary for the Department of Agriculture or ~~7~~ the  
6 Department of Financial and Professional Regulation, ~~the~~  
7 ~~Department of Human Services, the Department of Commerce~~  
8 ~~and Economic Opportunity, and the Department of Public~~  
9 ~~Health~~ to implement the Cannabis Regulation and Tax Act  
10 and for the Department of Agriculture to implement the  
11 Hemp Consumer Products Act, if the applicable agency has  
12 made a good faith determination that it is necessary and  
13 appropriate for the expenditure to fall within this  
14 exemption and if the process is conducted in a manner  
15 substantially in accordance with the requirements of  
16 Sections 20-160, 25-60, 30-22, 50-5, 50-10, 50-10.5,  
17 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37,  
18 50-38, and 50-50 of this Code; however, for Section 50-35,  
19 compliance applies only to contracts or subcontracts over  
20 \$100,000. Notice of each contract entered into under this  
21 paragraph (18) that is related to the procurement of goods  
22 and services identified in paragraph (1) through (9) of  
23 this subsection shall be published in the Procurement  
24 Bulletin within 14 calendar days after contract execution.  
25 The Chief Procurement Officer shall prescribe the form and  
26 content of the notice. Each agency shall provide the Chief

1 Procurement Officer, on a monthly basis, in the form and  
2 content prescribed by the Chief Procurement Officer, a  
3 report of contracts that are related to the procurement of  
4 goods and services identified in this subsection. At a  
5 minimum, this report shall include the name of the  
6 contractor, a description of the supply or service  
7 provided, the total amount of the contract, the term of  
8 the contract, and the exception to this Code utilized. A  
9 copy of any or all of these contracts shall be made  
10 available to the Chief Procurement Officer immediately  
11 upon request. The Chief Procurement Officer shall submit a  
12 report to the Governor and General Assembly no later than  
13 November 1 of each year that includes, at a minimum, an  
14 annual summary of the monthly information reported to the  
15 Chief Procurement Officer. This exemption becomes  
16 inoperative 7 ~~5~~ years after June 25, 2019 (the effective  
17 date of Public Act 101-27).

18 (19) Acquisition of modifications or adjustments,  
19 limited to assistive technology devices and assistive  
20 technology services, adaptive equipment, repairs, and  
21 replacement parts to provide reasonable accommodations (i)  
22 that enable a qualified applicant with a disability to  
23 complete the job application process and be considered for  
24 the position such qualified applicant desires, (ii) that  
25 modify or adjust the work environment to enable a  
26 qualified current employee with a disability to perform

1 the essential functions of the position held by that  
2 employee, (iii) to enable a qualified current employee  
3 with a disability to enjoy equal benefits and privileges  
4 of employment as are enjoyed by other similarly situated  
5 employees without disabilities, and (iv) that allow a  
6 customer, client, claimant, or member of the public  
7 seeking State services full use and enjoyment of and  
8 access to its programs, services, or benefits.

9 For purposes of this paragraph (19):

10 "Assistive technology devices" means any item, piece  
11 of equipment, or product system, whether acquired  
12 commercially off the shelf, modified, or customized, that  
13 is used to increase, maintain, or improve functional  
14 capabilities of individuals with disabilities.

15 "Assistive technology services" means any service that  
16 directly assists an individual with a disability in  
17 selection, acquisition, or use of an assistive technology  
18 device.

19 "Qualified" has the same meaning and use as provided  
20 under the federal Americans with Disabilities Act when  
21 describing an individual with a disability.

22 (20) Procurement expenditures necessary for the  
23 Illinois Commerce Commission to hire third-party  
24 facilitators pursuant to Sections 16-105.17 and 16-108.18  
25 of the Public Utilities Act or an ombudsman pursuant to  
26 Section 16-107.5 of the Public Utilities Act, a

1 facilitator pursuant to Section 16-105.17 of the Public  
2 Utilities Act, or a grid auditor pursuant to Section  
3 16-105.10 of the Public Utilities Act.

4 (21) Procurement expenditures for the purchase,  
5 renewal, and expansion of software, software licenses, or  
6 software maintenance agreements that support the efforts  
7 of the Illinois State Police to enforce, regulate, and  
8 administer the Firearm Owners Identification Card Act, the  
9 Firearm Concealed Carry Act, the Firearms Restraining  
10 Order Act, the Firearm Dealer License Certification Act,  
11 the Law Enforcement Agencies Data System (LEADS), the  
12 Uniform Crime Reporting Act, the Criminal Identification  
13 Act, the Illinois Uniform Conviction Information Act, and  
14 the Gun Trafficking Information Act, or establish or  
15 maintain record management systems necessary to conduct  
16 human trafficking investigations or gun trafficking or  
17 other stolen firearm investigations. This paragraph (21)  
18 applies to contracts entered into on or after January 10,  
19 2023 (the effective date of Public Act 102-1116) and the  
20 renewal of contracts that are in effect on January 10,  
21 2023 (the effective date of Public Act 102-1116).

22 (22) Contracts for project management services and  
23 system integration services required for the completion of  
24 the State's enterprise resource planning project. This  
25 exemption becomes inoperative 5 years after June 7, 2023  
26 (the effective date of the changes made to this Section by



1 Public Act 103-8). This paragraph (22) applies to  
2 contracts entered into on or after June 7, 2023 (the  
3 effective date of the changes made to this Section by  
4 Public Act 103-8) and the renewal of contracts that are in  
5 effect on June 7, 2023 (the effective date of the changes  
6 made to this Section by Public Act 103-8).

7 (23) Procurements necessary for the Department of  
8 Insurance to implement the Illinois Health Benefits  
9 Exchange Law if the Department of Insurance has made a  
10 good faith determination that it is necessary and  
11 appropriate for the expenditure to fall within this  
12 exemption. The procurement process shall be conducted in a  
13 manner substantially in accordance with the requirements  
14 of Sections 20-160 and 25-60 and Article 50 of this Code. A  
15 copy of these contracts shall be made available to the  
16 Chief Procurement Officer immediately upon request. This  
17 paragraph is inoperative 5 years after June 27, 2023 (the  
18 effective date of Public Act 103-103).

19 (24) Contracts for public education programming,  
20 noncommercial sustaining announcements, public service  
21 announcements, and public awareness and education  
22 messaging with the nonprofit trade associations of the  
23 providers of those services that inform the public on  
24 immediate and ongoing health and safety risks and hazards.

25 (25) Procurements necessary for the Department of  
26 Early Childhood to implement the Department of Early

1 Childhood Act if the Department has made a good faith  
2 determination that it is necessary and appropriate for the  
3 expenditure to fall within this exemption. This exemption  
4 shall only be used for products and services procured  
5 solely for use by the Department of Early Childhood. The  
6 procurements may include those necessary to design and  
7 build integrated, operational systems of programs and  
8 services. The procurements may include, but are not  
9 limited to, those necessary to align and update program  
10 standards, integrate funding systems, design and establish  
11 data and reporting systems, align and update models for  
12 technical assistance and professional development, design  
13 systems to manage grants and ensure compliance, design and  
14 implement management and operational structures, and  
15 establish new means of engaging with families, educators,  
16 providers, and stakeholders. The procurement processes  
17 shall be conducted in a manner substantially in accordance  
18 with the requirements of Article 50 (ethics) and Sections  
19 5-5 (Procurement Policy Board), 5-7 (Commission on Equity  
20 and Inclusion), 20-80 (contract files), 20-120  
21 (subcontractors), 20-155 (paperwork), 20-160  
22 (ethics/campaign contribution prohibitions), 25-60  
23 (prevailing wage), and 25-90 (prohibited and authorized  
24 cybersecurity) of this Code. Beginning January 1, 2025,  
25 the Department of Early Childhood shall provide a  
26 quarterly report to the General Assembly detailing a list

1 of expenditures and contracts for which the Department  
2 uses this exemption. This paragraph is inoperative on and  
3 after July 1, 2027.

4 (26) ~~(25)~~ Procurements that are necessary for  
5 increasing the recruitment and retention of State  
6 employees, particularly minority candidates for  
7 employment, including:

8 (A) procurements related to registration fees for  
9 job fairs and other outreach and recruitment events;

10 (B) production of recruitment materials; and

11 (C) other services related to recruitment and  
12 retention of State employees.

13 The exemption under this paragraph (26) ~~(25)~~ applies  
14 only if the State agency has made a good faith  
15 determination that it is necessary and appropriate for the  
16 expenditure to fall within this paragraph (26) ~~(25)~~. The  
17 procurement process under this paragraph (26) ~~(25)~~ shall  
18 be conducted in a manner substantially in accordance with  
19 the requirements of Sections 20-160 and 25-60 and Article  
20 50 of this Code. A copy of these contracts shall be made  
21 available to the Chief Procurement Officer immediately  
22 upon request. Nothing in this paragraph (26) ~~(25)~~  
23 authorizes the replacement or diminishment of State  
24 responsibilities in hiring or the positions that  
25 effectuate that hiring. This paragraph (26) ~~(25)~~ is  
26 inoperative on and after June 30, 2029.

1           Notwithstanding any other provision of law, for contracts  
2 with an annual value of more than \$100,000 entered into on or  
3 after October 1, 2017 under an exemption provided in any  
4 paragraph of this subsection (b), except paragraph (1), (2),  
5 or (5), each State agency shall post to the appropriate  
6 procurement bulletin the name of the contractor, a description  
7 of the supply or service provided, the total amount of the  
8 contract, the term of the contract, and the exception to the  
9 Code utilized. The chief procurement officer shall submit a  
10 report to the Governor and General Assembly no later than  
11 November 1 of each year that shall include, at a minimum, an  
12 annual summary of the monthly information reported to the  
13 chief procurement officer.

14           (c) This Code does not apply to the electric power  
15 procurement process provided for under Section 1-75 of the  
16 Illinois Power Agency Act and Section 16-111.5 of the Public  
17 Utilities Act. This Code does not apply to the procurement of  
18 technical and policy experts pursuant to Section 1-129 of the  
19 Illinois Power Agency Act.

20           (d) Except for Section 20-160 and Article 50 of this Code,  
21 and as expressly required by Section 9.1 of the Illinois  
22 Lottery Law, the provisions of this Code do not apply to the  
23 procurement process provided for under Section 9.1 of the  
24 Illinois Lottery Law.

25           (e) This Code does not apply to the process used by the  
26 Capital Development Board to retain a person or entity to

1 assist the Capital Development Board with its duties related  
2 to the determination of costs of a clean coal SNG brownfield  
3 facility, as defined by Section 1-10 of the Illinois Power  
4 Agency Act, as required in subsection (h-3) of Section 9-220  
5 of the Public Utilities Act, including calculating the range  
6 of capital costs, the range of operating and maintenance  
7 costs, or the sequestration costs or monitoring the  
8 construction of clean coal SNG brownfield facility for the  
9 full duration of construction.

10 (f) (Blank).

11 (g) (Blank).

12 (h) This Code does not apply to the process to procure or  
13 contracts entered into in accordance with Sections 11-5.2 and  
14 11-5.3 of the Illinois Public Aid Code.

15 (i) Each chief procurement officer may access records  
16 necessary to review whether a contract, purchase, or other  
17 expenditure is or is not subject to the provisions of this  
18 Code, unless such records would be subject to attorney-client  
19 privilege.

