



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB2748

Introduced 2/6/2025, by Rep. Rita Mayfield

#### SYNOPSIS AS INTRODUCED:

410 ILCS 705/1-10  
410 ILCS 705/10-10  
410 ILCS 705/10-15  
410 ILCS 705/10-20  
410 ILCS 705/15-80  
410 ILCS 705/15-85

Amends the Cannabis Regulation and Tax Act. Removes applicability provision regarding the Industrial Hemp Act. Prohibits the sale of cannabis, cannabis-infused products, CBD, and hemp to any person under the age of 21. Establishes penalties for retailers who fail to follow the specified age and identity verification procedures and consumers who possess cannabis, cannabis-infused products, CBD, or hemp or who attempt to obtain cannabis, cannabis-infused products, CBD, or hemp by presenting false or fraudulent information. Establishes fines for violations if a retailer does not have a specified training program for minimum-age cannabis laws.

LRB104 09828 BDA 19896 b

1 AN ACT concerning public health.

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

4 Section 5. The Cannabis Regulation and Tax Act is amended  
5 by changing Sections 1-10, 10-10, 10-15, 10-20, 15-80, and  
6 15-85 as follows:

7 (410 ILCS 705/1-10)

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

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

13 "Adult Use Dispensing Organization License" means a  
14 license issued by the Department of Financial and Professional  
15 Regulation that permits a person to act as a dispensing  
16 organization under this Act and any administrative rule made  
17 in furtherance of this Act.

18 "Advertise" means to engage in promotional activities  
19 including, but not limited to: newspaper, radio, Internet and  
20 electronic media, and television advertising; the distribution  
21 of fliers and circulars; billboard advertising; and the  
22 display of window and interior signs. "Advertise" does not  
23 mean exterior signage displaying only the name of the licensed

1 cannabis business establishment.

2 "Application points" means the number of points a  
3 Dispensary Applicant receives on an application for a  
4 Conditional Adult Use Dispensing Organization License.

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

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

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

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

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

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

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

1 transportation.

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

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

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

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

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

5 "Cannabis testing facility" means an entity registered by  
6 the Department of Agriculture to test cannabis for potency and  
7 contaminants.

8 "Clone" means a plant section from a female cannabis plant  
9 not yet rootbound, growing in a water solution or other  
10 propagation matrix, that is capable of developing into a new  
11 plant.

12 "Community College Cannabis Vocational Training Pilot  
13 Program faculty participant" means a person who is 21 years of  
14 age or older, licensed by the Department of Agriculture, and  
15 is employed or contracted by an Illinois community college to  
16 provide student instruction using cannabis plants at an  
17 Illinois Community College.

18 "Community College Cannabis Vocational Training Pilot  
19 Program faculty participant Agent Identification Card" means a  
20 document issued by the Department of Agriculture that  
21 identifies a person as a Community College Cannabis Vocational  
22 Training Pilot Program faculty participant.

23 "Conditional Adult Use Dispensing Organization License"  
24 means a contingent license awarded to applicants for an Adult  
25 Use Dispensing Organization License that reserves the right to  
26 an Adult Use Dispensing Organization License if the applicant

1 meets certain conditions described in this Act, but does not  
2 entitle the recipient to begin purchasing or selling cannabis  
3 or cannabis-infused products.

4 "Conditional Adult Use Cultivation Center License" means a  
5 license awarded to top-scoring applicants for an Adult Use  
6 Cultivation Center License that reserves the right to an Adult  
7 Use Cultivation Center License if the applicant meets certain  
8 conditions as determined by the Department of Agriculture by  
9 rule, but does not entitle the recipient to begin growing,  
10 processing, or selling cannabis or cannabis-infused products.

11 "Craft grower" means a facility operated by an  
12 organization or business that is licensed by the Department of  
13 Agriculture to cultivate, dry, cure, and package cannabis and  
14 perform other necessary activities to make cannabis available  
15 for sale at a dispensing organization or use at a processing  
16 organization. A craft grower may contain up to 5,000 square  
17 feet of canopy space on its premises for plants in the  
18 flowering state. The Department of Agriculture may authorize  
19 an increase or decrease of flowering stage cultivation space  
20 in increments of 3,000 square feet by rule based on market  
21 need, craft grower capacity, and the licensee's history of  
22 compliance or noncompliance, with a maximum space of 14,000  
23 square feet for cultivating plants in the flowering stage,  
24 which must be cultivated in all stages of growth in an enclosed  
25 and secure area. A craft grower may share premises with a  
26 processing organization or a dispensing organization, or both,

1 provided each licensee stores currency and cannabis or  
2 cannabis-infused products in a separate secured vault to which  
3 the other licensee does not have access or all licensees  
4 sharing a vault share more than 50% of the same ownership.