20 (j) This Code does not apply to the process used by the  
21 Capital Development Board to retain an artist or work or works  
22 of art as required in Section 14 of the Capital Development  
23 Board Act.

24 (k) This Code does not apply to the process to procure  
25 contracts, or contracts entered into, by the State Board of  
26 Elections or the State Electoral Board for hearing officers

1 appointed pursuant to the Election Code.

2 (l) This Code does not apply to the processes used by the  
3 Illinois Student Assistance Commission to procure supplies and  
4 services paid for from the private funds of the Illinois  
5 Prepaid Tuition Fund. As used in this subsection (l), "private  
6 funds" means funds derived from deposits paid into the  
7 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

8 (m) This Code shall apply regardless of the source of  
9 funds with which contracts are paid, including federal  
10 assistance moneys. Except as specifically provided in this  
11 Code, this Code shall not apply to procurement expenditures  
12 necessary for the Department of Public Health to conduct the  
13 Healthy Illinois Survey in accordance with Section 2310-431 of  
14 the Department of Public Health Powers and Duties Law of the  
15 Civil Administrative Code of Illinois.

16 (Source: P.A. 102-175, eff. 7-29-21; 102-483, eff. 1-1-22;  
17 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff.  
18 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;  
19 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff.  
20 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; 103-594,  
21 eff. 6-25-24; 103-605, eff. 7-1-24; 103-865, eff. 1-1-25;  
22 revised 11-26-24.)

23 Section 810. The State Finance Act is amended by changing  
24 Section 6z-112 as follows:

1 (30 ILCS 105/6z-112)

2 Sec. 6z-112. The Cannabis Regulation Fund.

3 (a) There is created the Cannabis Regulation Fund in the  
4 State treasury, subject to appropriations unless otherwise  
5 provided in this Section. All moneys collected under the  
6 Cannabis Regulation and Tax Act shall be deposited into the  
7 Cannabis Regulation Fund, consisting of taxes, license fees,  
8 other fees, and any other amounts required to be deposited or  
9 transferred into the Fund.

10 (b) Whenever the Department of Revenue determines that a  
11 refund should be made under the Cannabis Regulation and Tax  
12 Act to a claimant, the Department of Revenue shall submit a  
13 voucher for payment to the State Comptroller, who shall cause  
14 the order to be drawn for the amount specified and to the  
15 person named in the notification from the Department of  
16 Revenue. This subsection (b) shall constitute an irrevocable  
17 and continuing appropriation of all amounts necessary for the  
18 payment of refunds out of the Fund as authorized under this  
19 subsection (b).

20 (c) On or before the 25th day of each calendar month, the  
21 Department of Revenue shall prepare and certify to the State  
22 Comptroller the transfer and allocations of stated sums of  
23 money from the Cannabis Regulation Fund to other named funds  
24 in the State treasury. The amount subject to transfer shall be  
25 the amount of the taxes, license fees, other fees, and any  
26 other amounts paid into the Fund during the second preceding

1 calendar month, minus the refunds made under subsection (b)  
2 during the second preceding calendar month by the Department.

3 The transfers shall be certified as follows:

4 (1) The Department of Revenue shall first determine  
5 the allocations which shall remain in the Cannabis  
6 Regulation Fund, subject to appropriations, to pay for the  
7 direct and indirect costs associated with the  
8 implementation, administration, and enforcement of the  
9 Cannabis Regulation and Tax Act by the Department of  
10 Revenue, the Department of State Police, the Department of  
11 Financial and Professional Regulation, the Department of  
12 Agriculture, the Department of Public Health, the  
13 Department of Commerce and Economic Opportunity, and the  
14 Illinois Criminal Justice Information Authority, and the  
15 Hemp Consumer Products Act by the Department of  
16 Agriculture.

17 (2) After the allocations have been made as provided  
18 in paragraph (1) of this subsection (c), of the remainder  
19 of the amount subject to transfer for the month as  
20 determined in this subsection (c), the Department shall  
21 certify the transfer into the Cannabis Expungement Fund  
22 1/12 of the fiscal year amount appropriated from the  
23 Cannabis Expungement Fund for payment of costs incurred by  
24 State courts, the Attorney General, State's Attorneys,  
25 civil legal aid, as defined by Section 15 of the Public  
26 Interest Attorney Assistance Act, and the Department of



1 State Police to facilitate petitions for expungement of  
2 Minor Cannabis Offenses pursuant to Public Act 101-27, as  
3 adjusted by any supplemental appropriation, plus  
4 cumulative deficiencies in such transfers for prior  
5 months.

6 (3) After the allocations have been made as provided  
7 in paragraphs (1) and (2) of this subsection (c), the  
8 Department of Revenue shall certify to the State  
9 Comptroller and the State Treasurer shall transfer the  
10 amounts that the Department of Revenue determines shall be  
11 transferred into the following named funds according to  
12 the following:

13 (A) 2% shall be transferred to the Drug Treatment  
14 Fund to be used by the Department of Human Services  
15 for: (i) developing and administering a scientifically  
16 and medically accurate public education campaign  
17 educating youth and adults about the health and safety  
18 risks of alcohol, tobacco, illegal drug use (including  
19 prescription drugs), and cannabis, including use by  
20 pregnant women; and (ii) data collection and analysis  
21 of the public health impacts of legalizing the  
22 recreational use of cannabis. Expenditures for these  
23 purposes shall be subject to appropriations.

24 (B) 8% shall be transferred to the Local  
25 Government Distributive Fund and allocated as provided  
26 in Section 2 of the State Revenue Sharing Act. The

1 moneys shall be used to fund crime prevention  
2 programs, training, and interdiction efforts,  
3 including detection, enforcement, and prevention  
4 efforts, relating to the illegal cannabis market and  
5 driving under the influence of cannabis.

6 (C) 25% shall be transferred to the Criminal  
7 Justice Information Projects Fund to be used for the  
8 purposes of the Restore, Reinvest, and Renew Program  
9 to address economic development, violence prevention  
10 services, re-entry services, youth development, and  
11 civil legal aid, as defined by Section 15 of the Public  
12 Interest Attorney Assistance Act. The Restore,  
13 Reinvest, and Renew Program shall address these issues  
14 through targeted investments and intervention programs  
15 and promotion of an employment infrastructure and  
16 capacity building related to the social determinants  
17 of health in impacted community areas. Expenditures  
18 for these purposes shall be subject to appropriations.

19 (D) 20% shall be transferred to the Department of  
20 Human Services Community Services Fund, to be used to  
21 address substance abuse and prevention and mental  
22 health concerns, including treatment, education, and  
23 prevention to address the negative impacts of  
24 substance abuse and mental health issues, including  
25 concentrated poverty, violence, and the historical  
26 overuse of criminal justice responses in certain

1 communities, on the individual, family, and community,  
2 including federal, State, and local governments,  
3 health care institutions and providers, and  
4 correctional facilities. Expenditures for these  
5 purposes shall be subject to appropriations.

6 (E) 10% shall be transferred to the Budget  
7 Stabilization Fund.

8 (F) 35%, or any remaining balance, shall be  
9 transferred to the General Revenue Fund.

10 As soon as may be practical, but no later than 10 days  
11 after receipt, by the State Comptroller of the transfer  
12 certification provided for in this subsection (c) to be given  
13 to the State Comptroller by the Department of Revenue, the  
14 State Comptroller shall direct and the State Treasurer shall  
15 transfer the respective amounts in accordance with the  
16 directions contained in such certification.

17 (d) On July 1, 2019 the Department of Revenue shall  
18 certify to the State Comptroller and the State Treasurer shall  
19 transfer \$5,000,000 from the Compassionate Use of Medical  
20 Cannabis Fund to the Cannabis Regulation Fund.

21 (e) Notwithstanding any other law to the contrary and  
22 except as otherwise provided in this Section, this Fund is not  
23 subject to sweeps, administrative charge-backs, or any other  
24 fiscal or budgetary maneuver that would in any way transfer  
25 any amounts from this Fund into any other fund of the State.

26 (f) The Cannabis Regulation Fund shall retain a balance of

1 \$1,000,000 for the purposes of administrative costs.

2 (g) In Fiscal Year 2024 the allocations in subsection (c)  
3 of this Section shall be reviewed and adjusted if the General  
4 Assembly finds there is a greater need for funding for a  
5 specific purpose in the State as it relates to Public Act  
6 101-27.

7 (Source: P.A. 101-27, eff. 6-25-19; 102-558, eff. 8-20-21.)

8 Section 815. The Cannabis Regulation and Tax Act is  
9 amended by changing Sections 1-10, 15-155, 55-35, 60-10,  
10 60-15, and 60-20 and by adding Sections 20-60, 30-30, 35-25,  
11 and 55-5.5 as follows:

12 (410 ILCS 705/1-10)

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

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

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

23 "Advertise" means to engage in promotional activities  
24 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 "By lot" means a randomized method of choosing between 2  
20 or more Eligible Tied Applicants or 2 or more Qualifying  
21 Applicants.

22 "Cannabis" means marijuana, hashish, and other substances  
23 that are identified as including any parts of the plant  
24 Cannabis sativa and including derivatives or subspecies, such  
25 as indica, of all strains of cannabis, whether growing or not;  
26 the seeds thereof, the resin extracted from any part of the

1 plant; and any compound, manufacture, salt, derivative,  
2 mixture, or preparation of the plant, its seeds, or resin,  
3 including tetrahydrocannabinol (THC) and all other naturally  
4 produced cannabinol derivatives, whether produced directly or  
5 indirectly by extraction, including, but not limited to, any  
6 structural, optical, or geometric isomers of THC, or any  
7 chemical compound that mimics THC; however, "cannabis" does  
8 not include the mature stalks of the plant, fiber produced  
9 from the stalks, oil or cake made from the seeds of the plant,  
10 any other compound, manufacture, salt, derivative, mixture, or  
11 preparation of the mature stalks (except the resin extracted  
12 from it), fiber, oil or cake, or the sterilized seed of the  
13 plant that is incapable of germination. "Cannabis" does not  
14 include industrial hemp as defined and authorized under the  
15 Industrial Hemp Act. "Cannabis" also means cannabis flower,  
16 concentrate, and cannabis-infused products and any product  
17 whether derived from natural or synthetic sources with a THC  
18 concentration greater than the THC limit set forth in the  
19 definition of Hemp consumer CBD product in the Hemp Consumer  
20 Products Act.

21 "Cannabis business establishment" means a cultivation  
22 center, craft grower, processing organization, infuser  
23 organization, dispensing organization, or transporting  
24 organization.

25 "Cannabis concentrate" means a product derived from  
26 cannabis that is produced by extracting cannabinoids,

1 including tetrahydrocannabinol (THC), from the plant through  
2 the use of propylene glycol, glycerin, butter, olive oil, or  
3 other typical cooking fats; water, ice, or dry ice; or butane,  
4 propane, CO<sub>2</sub>, ethanol, or isopropanol and with the intended  
5 use of smoking or making a cannabis-infused product. The use  
6 of any other solvent is expressly prohibited unless and until  
7 it is approved by the Department of Agriculture.

8 "Cannabis container" means a sealed or resealable,  
9 traceable, container, or package used for the purpose of  
10 containment of cannabis or cannabis-infused product during  
11 transportation.

12 "Cannabis flower" means marijuana, hashish, and other  
13 substances that are identified as including any parts of the  
14 plant Cannabis sativa and including derivatives or subspecies,  
15 such as indica, of all strains of cannabis; including raw  
16 kief, leaves, and buds, but not resin that has been extracted  
17 from any part of such plant; nor any compound, manufacture,  
18 salt, derivative, mixture, or preparation of such plant, its  
19 seeds, or resin.

20 "Cannabis-infused product" means a beverage, food, oil,  
21 ointment, tincture, topical formulation, or another product  
22 containing cannabis or cannabis concentrate that is not  
23 intended to be smoked.

24 "Cannabis paraphernalia" means equipment, products, or  
25 materials intended to be used for planting, propagating,  
26 cultivating, growing, harvesting, manufacturing, producing,

1 processing, preparing, testing, analyzing, packaging,  
2 repackaging, storing, containing, concealing, ingesting, or  
3 otherwise introducing cannabis into the human body.

4 "Cannabis plant monitoring system" or "plant monitoring  
5 system" means a system that includes, but is not limited to,  
6 testing and data collection established and maintained by the  
7 cultivation center, craft grower, or processing organization  
8 and that is available to the Department of Revenue, the  
9 Department of Agriculture, the Department of Financial and  
10 Professional Regulation, and the Illinois State Police for the  
11 purposes of documenting each cannabis plant and monitoring  
12 plant development throughout the life cycle of a cannabis  
13 plant cultivated for the intended use by a customer from seed  
14 planting to final packaging.

15 "Cannabis testing facility" means an entity registered by  
16 the Department of Agriculture to test cannabis for potency and  
17 contaminants.

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

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



1 Illinois community college ~~Community College~~.

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

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

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

21 "Craft grower" means a facility operated by an  
22 organization or business that is licensed by the Department of  
23 Agriculture to cultivate, dry, cure, and package cannabis and  
24 perform other necessary activities to make cannabis available  
25 for sale at a dispensing organization or use at a processing  
26 organization. A craft grower may contain up to 5,000 square

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

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

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

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

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

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

7 "Currency" means currency and coin of the United States.

8 "Dispensary" means a facility operated by a dispensing  
9 organization at which activities licensed by this Act may  
10 occur.

11 "Dispensary Applicant" means the Proposed Dispensing  
12 Organization Name as stated on an application for a  
13 Conditional Adult Use Dispensing Organization License.

14 "Dispensing organization" means a facility operated by an  
15 organization or business that is licensed by the Department of  
16 Financial and Professional Regulation to acquire cannabis from  
17 a cultivation center, craft grower, processing organization,  
18 or another dispensary for the purpose of selling or dispensing  
19 cannabis, cannabis-infused products, cannabis seeds,  
20 paraphernalia, or related supplies under this Act to  
21 purchasers or to qualified registered medical cannabis  
22 patients and caregivers. As used in this Act, "dispensing  
23 organization" includes a registered medical cannabis  
24 organization as defined in the Compassionate Use of Medical  
25 Cannabis Program Act or its successor Act that has obtained an  
26 Early Approval Adult Use Dispensing Organization License.

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

4 "Dispensing organization agent identification card" means  
5 a document issued by the Department of Financial and  
6 Professional Regulation that identifies a person as a  
7 dispensing organization agent.

8 "Disproportionately Impacted Area" means a census tract or  
9 comparable geographic area that satisfies the following  
10 criteria as determined by the Department of Commerce and  
11 Economic Opportunity, that:

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

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

15 (B) 75% or more of the children in the area  
16 participate in the federal free lunch program  
17 according to reported statistics from the State Board  
18 of Education; or

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

22 (D) the area has an average unemployment rate, as  
23 determined by the Illinois Department of Employment  
24 Security, that is more than 120% of the national  
25 unemployment average, as determined by the United  
26 States Department of Labor, for a period of at least 2

1 consecutive calendar years preceding the date of the  
2 application; and

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

6 "Early Approval Adult Use Cultivation Center License"  
7 means a license that permits a medical cannabis cultivation  
8 center licensed under the Compassionate Use of Medical  
9 Cannabis Program Act as of the effective date of this Act to  
10 begin cultivating, infusing, packaging, transporting (unless  
11 otherwise provided in this Act), processing, and selling  
12 cannabis or cannabis-infused product to cannabis business  
13 establishments for resale to purchasers as permitted by this  
14 Act as of January 1, 2020.

15 "Early Approval Adult Use Dispensing Organization License"  
16 means a license that permits a medical cannabis dispensing  
17 organization licensed under the Compassionate Use of Medical  
18 Cannabis Program Act as of the effective date of this Act to  
19 begin selling cannabis or cannabis-infused product to  
20 purchasers as permitted by this Act as of January 1, 2020.

21 "Early Approval Adult Use Dispensing Organization at a  
22 secondary site" means a license that permits a medical  
23 cannabis dispensing organization licensed under the  
24 Compassionate Use of Medical Cannabis Program Act as of the  
25 effective date of this Act to begin selling cannabis or  
26 cannabis-infused product to purchasers as permitted by this

1 Act on January 1, 2020 at a different dispensary location from  
2 its existing registered medical dispensary location.

3 "Eligible Tied Applicant" means a Tied Applicant that is  
4 eligible to participate in the process by which a remaining  
5 available license is distributed by lot pursuant to a Tied  
6 Applicant Lottery.

7 "Enclosed, locked facility" means a room, greenhouse,  
8 building, or other enclosed area equipped with locks or other  
9 security devices that permit access only by cannabis business  
10 establishment agents working for the licensed cannabis  
11 business establishment or acting pursuant to this Act to  
12 cultivate, process, store, or distribute cannabis.

13 "Enclosed, locked space" means a closet, room, greenhouse,  
14 building, or other enclosed area equipped with locks or other  
15 security devices that permit access only by authorized  
16 individuals under this Act. "Enclosed, locked space" may  
17 include:

18 (1) a space within a residential building that (i) is  
19 the primary residence of the individual cultivating 5 or  
20 fewer cannabis plants that are more than 5 inches tall and  
21 (ii) includes sleeping quarters and indoor plumbing. The  
22 space must only be accessible by a key or code that is  
23 different from any key or code that can be used to access  
24 the residential building from the exterior; or

25 (2) a structure, such as a shed or greenhouse, that  
26 lies on the same plot of land as a residential building

1           that (i) includes sleeping quarters and indoor plumbing  
2           and (ii) is used as a primary residence by the person  
3           cultivating 5 or fewer cannabis plants that are more than  
4           5 inches tall, such as a shed or greenhouse. The structure  
5           must remain locked when it is unoccupied by people.

6           "Financial institution" has the same meaning as "financial  
7           organization" as defined in Section 1501 of the Illinois  
8           Income Tax Act, and also includes the holding companies,  
9           subsidiaries, and affiliates of such financial organizations.

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

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

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

20          "Individual" means a natural person.

21          "Infuser organization" or "infuser" means a facility  
22          operated by an organization or business that is licensed by  
23          the Department of Agriculture to directly incorporate cannabis  
24          or cannabis concentrate into a product formulation to produce  
25          a cannabis-infused product.

26          "Kief" means the resinous crystal-like trichomes that are

1 found on cannabis and that are accumulated, resulting in a  
2 higher concentration of cannabinoids, untreated by heat or  
3 pressure, or extracted using a solvent.

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

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



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

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

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

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

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

1 business and an interest in the capital, assets, and profits  
2 and losses of the business proportionate to percentage of  
3 ownership.

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

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

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

26 "Primary residence" means a dwelling where a person

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

7 "Processing organization" or "processor" means a facility  
8 operated by an organization or business that is licensed by  
9 the Department of Agriculture to either extract constituent  
10 chemicals or compounds to produce cannabis concentrate or  
11 incorporate cannabis or cannabis concentrate into a product  
12 formulation to produce a cannabis product.

13 "Processing organization agent" means a principal officer,  
14 board member, employee, or agent of a processing organization.

15 "Processing organization agent identification card" means  
16 a document issued by the Department of Agriculture that  
17 identifies a person as a processing organization agent.

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

22 "Qualifying Applicant" means an applicant that submitted  
23 an application pursuant to Section 15-30 that received at  
24 least 85% of 250 application points available under Section  
25 15-30 as the applicant's final score and meets the definition  
26 of "Social Equity Applicant" as set forth under this Section.

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

8 "Qualified Social Equity Applicant" means a Social Equity  
9 Applicant who has been awarded a conditional license under  
10 this Act to operate a cannabis business establishment.

11 "Resided" means an individual's primary residence was  
12 located within the relevant geographic area as established by  
13 2 of the following:

14 (1) a signed lease agreement that includes the  
15 applicant's name;

16 (2) a property deed that includes the applicant's  
17 name;

18 (3) school records;

19 (4) a voter registration card;

20 (5) an Illinois driver's license, an Illinois  
21 Identification Card, or an Illinois Person with a  
22 Disability Identification Card;

23 (6) a paycheck stub;

24 (7) a utility bill;

25 (8) tax records; or

26 (9) any other proof of residency or other information

1 necessary to establish residence as provided by rule.

2 "Smoking" means the inhalation of smoke caused by the  
3 combustion of cannabis.

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

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

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

12 (i) have been arrested for, convicted of, or  
13 adjudicated delinquent for any offense that is  
14 eligible for expungement under this Act; or

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

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

19 (i) currently reside in a Disproportionately  
20 Impacted Area; or

21 (ii) have been arrested for, convicted of, or  
22 adjudicated delinquent for any offense that is  
23 eligible for expungement under this Act or member of  
24 an impacted family.

25 Nothing in this Act shall be construed to preempt or limit  
26 the duties of any employer under the Job Opportunities for

1 Qualified Applicants Act. Nothing in this Act shall permit an  
2 employer to require an employee to disclose sealed or expunged  
3 offenses, unless otherwise required by law.

4 "Tetrahydrocannabinol" or "THC" means any naturally  
5 occurring or synthetic tetrahydrocannabinol, including its  
6 salts, isomers, and salts of isomers whenever the existence of  
7 such salts, isomers, and salts of isomers is possible within  
8 the specific chemical designation and any preparation,  
9 mixture, or substance containing, or mixed or infused with,  
10 any detectable amount of tetrahydrocannabinol or  
11 tetrahydrocannabinolic acid, including, but not limited to,  
12 delta-8-tetrahydrocannabinol, delta-9-tetrahydrocannabinol,  
13 delta-10-tetrahydrocannabinol, tetrahydrocannabinolic acid,  
14 tetrahydrocannabiphorol, or hexahydrocannabinol, however  
15 derived, or any other substance determined to have similar  
16 intoxicating effects on the mind or body by the Department.  
17 For the purposes of this definition, "isomer" means the  
18 optical, position, and geometric isomers.

19 "Tied Applicant" means an application submitted by a  
20 Dispensary Applicant pursuant to Section 15-30 that received  
21 the same number of application points under Section 15-30 as  
22 the Dispensary Applicant's final score as one or more  
23 top-scoring applications in the same BLS Region and would have  
24 been awarded a license but for the one or more other  
25 top-scoring applications that received the same number of  
26 application points. Each application for which a Dispensary

1 Applicant was required to pay a required application fee for  
2 the application period ending January 2, 2020 shall be  
3 considered an application of a separate Tied Applicant.

4 "Tied Applicant Lottery" means the process established  
5 under 68 Ill. Adm. Code 1291.50 for awarding Conditional Adult  
6 Use Dispensing Organization Licenses pursuant to Sections  
7 15-25 and 15-30 among Eligible Tied Applicants.

8 "Tincture" means a cannabis-infused solution, typically  
9 comprised of alcohol, glycerin, or vegetable oils, derived  
10 either directly from the cannabis plant or from a processed  
11 cannabis extract. A tincture is not an alcoholic liquor as  
12 defined in the Liquor Control Act of 1934. A tincture shall  
13 include a calibrated dropper or other similar device capable  
14 of accurately measuring servings.

15 "Transporting organization" or "transporter" means an  
16 organization or business that is licensed by the Department of  
17 Agriculture to transport cannabis or cannabis-infused product  
18 on behalf of a cannabis business establishment or a community  
19 college licensed under the Community College Cannabis  
20 Vocational Training Pilot Program.

21 "Transporting organization agent" means a principal  
22 officer, board member, employee, or agent of a transporting  
23 organization.

24 "Transporting organization agent identification card"  
25 means a document issued by the Department of Agriculture that  
26 identifies a person as a transporting organization agent.

1 "Unit of local government" means any county, city,  
2 village, or incorporated town.

3 "Vegetative stage" means the stage of cultivation in which  
4 a cannabis plant is propagated to produce additional cannabis  
5 plants or reach a sufficient size for production. This  
6 includes seedlings, clones, mothers, and other immature  
7 cannabis plants as follows:

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

13 (2) any cannabis plant that is cultivated solely for  
14 the purpose of propagating clones and is never used to  
15 produce cannabis.

16 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
17 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
18 5-13-22.)

19 (410 ILCS 705/15-155)

20 Sec. 15-155. Unlicensed practice; violation; civil  
21 penalty.

22 (a) In addition to any other penalty provided by law, any  
23 person who practices, offers to practice, attempts to  
24 practice, or holds oneself out to practice as a licensed  
25 dispensing organization owner, principal officer,



1 agent-in-charge, or agent, cultivates, processes, distributes,  
2 sells, or offers for sale cannabis, cannabis-infused products,  
3 cannabis concentrates, or cannabis flower without being  
4 licensed under this Act shall, in addition to any other  
5 penalty provided by law, pay a civil penalty to the Department  
6 of Financial and Professional Regulation in an amount not to  
7 exceed \$10,000 for each offense as determined by the  
8 Department. Each day a person engages in unlicensed practice  
9 in violation of the provisions of this Section constitutes a  
10 separate offense. The civil penalty shall be assessed by the  
11 Department after a hearing is held in accordance with the  
12 provisions set forth in this Act regarding the provision of a  
13 hearing for the discipline of a licensee.

14 (b) The Department, the Attorney General, any State or  
15 local law enforcement agency, or any State's Attorney has the  
16 authority and power to investigate any and all unlicensed  
17 activity.

18 (c) The civil penalty shall be paid within 60 days after  
19 the effective date of the order imposing the civil penalty or  
20 in accordance with the order imposing the civil penalty. The  
21 order shall constitute a judgment and may be filed and  
22 execution had thereon in the same manner as any judgment from  
23 any court of this State.

24 (d) A violation of subsection (a) is an unlawful practice  
25 under Section 2 of the Consumer Fraud and Deceptive Business  
26 Practices Act. All remedies, penalties, and authority granted

1 to the Attorney General under that Act shall be available for  
2 the enforcement of this Act.

3 (e) Nothing in this Section prohibits a unit of local  
4 government from enacting a local law or ordinance to carry out  
5 enforcement activities and assess civil penalties against  
6 unlicensed cannabis sales.

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

8 (410 ILCS 705/20-60 new)

9 Sec. 20-60. Unlicensed practice; violation; civil penalty.

10 (a) In addition to any other penalty provided by law, any  
11 person who practices, offers to practice, attempts to  
12 practice, or holds oneself out to practice as a licensed  
13 cultivation center, infuser, or craft grower owner, principal  
14 officer, agent-in-charge, or agent or who cultivates,  
15 processes, distributes, sells, or offers for sale cannabis,  
16 cannabis-infused products, cannabis concentrates, or cannabis  
17 flower without being licensed under this Act shall, in  
18 addition to any other penalty provided by law, pay a civil  
19 penalty to the Department of Agriculture in an amount not to  
20 exceed \$10,000 for each offense. Each day any person engages  
21 in unlicensed practice in violation of the provisions of this  
22 Section constitutes a separate offense. The civil penalty  
23 shall be assessed by the Department after a hearing is held in  
24 accordance with the provisions set forth in this Act regarding  
25 hearings for the discipline of a licensee.

1       (b) The Department, the Attorney General, any State or  
2       local law enforcement agency, or any State's Attorney has the  
3       authority and power to investigate any and all unlicensed  
4       activity.

5       (c) The civil penalty shall be paid within 60 days after  
6       the effective date of the order imposing the civil penalty or  
7       in accordance with the order imposing the civil penalty. The  
8       order shall constitute a judgment and may be filed and  
9       execution had thereon in the same manner as any judgment from  
10       any court of this State.

11       (d) In addition to any other remedies or penalties  
12       provided by law, a unit of local government may suspend or  
13       revoke any locally established licenses held by the person,  
14       and prohibit the person from further operations and seize any  
15       cannabis or THC product.

16           (410 ILCS 705/30-30)

17           Sec. 30-30. Craft grower requirements; prohibitions.

18       (a) The operating documents of a craft grower shall  
19 include procedures for the oversight of the craft grower, a  
20 cannabis plant monitoring system including a physical  
21 inventory recorded weekly, accurate recordkeeping, and a  
22 staffing plan.

23       (b) A craft grower shall implement a security plan  
24 reviewed by the Illinois State Police that includes, but is  
25 not limited to: facility access controls, perimeter intrusion

1 detection systems, personnel identification systems, and a  
2 24-hour surveillance system to monitor the interior and  
3 exterior of the craft grower facility and that is accessible  
4 to authorized law enforcement and the Department of  
5 Agriculture in real time.

6 (c) All cultivation of cannabis by a craft grower must  
7 take place in an enclosed, locked facility at the physical  
8 address provided to the Department of Agriculture during the  
9 licensing process. The craft grower location shall only be  
10 accessed by the agents working for the craft grower, the  
11 Department of Agriculture staff performing inspections, the  
12 Department of Public Health staff performing inspections,  
13 State and local law enforcement or other emergency personnel,  
14 contractors working on jobs unrelated to cannabis, such as  
15 installing or maintaining security devices or performing  
16 electrical wiring, transporting organization agents as  
17 provided in this Act, or participants in the incubator  
18 program, individuals in a mentoring or educational program  
19 approved by the State, or other individuals as provided by  
20 rule. However, if a craft grower shares a premises with an  
21 infuser or dispensing organization, agents from those other  
22 licensees may access the craft grower portion of the premises  
23 if that is the location of common bathrooms, lunchrooms,  
24 locker rooms, or other areas of the building where work or  
25 cultivation of cannabis is not performed. At no time may an  
26 infuser or dispensing organization agent perform work at a

1 craft grower without being a registered agent of the craft  
2 grower.

3 (d) A craft grower may not sell or distribute any cannabis  
4 to any person other than a cultivation center, a craft grower,  
5 an infuser organization, a dispensing organization, or as  
6 otherwise authorized by rule.

7 (e) A craft grower may not be located in an area zoned for  
8 residential use.

9 (f) A craft grower may not either directly or indirectly  
10 discriminate in price between different cannabis business  
11 establishments that are purchasing a like grade, strain,  
12 brand, and quality of cannabis or cannabis-infused product.  
13 Nothing in this subsection (f) prevents a craft grower from  
14 pricing cannabis differently based on differences in the cost  
15 of manufacturing or processing, the quantities sold, such as  
16 volume discounts, or the way the products are delivered.

17 (g) All cannabis harvested by a craft grower and intended  
18 for distribution to a dispensing organization must be entered  
19 into a data collection system, packaged and labeled under  
20 Section 55-21, and, if distribution is to a dispensing  
21 organization that does not share a premises with the  
22 dispensing organization receiving the cannabis, placed into a  
23 cannabis container for transport. All cannabis harvested by a  
24 craft grower and intended for distribution to a cultivation  
25 center, to an infuser organization, or to a craft grower with  
26 which it does not share a premises, must be packaged in a

1 labeled cannabis container and entered into a data collection  
2 system before transport.

3 (h) Craft growers are subject to random inspections by the  
4 Department of Agriculture, local safety or health inspectors,  
5 the Illinois State Police, or as provided by rule.

6 (i) A craft grower agent shall notify local law  
7 enforcement, the Illinois State Police, and the Department of  
8 Agriculture within 24 hours of the discovery of any loss or  
9 theft. Notification shall be made by phone, in person, or  
10 written or electronic communication.

11 (j) A craft grower shall comply with all State and any  
12 applicable federal rules and regulations regarding the use of  
13 pesticides.

14 (k) A craft grower or craft grower agent shall not  
15 transport cannabis or cannabis-infused products to any other  
16 cannabis business establishment without a transport  
17 organization license unless:

18 (i) If the craft grower is located in a county with a  
19 population of 3,000,000 or more, the cannabis business  
20 establishment receiving the cannabis is within 2,000 feet  
21 of the property line of the craft grower;

22 (ii) If the craft grower is located in a county with a  
23 population of more than 700,000 but fewer than 3,000,000,  
24 the cannabis business establishment receiving the cannabis  
25 is within 2 miles of the craft grower; or

26 (iii) If the craft grower is located in a county with a

1 population of fewer than 700,000, the cannabis business  
2 establishment receiving the cannabis is within 15 miles of  
3 the craft grower.

4 (l) A craft grower may enter into a contract with a  
5 transporting organization to transport cannabis to a  
6 cultivation center, a craft grower, an infuser organization, a  
7 dispensing organization, or a laboratory.

8 (m) No person or entity shall hold any legal, equitable,  
9 ownership, or beneficial interest, directly or indirectly, of  
10 more than 3 craft grower licenses. Further, no person or  
11 entity that is employed by, an agent of, or has a contract to  
12 receive payment from or participate in the management of a  
13 craft grower, is a principal officer of a craft grower, or  
14 entity controlled by or affiliated with a principal officer of  
15 a craft grower shall hold any legal, equitable, ownership, or  
16 beneficial interest, directly or indirectly, in a craft grower  
17 license that would result in the person or entity owning or  
18 controlling in combination with any craft grower, principal  
19 officer of a craft grower, or entity controlled or affiliated  
20 with a principal officer of a craft grower by which he, she, or  
21 it is employed, is an agent of, or participates in the  
22 management of more than 3 craft grower licenses.

23 (n) It is unlawful for any person having a craft grower  
24 license or any officer, associate, member, representative, or  
25 agent of the licensee to offer or deliver money, or anything  
26 else of value, directly or indirectly, to any person having an

1 Early Approval Adult Use Dispensing Organization License, a  
2 Conditional Adult Use Dispensing Organization License, an  
3 Adult Use Dispensing Organization License, or a medical  
4 cannabis dispensing organization license issued under the  
5 Compassionate Use of Medical Cannabis Program Act, or to any  
6 person connected with or in any way representing, or to any  
7 member of the family of, the person holding an Early Approval  
8 Adult Use Dispensing Organization License, a Conditional Adult  
9 Use 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 stockholders in any  
13 corporation engaged in the retail sale of cannabis, or to any  
14 officer, manager, agent, or representative of the Early  
15 Approval Adult Use Dispensing Organization License, a  
16 Conditional Adult Use Dispensing Organization License, an  
17 Adult Use Dispensing Organization License, or a medical  
18 cannabis dispensing organization license issued under the  
19 Compassionate Use of Medical Cannabis Program Act to obtain  
20 preferential placement within the dispensing organization,  
21 including, without limitation, on shelves and in display cases  
22 where purchasers can view products, or on the dispensing  
23 organization's website.

24 (o) A craft grower shall not be located within 1,500 feet  
25 of another craft grower or a cultivation center.

26 (p) A craft grower may process cannabis, cannabis



1 concentrates, and cannabis-infused products.

2 (q) A craft grower must comply with any other requirements  
3 or prohibitions set by administrative rule of the Department  
4 of Agriculture.

5 (r) A craft grower may purchase a hemp-derived  
6 intoxicating product from a hemp consumer product manufacturer  
7 and offer a hemp-derived intoxicating product for sale to  
8 another cannabis business establishment. Once a hemp-derived  
9 intoxicating product is delivered to a craft grower, it is  
10 considered cannabis and the craft grower is responsible for  
11 ensuring the product meets all requirements of this Act.

12 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
13 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
14 5-13-22.)

15 (410 ILCS 705/35-25)

16 Sec. 35-25. Infuser organization requirements;  
17 prohibitions.

18 (a) The operating documents of an infuser shall include  
19 procedures for the oversight of the infuser, an inventory  
20 monitoring system including a physical inventory recorded  
21 weekly, accurate recordkeeping, and a staffing plan.

22 (b) An infuser shall implement a security plan reviewed by  
23 the Illinois State Police that includes, but is not limited  
24 to: facility access controls, perimeter intrusion detection  
25 systems, personnel identification systems, and a 24-hour

1 surveillance system to monitor the interior and exterior of  
2 the infuser facility and that is accessible to authorized law  
3 enforcement, the Department of Public Health, and the  
4 Department of Agriculture in real time.

5 (c) All processing of cannabis by an infuser must take  
6 place in an enclosed, locked facility at the physical address  
7 provided to the Department of Agriculture during the licensing  
8 process. The infuser location shall only be accessed by the  
9 agents working for the infuser, the Department of Agriculture  
10 staff performing inspections, the Department of Public Health  
11 staff performing inspections, State and local law enforcement  
12 or other emergency personnel, contractors working on jobs  
13 unrelated to cannabis, such as installing or maintaining  
14 security devices or performing electrical wiring, transporting  
15 organization agents as provided in this Act, participants in  
16 the incubator program, individuals in a mentoring or  
17 educational program approved by the State, local safety or  
18 health inspectors, or other individuals as provided by rule.  
19 However, if an infuser shares a premises with a craft grower or  
20 dispensing organization, agents from these other licensees may  
21 access the infuser portion of the premises if that is the  
22 location of common bathrooms, lunchrooms, locker rooms, or  
23 other areas of the building where processing of cannabis is  
24 not performed. At no time may a craft grower or dispensing  
25 organization agent perform work at an infuser without being a  
26 registered agent of the infuser.

1 (d) An infuser may not sell or distribute any cannabis to  
2 any person other than a dispensing organization, or as  
3 otherwise authorized by rule.

4 (e) An infuser may not either directly or indirectly  
5 discriminate in price between different cannabis business  
6 establishments that are purchasing a like grade, strain,  
7 brand, and quality of cannabis or cannabis-infused product.  
8 Nothing in this subsection (e) prevents an infuser from  
9 pricing cannabis differently based on differences in the cost  
10 of manufacturing or processing, the quantities sold, such  
11 volume discounts, or the way the products are delivered.

12 (f) All cannabis infused by an infuser and intended for  
13 distribution to a dispensing organization must be entered into  
14 a data collection system, packaged and labeled under Section  
15 55-21, and, if distribution is to a dispensing organization  
16 that does not share a premises with the infuser, placed into a  
17 cannabis container for transport. All cannabis produced by an  
18 infuser and intended for distribution to a cultivation center,  
19 infuser organization, or craft grower with which it does not  
20 share a premises, must be packaged in a labeled cannabis  
21 container and entered into a data collection system before  
22 transport.

23 (g) Infusers are subject to random inspections by the  
24 Department of Agriculture, the Department of Public Health,  
25 the Illinois State Police, local law enforcement, or as  
26 provided by rule.

1 (h) An infuser agent shall notify local law enforcement,  
2 the Illinois State Police, and the Department of Agriculture  
3 within 24 hours of the discovery of any loss or theft.  
4 Notification shall be made by phone, in person, or by written  
5 or electronic communication.

6 (i) An infuser organization may not be located in an area  
7 zoned for residential use.

8 (j) An infuser or infuser agent shall not transport  
9 cannabis or cannabis-infused products to any other cannabis  
10 business establishment without a transport organization  
11 license unless:

12 (i) If the infuser is located in a county with a  
13 population of 3,000,000 or more, the cannabis business  
14 establishment receiving the cannabis or cannabis-infused  
15 product is within 2,000 feet of the property line of the  
16 infuser;

17 (ii) If the infuser is located in a county with a  
18 population of more than 700,000 but fewer than 3,000,000,  
19 the cannabis business establishment receiving the cannabis  
20 or cannabis-infused product is within 2 miles of the  
21 infuser; or

22 (iii) If the infuser is located in a county with a  
23 population of fewer than 700,000, the cannabis business  
24 establishment receiving the cannabis or cannabis-infused  
25 product is within 15 miles of the infuser.

26 (k) An infuser may enter into a contract with a

1 transporting organization to transport cannabis to a  
2 dispensing organization or a laboratory.

3 (l) An infuser organization may share premises with a  
4 craft grower or a dispensing organization, or both, provided  
5 each licensee stores currency and cannabis or cannabis-infused  
6 products in a separate secured vault to which the other  
7 licensee does not have access or all licensees sharing a vault  
8 share more than 50% of the same ownership.

9 (m) It is unlawful for any person or entity having an  
10 infuser organization license or any officer, associate,  
11 member, representative or agent of such licensee to offer or  
12 deliver money, or anything else of value, directly or  
13 indirectly to any person having an Early Approval Adult Use  
14 Dispensing Organization License, a Conditional Adult Use  
15 Dispensing Organization License, an Adult Use Dispensing  
16 Organization License, or a medical cannabis dispensing  
17 organization license issued under the Compassionate Use of  
18 Medical Cannabis Program Act, or to any person connected with  
19 or in any way representing, or to any member of the family of,  
20 such person holding 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 stockholders in any corporation engaged the  
26 retail sales of cannabis, or to any officer, manager, agent,

1 or representative of the Early Approval Adult Use Dispensing  
2 Organization License, a Conditional Adult Use Dispensing  
3 Organization License, an Adult Use Dispensing Organization  
4 License, or a medical cannabis dispensing organization license  
5 issued under the Compassionate Use of Medical Cannabis Program  
6 Act to obtain preferential placement within the dispensing  
7 organization, including, without limitation, on shelves and in  
8 display cases where purchasers can view products, or on the  
9 dispensing organization's website.

10 (n) At no time shall an infuser organization or an infuser  
11 agent perform the extraction of cannabis concentrate from  
12 cannabis flower.

13 (o) An infuser may purchase a hemp-derived intoxicating  
14 product from a hemp consumer product manufacturer and offer a  
15 hemp-derived intoxicating product for sale to another cannabis  
16 business establishment. Once a hemp-derived intoxicating  
17 product is delivered to an infuser, it is considered cannabis  
18 and the infuser is responsible for ensuring the product meets  
19 all requirements of this Act.

20 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
21 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.  
22 5-13-22.)

23 (410 ILCS 705/55-5.5 new)

24 Sec. 55-5.5. Use of hemp in cannabis-infused products.

25 (a) For purposes of this Section, "industrial hemp" has

1 the meaning given to it under the Industrial Hemp Act.

2 (b) Cannabis business establishments licensed by the  
3 Department of Agriculture for cultivation, growing,  
4 processing, manufacturing, or infusing of medical or adult use  
5 cannabis products pursuant to this Act or the Compassionate  
6 Use of Medical Cannabis Program Act may use industrial hemp as  
7 an ingredient in cannabis-infused products offered for sale at  
8 licensed dispensaries in Illinois. Hemp flower shall not be  
9 sold to dispensaries.

10 (c) All hemp obtained under this Section must be used in  
11 extracted form and in infused cannabis products only.

12 (d) Industrial hemp may be procured from third-party  
13 licensed growers or manufacturers from within the State or any  
14 other state with a regulated industrial hemp program.

15 (e) All hemp and hemp derivatives shall be obtained from a  
16 licensed or registered hemp grower or manufacturer, regardless  
17 of the home state of the grower or manufacturer. Cannabis  
18 producers shall provide a copy of the hemp grower's or  
19 manufacturer's State-issued license upon demand of the  
20 Department of Agriculture or the Illinois State Police.

21 (f) Industrial hemp flower and biomass may be purchased  
22 and extracted by licensed cannabis cultivation centers or  
23 licensed craft growers.

24 (g) Licensed cannabis cultivation centers and licensed  
25 craft growers may procure or process industrial hemp in the  
26 form of distillate or isolate. Licensed infusers may procure

1 industrial hemp in the form of distillate or isolate.

2 (h) Hemp and hemp derivatives may not be used to  
3 concentrate or to synthesize intoxicating compounds and may  
4 not exceed 0.3% THC.

5 (l) Final products containing hemp or hemp derivatives  
6 sold by a cannabis business establishment shall be  
7 cannabis-infused products and shall be subject to the  
8 requirements of the Compassionate Use of Medical Cannabis Act  
9 and the Cannabis Regulation and Tax Act and any applicable  
10 administrative rules.

11 (410 ILCS 705/55-35)

12 Sec. 55-35. Administrative rulemaking.

13 (a) No later than 180 days after the effective date of this  
14 Act, the Department of Agriculture, the Illinois State Police,  
15 the Department of Financial and Professional Regulation, the  
16 Department of Revenue, the Department of Commerce and Economic  
17 Opportunity, and the Treasurer's Office shall adopt permanent  
18 rules in accordance with their responsibilities under this  
19 Act. The Department of Agriculture, the Illinois State Police,  
20 the Department of Financial and Professional Regulation, the  
21 Department of Revenue, and the Department of Commerce and  
22 Economic Opportunity may adopt rules necessary to regulate  
23 personal cannabis use through the use of emergency rulemaking  
24 in accordance with subsection (gg) of Section 5-45 of the  
25 Illinois Administrative Procedure Act. The General Assembly



1 finds that the adoption of rules to regulate cannabis use is  
2 deemed an emergency and necessary for the public interest,  
3 safety, and welfare.

4 (b) The Department of Agriculture rules may address, but  
5 are not limited to, the following matters related to  
6 cultivation centers, craft growers, infuser organizations, and  
7 transporting organizations with the goal of protecting against  
8 diversion and theft, without imposing an undue burden on the  
9 cultivation centers, craft growers, infuser organizations, or  
10 transporting organizations:

11 (1) oversight requirements for cultivation centers,  
12 craft growers, infuser organizations, and transporting  
13 organizations;

14 (2) recordkeeping requirements for cultivation  
15 centers, craft growers, infuser organizations, and  
16 transporting organizations;

17 (3) security requirements for cultivation centers,  
18 craft growers, infuser organizations, and transporting  
19 organizations, which shall include that each cultivation  
20 center, craft grower, infuser organization, and  
21 transporting organization location must be protected by a  
22 fully operational security alarm system;

23 (4) standards for enclosed, locked facilities under  
24 this Act;

25 (5) procedures for suspending or revoking the  
26 identification cards of agents of cultivation centers,

1 craft growers, infuser organizations, and transporting  
2 organizations that commit violations of this Act or the  
3 rules adopted under this Section;

4 (6) rules concerning the intrastate transportation of  
5 cannabis from a cultivation center, craft grower, infuser  
6 organization, and transporting organization to a  
7 dispensing organization;

8 (7) standards concerning the testing, quality,  
9 cultivation, and processing of cannabis; ~~and~~

10 (7.5) standards and rules for the investigation and  
11 enforcement of unregulated and unlicensed sale of cannabis  
12 and cannabis products; and

13 (8) any other matters under oversight by the  
14 Department of Agriculture as are necessary for the fair,  
15 impartial, stringent, and comprehensive administration of  
16 this Act.

17 (b-5) Notwithstanding any standards and rules developed  
18 under paragraph (7.5) of subsection (b) of this Section, the  
19 Department of Agriculture shall update through official  
20 guidance and publish publicly on its website the cannabinoids  
21 that it deems tetrahydrocannabinol or THC on or before January  
22 1 and July 1 of each calendar year.

23 (c) The Department of Financial and Professional  
24 Regulation rules may address, but are not limited to, the  
25 following matters related to dispensing organizations, with  
26 the goal of protecting against diversion and theft, without

1 imposing an undue burden on the dispensing organizations:

2 (1) oversight requirements for dispensing  
3 organizations;

4 (2) recordkeeping requirements for dispensing  
5 organizations;

6 (3) security requirements for dispensing  
7 organizations, which shall include that each dispensing  
8 organization location must be protected by a fully  
9 operational security alarm system;

10 (4) procedures for suspending or revoking the licenses  
11 of dispensing organization agents that commit violations  
12 of this Act or the rules adopted under this Act;

13 (4.5) standards and rules for the investigation and  
14 enforcement of unregulated and unlicensed sale of cannabis  
15 and cannabis products; and

16 (5) any other matters under oversight by the  
17 Department of Financial and Professional Regulation that  
18 are necessary for the fair, impartial, stringent, and  
19 comprehensive administration of this Act.

20 (d) The Department of Revenue rules may address, but are  
21 not limited to, the following matters related to the payment  
22 of taxes by cannabis business establishments:

23 (1) recording of sales;

24 (2) documentation of taxable income and expenses;

25 (3) transfer of funds for the payment of taxes; or

26 (4) any other matter under the oversight of the

1 Department of Revenue.

2 (e) The Department of Commerce and Economic Opportunity  
3 rules may address, but are not limited to, a loan program or  
4 grant program to assist Social Equity Applicants access the  
5 capital needed to start a cannabis business establishment. The  
6 names of recipients and the amounts of any moneys received  
7 through a loan program or grant program shall be a public  
8 record.

9 (f) The Illinois State Police rules may address  
10 enforcement of its authority under this Act. The Illinois  
11 State Police shall not make rules that infringe on the  
12 exclusive authority of the Department of Financial and  
13 Professional Regulation or the Department of Agriculture over  
14 licensees under this Act.

15 (g) The Department of Human Services shall develop and  
16 disseminate:

17 (1) educational information about the health risks  
18 associated with the use of cannabis; and

19 (2) one or more public education campaigns in  
20 coordination with local health departments and community  
21 organizations, including one or more prevention campaigns  
22 directed at children, adolescents, parents, and pregnant  
23 or breastfeeding women, to inform them of the potential  
24 health risks associated with intentional or unintentional  
25 cannabis use.

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

1 102-538, eff. 8-20-21.)

2 (410 ILCS 705/60-10)

3 Sec. 60-10. Tax imposed.

4 (a) Beginning September 1, 2019, a tax is imposed upon the  
5 privilege of cultivating cannabis at the rate of 7% of the  
6 gross receipts from the first sale of cannabis by a  
7 cultivator. The sale of any product that contains any amount  
8 of cannabis or any derivative thereof is subject to the tax  
9 under this Section on the full selling price of the product.  
10 The Department may determine the selling price of the cannabis  
11 when the seller and purchaser are affiliated persons, when the  
12 sale and purchase of cannabis is not an arm's length  
13 transaction, or when cannabis is transferred by a craft grower  
14 to the craft grower's dispensing organization or infuser or  
15 processing organization and a value is not established for the  
16 cannabis. The value determined by the Department shall be  
17 commensurate with the actual price received for products of  
18 like quality, character, and use in the area. If there are no  
19 sales of cannabis of like quality, character, and use in the  
20 same area, then the Department shall establish a reasonable  
21 value based on sales of products of like quality, character,  
22 and use in other areas of the State, taking into consideration  
23 any other relevant factors.

24 (a-5) Beginning January 1, 2026, a tax is imposed upon the  
25 privilege of processing hemp-derived intoxicating products at

1 the rate of 7% of the gross receipts from the hemp  
2 manufacturer's sale of a hemp-derived intoxicating product to  
3 a craft grower or infuser. The sale of any hemp-derived  
4 intoxicating product as defined in the Hemp Consumer Products  
5 Act is subject to the tax under this Section on the full  
6 selling price of the product. The Department may determine the  
7 selling price of the hemp-derived intoxicating product when  
8 the seller and purchaser are affiliated persons or when the  
9 sale and purchase of a hemp-derived intoxicating product is  
10 not an arm's length transaction. The value determined by the  
11 Department shall be commensurate with the actual price  
12 received for products of like quality, character, and use in  
13 the area. If there are no sales of hemp-derived intoxicating  
14 products of like quality, character, and use in the same area,  
15 then the Department shall establish a reasonable value based  
16 on sales of products of like quality, character, and use in  
17 other areas of the State, taking into consideration any other  
18 relevant factors.

19 (b) The Cannabis Cultivation Privilege Tax imposed under  
20 this Article is solely the responsibility of the cultivator  
21 who makes the first sale and is not the responsibility of a  
22 subsequent purchaser, a dispensing organization, or an  
23 infuser. Persons subject to the tax imposed under this Article  
24 may, however, reimburse themselves for their tax liability  
25 hereunder by separately stating reimbursement for their tax  
26 liability as an additional charge.

1 (c) The tax imposed under this Article shall be in  
2 addition to all other occupation, privilege, or excise taxes  
3 imposed by the State of Illinois or by any unit of local  
4 government.

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

6 (410 ILCS 705/60-15)

7 Sec. 60-15. Registration of cultivators. Every cultivator  
8 and craft grower subject to the tax under this Article shall  
9 apply to the Department of Revenue for a certificate of  
10 registration under this Article. All applications for  
11 registration under this Article shall be made by electronic  
12 means in the form and manner required by the Department. For  
13 that purpose, the provisions of Section 2a of the Retailers'  
14 Occupation Tax Act are incorporated into this Article to the  
15 extent not inconsistent with this Article. In addition, no  
16 certificate of registration shall be issued under this Article  
17 unless the applicant is licensed under this Act or is licensed  
18 as a hemp consumer products manufacturer under the Hemp  
19 Consumer Products Act.

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

21 (410 ILCS 705/60-20)

22 Sec. 60-20. Return and payment of cannabis cultivation  
23 privilege tax. Each person who is required to pay the tax  
24 imposed by this Article shall make a return to the Department

1 on or before the 20th day of each month for the preceding  
2 calendar month stating the following:

3 (1) the taxpayer's name;

4 (2) the address of the taxpayer's principal place of  
5 business and the address of the principal place of  
6 business (if that is a different address) from which the  
7 taxpayer is engaged in the business of cultivating  
8 cannabis subject to tax under this Article;

9 (3) the total amount of receipts received by the  
10 taxpayer during the preceding calendar month from sales of  
11 cannabis or hemp-derived intoxicating products subject to  
12 tax under this Article by the taxpayer during the  
13 preceding calendar month;

14 (4) the total amount received by the taxpayer during  
15 the preceding calendar month on charge and time sales of  
16 cannabis subject to tax imposed under this Article by the  
17 taxpayer before the month for which the return is filed;

18 (5) deductions allowed by law;

19 (6) gross receipts that were received by the taxpayer  
20 during the preceding calendar month and upon the basis of  
21 which the tax is imposed;

22 (7) the amount of tax due;

23 (8) the signature of the taxpayer; and

24 (9) any other information as the Department may  
25 reasonably require.

26 All returns required to be filed and payments required to



1 be made under this Article shall be by electronic means.  
2 Taxpayers who demonstrate hardship in paying electronically  
3 may petition the Department to waive the electronic payment  
4 requirement. The Department may require a separate return for  
5 the tax under this Article or combine the return for the tax  
6 under this Article with the return for the tax under the  
7 Compassionate Use of Medical Cannabis Program Act. If the  
8 return for the tax under this Article is combined with the  
9 return for tax under the Compassionate Use of Medical Cannabis  
10 Program Act, then the vendor's discount allowed under this  
11 Section and any cap on that discount shall apply to the  
12 combined return. The taxpayer making the return provided for  
13 in this Section shall also pay to the Department, in  
14 accordance with this Section, the amount of tax imposed by  
15 this Article, less a discount of 1.75%, but not to exceed  
16 \$1,000 per return period, which is allowed to reimburse the  
17 taxpayer for the expenses incurred in keeping records,  
18 collecting tax, preparing and filing returns, remitting the  
19 tax, and supplying data to the Department upon request. No  
20 discount may be claimed by a taxpayer on returns not timely  
21 filed and for taxes not timely remitted. No discount may be  
22 claimed by a taxpayer for any return that is not filed  
23 electronically. No discount may be claimed by a taxpayer for  
24 any payment that is not made electronically, unless a waiver  
25 has been granted under this Section. Any amount that is  
26 required to be shown or reported on any return or other

1 document under this Article shall, if the amount is not a  
2 whole-dollar amount, be increased to the nearest whole-dollar  
3 amount if the fractional part of a dollar is \$0.50 or more and  
4 decreased to the nearest whole-dollar amount if the fractional  
5 part of a dollar is less than \$0.50. If a total amount of less  
6 than \$1 is payable, refundable, or creditable, the amount  
7 shall be disregarded if it is less than \$0.50 and shall be  
8 increased to \$1 if it is \$0.50 or more. Notwithstanding any  
9 other provision of this Article concerning the time within  
10 which a taxpayer may file a return, any such taxpayer who  
11 ceases to engage in the kind of business that makes the person  
12 responsible for filing returns under this Article shall file a  
13 final return under this Article with the Department within one  
14 month after discontinuing such business.

15 Each taxpayer under this Article shall make estimated  
16 payments to the Department on or before the 7th, 15th, 22nd,  
17 and last day of the month during which tax liability to the  
18 Department is incurred. The payments shall be in an amount not  
19 less than the lower of either 22.5% of the taxpayer's actual  
20 tax liability for the month or 25% of the taxpayer's actual tax  
21 liability for the same calendar month of the preceding year.  
22 The amount of the quarter-monthly payments shall be credited  
23 against the final tax liability of the taxpayer's return for  
24 that month. If any quarter-monthly payment is not paid at the  
25 time or in the amount required by this Section, then the  
26 taxpayer shall be liable for penalties and interest on the

1 difference between the minimum amount due as a payment and the  
2 amount of the quarter-monthly payment actually and timely  
3 paid, except insofar as the taxpayer has previously made  
4 payments for that month to the Department in excess of the  
5 minimum payments previously due as provided in this Section.

6 If any payment provided for in this Section exceeds the  
7 taxpayer's liabilities under this Article, as shown on an  
8 original monthly return, the Department shall, if requested by  
9 the taxpayer, issue to the taxpayer a credit memorandum no  
10 later than 30 days after the date of payment. The credit  
11 evidenced by the credit memorandum may be assigned by the  
12 taxpayer to a similar taxpayer under this Act, in accordance  
13 with reasonable rules to be prescribed by the Department. If  
14 no such request is made, the taxpayer may credit the excess  
15 payment against tax liability subsequently to be remitted to  
16 the Department under this Act, in accordance with reasonable  
17 rules prescribed by the Department. If the Department  
18 subsequently determines that all or any part of the credit  
19 taken was not actually due to the taxpayer, the taxpayer's  
20 discount shall be reduced, if necessary, to reflect the  
21 difference between the credit taken and that actually due, and  
22 that taxpayer shall be liable for penalties and interest on  
23 the difference.

24 If a taxpayer fails to sign a return within 30 days after  
25 the proper notice and demand for signature by the Department  
26 is received by the taxpayer, the return shall be considered

1 valid and any amount shown to be due on the return shall be  
2 deemed assessed.

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

4 Section 820. The Industrial Hemp Act is amended by  
5 changing Sections 5, 10, and 20 and by adding Section 30 as  
6 follows:

7 (505 ILCS 89/5)

8 Sec. 5. Definitions. In this Act:

9 "Department" means the Department of Agriculture.

10 "Director" means the Director of Agriculture.

11 "Hemp" or "industrial hemp" means the plant species  
12 Cannabis sativa L. and any part of that plant, including the  
13 seeds thereof and all derivatives, extracts, cannabinoids,  
14 isomers, acids, salts, and salts of isomers, whether growing  
15 or not, with a total delta-9 tetrahydrocannabinol  
16 concentration of not more than 0.3 percent on a dry weight  
17 basis. "Hemp" or "industrial hemp" means the plant Cannabis  
18 sativa L. and any part of that plant, whether growing or not,  
19 with a delta-9 tetrahydrocannabinol concentration of not more  
20 than 0.3 percent on a dry weight basis and includes any  
21 intermediate or finished product made or derived from  
22 industrial hemp.

23 "Hemp production plan" means a plan submitted by the  
24 Department to the Secretary of the United States Department of

1 Agriculture pursuant to the federal Agriculture Improvement  
2 Act of 2018, Public Law 115-334, and consistent with the  
3 Domestic Hemp Production Program pursuant to 7 CFR Part 990  
4 wherein the Department establishes its desire to have primary  
5 regulatory authority over the production of hemp.

6 "Industrial hemp processor" means any entity that  
7 processes or handles industrial hemp into a final product not  
8 intended for human or animal consumption that is registered  
9 with the Department. "Industrial hemp processor" includes,  
10 until the availability of a hemp consumer product manufacturer  
11 license under the Hemp Consumer Product Act, any entity that  
12 processes or handles industrial hemp.

13 "Industrial hemp product" means any finished product made  
14 or derived from industrial hemp that is not intended for human  
15 or animal consumption by any means. "Industrial hemp product"  
16 does not include any edible, topical, or beverage product or  
17 any product that may be smoked or vaped.

18 "Land area" means a farm as defined in Section 1-60 of the  
19 Property Tax Code in this State or land or facilities under the  
20 control of an institution of higher education.

21 "Person" means any individual, partnership, firm,  
22 corporation, company, society, association, the State or any  
23 department, agency, or subdivision thereof, or any other  
24 entity.

25 ~~"Process" means the conversion of raw industrial hemp~~  
26 ~~plant material into a form that is presently legal to import~~

1 ~~from outside the United States under federal law.~~

2 ~~"THC" means delta-9 tetrahydrocannabinol.~~

3 (Source: P.A. 102-690, eff. 12-17-21.)

4 (505 ILCS 89/10)

5 Sec. 10. Licenses and registration.

6 (a) No person shall cultivate industrial hemp in this  
7 State without a license issued by the Department.

8 (b) The application for a license shall include:

9 (1) the name and address of the applicant;

10 (2) the legal description of the land area, including  
11 Global Positioning System coordinates, to be used to  
12 cultivate industrial hemp; and

13 (3) if federal law requires a research purpose for the  
14 cultivation of industrial hemp, a description of one or  
15 more research purposes planned for the cultivation of  
16 industrial hemp which may include the study of the growth,  
17 cultivation, or marketing of industrial hemp; however, the  
18 research purpose requirement shall not be construed to  
19 limit the commercial sale of industrial hemp.

20 (b-5) A person shall not process industrial hemp in this  
21 State without registering with the Department as an industrial  
22 hemp processor on a form prescribed by the Department.

23 (c) The Department may determine, by rule, the duration of  
24 a license or registration; application, registration, and  
25 license fees; and the requirements for license or registration

1 renewal.

2 (Source: P.A. 102-690, eff. 12-17-21.)

3 (505 ILCS 89/20)

4 Sec. 20. Hemp products. Nothing in this Act shall alter  
5 the legality of industrial hemp or hemp products not intended  
6 for human or animal consumption by any means. The manufacture,  
7 sale, and advertisement of all hemp or hemp products that are  
8 intended for human or animal consumption by any means are  
9 regulated under the Hemp Consumer Products Act ~~hemp or hemp~~  
10 ~~products that are presently legal to possess or own.~~

11 (Source: P.A. 100-1091, eff. 8-26-18.)

12 (505 ILCS 89/30 new)

13 Sec. 30. Industrial Hemp processing.

14 (a) A person may not process industrial hemp in this State  
15 without registering with the Department on a form prescribed  
16 by the Department.

17 (b) The application shall include:

18 (1) the name and address of the applicant; and

19 (2) the address of the location at which hemp will be  
20 processed.

21 (3) A certification that the hemp processor shall not  
22 produce, process or manufacture any product derived from  
23 hemp intended for human or animal consumption or produce,  
24 process, or manufacture any product that will be provided,

1 transferred or sold to a different entity that will create  
2 products intended for human or animal consumption.

3 (4) A description of the processes that the industrial  
4 hemp processor will be performing.

5 (c) The Department may determine, by rule, the duration of  
6 a hemp processor registration, application, and registration  
7 fees, and the requirements for registration renewal.

8 (d) An industrial hemp processor shall be prohibited from  
9 extracting, concentrating, or synthesizing hemp  
10 phytocannabinoids.

11 (e) Beginning January 1, 2026, all active hemp processing  
12 registrations that process or manufacture products derived  
13 from hemp intended for human or animal consumption shall be  
14 regulated under the Hemp Consumer Products Act. Hemp  
15 processing shall not be regulated under the Industrial Hemp  
16 Act. By January 1, 2026, the Department of Agriculture shall  
17 create a process to provide each active hemp processor  
18 registrant that processes or produces products intended for  
19 human or animal consumption by any means with a Hemp Consumer  
20 Products Act hemp consumer product manufacturer license.

21 (f) The Department may revoke the registration of any  
22 industrial hemp processor that processes or manufactures  
23 products derived from hemp intended for human or animal  
24 consumption and fails to register as a hemp consumer product  
25 manufacturer under the Hemp Consumer Products Act by March 1,  
26 2026. All industrial hemp processors that are not processing



1 or manufacturing products derived from hemp intended for human  
2 or animal consumption shall provide the Department with a  
3 certification that they are not processing or manufacturing  
4 products intended for human or animal consumption by March 1,  
5 2026. The Department may revoke the registration of any  
6 industrial hemp processor that fails to provide the Department  
7 with a certification by March 1, 2026.

8 (g) The Department may inspect industrial hemp processors  
9 to ensure compliance with this Act and administrative rules.

10 (h) On and after the effective date of this amendatory Act  
11 of the 104th General Assembly, cannabis business  
12 establishments licensed under the Cannabis Regulation and Tax  
13 Act are not required to obtain a hemp processor registration  
14 or hemp consumer product manufacturer license.

15 Section 825. The Cannabis Control Act is amended by  
16 changing Sections 3, 4, 5, and 5.1 as follows:

17 (720 ILCS 550/3) (from Ch. 56 1/2, par. 703)

18 Sec. 3. As used in this Act, unless the context otherwise  
19 requires:

20 (a) "Cannabis" includes marihuana, hashish and other  
21 substances which are identified as including any parts of the  
22 plant Cannabis Sativa, whether growing or not; the seeds  
23 thereof, the resin extracted from any part of such plant; and  
24 any compound, manufacture, salt, derivative, mixture, or

1 preparation of such plant, its seeds, or resin, including  
2 tetrahydrocannabinol (THC) and all other cannabinol  
3 derivatives, including its naturally occurring or  
4 synthetically produced ingredients, whether produced directly  
5 or indirectly by extraction, or independently by means of  
6 chemical synthesis or by a combination of extraction and  
7 chemical synthesis, including, but not limited to, any  
8 structural, optical, or geometric isomers of THC, or any  
9 chemical compound that mimics THC; but shall not include the  
10 mature stalks of such plant, fiber produced from such stalks,  
11 oil or cake made from the seeds of such plant, any other  
12 compound, manufacture, salt, derivative, mixture, or  
13 preparation of such mature stalks (except the resin extracted  
14 therefrom), fiber, oil or cake, or the sterilized seed of such  
15 plant which is incapable of germination.

16 (b) "Casual delivery" means the delivery of not more than  
17 10 grams of any substance containing cannabis without  
18 consideration.

19 (c) "Department" means the Illinois Department of Human  
20 Services (as successor to the Department of Alcoholism and  
21 Substance Abuse) or its successor agency.

22 (d) "Deliver" or "delivery" means the actual, constructive  
23 or attempted transfer of possession of cannabis, with or  
24 without consideration, whether or not there is an agency  
25 relationship.

26 (e) (Blank).

1 (f) "Director" means the Director of the Illinois State  
2 Police or his designated agent.

3 (g) "Local authorities" means a duly organized State,  
4 county, or municipal peace unit or police force.

5 (h) "Manufacture" means the production, preparation,  
6 propagation, compounding, conversion or processing of  
7 cannabis, either directly or indirectly, by extraction from  
8 substances of natural origin, or independently by means of  
9 chemical synthesis, or by a combination of extraction and  
10 chemical synthesis, and includes any packaging or repackaging  
11 of cannabis or labeling of its container, except that this  
12 term does not include the preparation, compounding, packaging,  
13 or labeling of cannabis as an incident to lawful research,  
14 teaching, or chemical analysis and not for sale.

15 (i) "Person" means any individual, corporation, government  
16 or governmental subdivision or agency, business trust, estate,  
17 trust, partnership or association, or any other entity.

18 (j) "Produce" or "production" means planting, cultivating,  
19 tending or harvesting.

20 (k) "State" includes the State of Illinois and any state,  
21 district, commonwealth, territory, insular possession thereof,  
22 and any area subject to the legal authority of the United  
23 States of America.

24 (l) "Subsequent offense" means an offense under this Act,  
25 the offender of which, prior to his conviction of the offense,  
26 has at any time been convicted under this Act or under any laws

1 of the United States or of any state relating to cannabis, or  
2 any controlled substance as defined in the Illinois Controlled  
3 Substances Act.

4 (m) "Tetrahydrocannabinol" or "THC" means any naturally  
5 occurring or synthetic tetrahydrocannabinol, including its  
6 salts, isomers, and salts of isomers whenever the existence of  
7 such salts, isomers, and salts of isomers is possible within  
8 the specific chemical designation and any preparation,  
9 mixture, or substance containing, or mixed or infused with,  
10 any detectable amount of tetrahydrocannabinol or  
11 tetrahydrocannabinolic acid, including, but not limited to,  
12 delta-8-tetrahydrocannabinol, delta-9-tetrahydrocannabinol,  
13 delta-10-tetrahydrocannabinol, tetrahydrocannabinolic acid,  
14 tetrahydrocannabipheryl, or hexahydrocannabinol, however  
15 derived, or any other substance determined to have similar  
16 intoxicating effects on the mind or body by the Department of  
17 Agriculture. As used in this definition, "isomer" means the  
18 optical, position, and geometric isomers.

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

20 (720 ILCS 550/4) (from Ch. 56 1/2, par. 704)

21 Sec. 4. Except as otherwise provided in the Cannabis  
22 Regulation and Tax Act, Hemp Consumer Products Act, and the  
23 Industrial Hemp Act, it is unlawful for any person knowingly  
24 to possess cannabis.

25 Any person who violates this Section with respect to:

1 (a) not more than 10 grams of any substance containing  
2 cannabis is guilty of a civil law violation punishable by  
3 a minimum fine of \$100 and a maximum fine of \$200. The  
4 proceeds of the fine shall be payable to the clerk of the  
5 circuit court. Within 30 days after the deposit of the  
6 fine, the clerk shall distribute the proceeds of the fine  
7 as follows:

8 (1) \$10 of the fine to the circuit clerk and \$10 of  
9 the fine to the law enforcement agency that issued the  
10 citation; the proceeds of each \$10 fine distributed to  
11 the circuit clerk and each \$10 fine distributed to the  
12 law enforcement agency that issued the citation for  
13 the violation shall be used to defer the cost of  
14 automatic expungements under paragraph (2.5) of  
15 subsection (a) of Section 5.2 of the Criminal  
16 Identification Act;

17 (2) \$15 to the county to fund drug addiction  
18 services;

19 (3) \$10 to the Office of the State's Attorneys  
20 Appellate Prosecutor for use in training programs;

21 (4) \$10 to the State's Attorney; and

22 (5) any remainder of the fine to the law  
23 enforcement agency that issued the citation for the  
24 violation.

25 With respect to funds designated for the Illinois  
26 State Police, the moneys shall be remitted by the circuit

1 court clerk to the Illinois State Police within one month  
2 after receipt for deposit into the State Police Operations  
3 Assistance Fund. With respect to funds designated for the  
4 Department of Natural Resources, the Department of Natural  
5 Resources shall deposit the moneys into the Conservation  
6 Police Operations Assistance Fund;

7 (b) more than 10 grams but not more than 30 grams of  
8 any substance containing cannabis is guilty of a Class B  
9 misdemeanor;

10 (c) more than 30 grams but not more than 100 grams of  
11 any substance containing cannabis is guilty of a Class A  
12 misdemeanor; provided, that if any offense under this  
13 subsection (c) is a subsequent offense, the offender shall  
14 be guilty of a Class 4 felony;

15 (d) more than 100 grams but not more than 500 grams of  
16 any substance containing cannabis is guilty of a Class 4  
17 felony; provided that if any offense under this subsection  
18 (d) is a subsequent offense, the offender shall be guilty  
19 of a Class 3 felony;

20 (e) more than 500 grams but not more than 2,000 grams  
21 of any substance containing cannabis is guilty of a Class  
22 3 felony;

23 (f) more than 2,000 grams but not more than 5,000  
24 grams of any substance containing cannabis is guilty of a  
25 Class 2 felony;

26 (g) more than 5,000 grams of any substance containing

1           cannabis is guilty of a Class 1 felony.

2           Fines and assessments, such as fees or administrative  
3 costs, authorized under this Section shall not be ordered or  
4 imposed against a minor subject to Article III, IV, or V of the  
5 Juvenile Court Act of 1987, or a minor under the age of 18  
6 transferred to adult court or excluded from juvenile court  
7 jurisdiction under Article V of the Juvenile Court Act of  
8 1987, or the minor's parent, guardian, or legal custodian.

9           (Source: P.A. 102-538, eff. 8-20-21; 103-379, eff. 7-28-23.)

10           (720 ILCS 550/5) (from Ch. 56 1/2, par. 705)

11           Sec. 5. Except as otherwise provided in the Cannabis  
12 Regulation and Tax Act, Hemp Consumer Products Act, and the  
13 Industrial Hemp Act, it is unlawful for any person knowingly  
14 to manufacture, deliver, or possess with intent to deliver, or  
15 manufacture, cannabis. Any person who violates this Section  
16 with respect to:

17           (a) not more than 2.5 grams of any substance  
18 containing cannabis is guilty of a Class B misdemeanor;

19           (b) more than 2.5 grams but not more than 10 grams of  
20 any substance containing cannabis is guilty of a Class A  
21 misdemeanor;

22           (c) more than 10 grams but not more than 30 grams of  
23 any substance containing cannabis is guilty of a Class 4  
24 felony;

25           (d) more than 30 grams but not more than 500 grams of

1 any substance containing cannabis is guilty of a Class 3  
2 felony for which a fine not to exceed \$50,000 may be  
3 imposed;

4 (e) more than 500 grams but not more than 2,000 grams  
5 of any substance containing cannabis is guilty of a Class  
6 2 felony for which a fine not to exceed \$100,000 may be  
7 imposed;

8 (f) more than 2,000 grams but not more than 5,000  
9 grams of any substance containing cannabis is guilty of a  
10 Class 1 felony for which a fine not to exceed \$150,000 may  
11 be imposed;

12 (g) more than 5,000 grams of any substance containing  
13 cannabis is guilty of a Class X felony for which a fine not  
14 to exceed \$200,000 may be imposed.

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

16 (720 ILCS 550/5.1) (from Ch. 56 1/2, par. 705.1)

17 Sec. 5.1. Cannabis trafficking.

18 (a) Except for purposes authorized by this Act, the  
19 Industrial Hemp Act, the Hemp Consumer Products Act, or the  
20 Cannabis Regulation and Tax Act, any person who knowingly  
21 brings or causes to be brought into this State for the purpose  
22 of manufacture or delivery or with the intent to manufacture  
23 or deliver 2,500 grams or more of cannabis in this State or any  
24 other state or country is guilty of cannabis trafficking.

25 (b) A person convicted of cannabis trafficking shall be



1 sentenced to a term of imprisonment not less than twice the  
2 minimum term and fined an amount as authorized by subsection  
3 (f) or (g) of Section 5 of this Act, based upon the amount of  
4 cannabis brought or caused to be brought into this State, and  
5 not more than twice the maximum term of imprisonment and fined  
6 twice the amount as authorized by subsection (f) or (g) of  
7 Section 5 of this Act, based upon the amount of cannabis  
8 brought or caused to be brought into this State.

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

10 Section 830. The Consumer Fraud and Deceptive Business  
11 Practices Act is amended by changing Section 2Z as follows:

12 (815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

13 Sec. 2Z. Violations of other Acts. Any person who  
14 knowingly violates the Automotive Repair Act, the Automotive  
15 Collision Repair Act, the Home Repair and Remodeling Act, the  
16 Dance Studio Act, the Physical Fitness Services Act, the  
17 Hearing Instrument Consumer Protection Act, the Illinois Union  
18 Label Act, the Installment Sales Contract Act, the Job  
19 Referral and Job Listing Services Consumer Protection Act, the  
20 Travel Promotion Consumer Protection Act, the Credit Services  
21 Organizations Act, the Automatic Telephone Dialers Act, the  
22 Pay-Per-Call Services Consumer Protection Act, the Telephone  
23 Solicitations Act, the Illinois Funeral or Burial Funds Act,  
24 the Cemetery Oversight Act, the Cemetery Care Act, the Safe

1 and Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales  
2 Act, the High Risk Home Loan Act, the Payday Loan Reform Act,  
3 the Predatory Loan Prevention Act, the Mortgage Rescue Fraud  
4 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax  
5 Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use  
6 Tax Act, the Electronic Mail Act, the Internet Caller  
7 Identification Act, paragraph (6) of subsection (k) of Section  
8 6-305 of the Illinois Vehicle Code, Section 11-1431, 18d-115,  
9 18d-120, 18d-125, 18d-135, 18d-150, or 18d-153 of the Illinois  
10 Vehicle Code, Article 3 of the Residential Real Property  
11 Disclosure Act, the Automatic Contract Renewal Act, the  
12 Reverse Mortgage Act, Section 25 of the Youth Mental Health  
13 Protection Act, the Personal Information Protection Act, ~~or~~  
14 the Student Online Personal Protection Act, or subsection (a)  
15 of Section 15-155 of the Cannabis Regulation and Tax Act  
16 commits an unlawful practice within the meaning of this Act.  
17 (Source: P.A. 100-315, eff. 8-24-17; 100-416, eff. 1-1-18;  
18 100-863, eff. 8-14-18; 101-658, eff. 3-23-21.)

19 Section 999. Effective date. This Act takes effect upon  
20 becoming law.

1 INDEX  
2 Statutes amended in order of appearance

3 New Act

4	30 ILCS 500/1-10	
5	30 ILCS 105/6z-112	
6	410 ILCS 705/1-10	
7	410 ILCS 705/15-155	
8	410 ILCS 705/20-60 new	
9	410 ILCS 705/30-30	
10	410 ILCS 705/35-25	
11	410 ILCS 705/55-5.5 new	
12	410 ILCS 705/55-35	
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20	720 ILCS 550/3	from Ch. 56 1/2, par. 703
21	720 ILCS 550/4	from Ch. 56 1/2, par. 704
22	720 ILCS 550/5	from Ch. 56 1/2, par. 705
23	720 ILCS 550/5.1	from Ch. 56 1/2, par. 705.1
24	815 ILCS 505/2Z	from Ch. 121 1/2, par. 262Z