5 "Craft grower agent" means a principal officer, board  
6 member, employee, or other agent of a craft grower who is 21  
7 years of age or older.

8 "Craft Grower Agent Identification Card" means a document  
9 issued by the Department of Agriculture that identifies a  
10 person as a craft grower agent.

11 "Cultivation center" means a facility operated by an  
12 organization or business that is licensed by the Department of  
13 Agriculture to cultivate, process, transport (unless otherwise  
14 limited by this Act), and perform other necessary activities  
15 to provide cannabis and cannabis-infused products to cannabis  
16 business establishments.

17 "Cultivation center agent" means a principal officer,  
18 board member, employee, or other agent of a cultivation center  
19 who is 21 years of age or older.

20 "Cultivation Center Agent Identification Card" means a  
21 document issued by the Department of Agriculture that  
22 identifies a person as a cultivation center agent.

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

24 "Dispensary" means a facility operated by a dispensing  
25 organization at which activities licensed by this Act may  
26 occur.



1 "Dispensary Applicant" means the Proposed Dispensing  
2 Organization Name as stated on an application for a  
3 Conditional Adult Use Dispensing Organization License.

4 "Dispensing organization" means a facility operated by an  
5 organization or business that is licensed by the Department of  
6 Financial and Professional Regulation to acquire cannabis from  
7 a cultivation center, craft grower, processing organization,  
8 or another dispensary for the purpose of selling or dispensing  
9 cannabis, cannabis-infused products, cannabis seeds,  
10 paraphernalia, or related supplies under this Act to  
11 purchasers or to qualified registered medical cannabis  
12 patients and caregivers. As used in this Act, "dispensing  
13 organization" includes a registered medical cannabis  
14 organization as defined in the Compassionate Use of Medical  
15 Cannabis Program Act or its successor Act that has obtained an  
16 Early Approval Adult Use Dispensing Organization License.

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

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

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

1 Economic Opportunity, that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 "Hemp" has the same meaning given to that term in the  
11 Industrial Hemp Act.

12 "Individual" means a natural person.

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

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

22 "Labor peace agreement" means an agreement between a  
23 cannabis business establishment and any labor organization  
24 recognized under the National Labor Relations Act, referred to  
25 in this Act as a bona fide labor organization, that prohibits  
26 labor organizations and members from engaging in picketing,

1 work stoppages, boycotts, and any other economic interference  
2 with the cannabis business establishment. This agreement means  
3 that the cannabis business establishment has agreed not to  
4 disrupt efforts by the bona fide labor organization to  
5 communicate with, and attempt to organize and represent, the  
6 cannabis business establishment's employees. The agreement  
7 shall provide a bona fide labor organization access at  
8 reasonable times to areas in which the cannabis business  
9 establishment's employees work, for the purpose of meeting  
10 with employees to discuss their right to representation,  
11 employment rights under State law, and terms and conditions of  
12 employment. This type of agreement shall not mandate a  
13 particular method of election or certification of the bona  
14 fide labor organization.

15 "Limited access area" means a room or other area under the  
16 control of a cannabis dispensing organization licensed under  
17 this Act and upon the licensed premises where cannabis sales  
18 occur with access limited to purchasers, dispensing  
19 organization owners and other dispensing organization agents,  
20 or service professionals conducting business with the  
21 dispensing organization, or, if sales to registered qualifying  
22 patients, caregivers, provisional patients, and Opioid  
23 Alternative Pilot Program participants licensed pursuant to  
24 the Compassionate Use of Medical Cannabis Program Act are also  
25 permitted at the dispensary, registered qualifying patients,  
26 caregivers, provisional patients, and Opioid Alternative Pilot

1 Program participants.

2 "Member of an impacted family" means an individual who has  
3 a parent, legal guardian, child, spouse, or dependent, or was  
4 a dependent of an individual who, prior to the effective date  
5 of this Act, was arrested for, convicted of, or adjudicated  
6 delinquent for any offense that is eligible for expungement  
7 under this Act.

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

12 "Ordinary public view" means within the sight line with  
13 normal visual range of a person, unassisted by visual aids,  
14 from a public street or sidewalk adjacent to real property, or  
15 from within an adjacent property.

16 "Ownership and control" means ownership of at least 51% of  
17 the business, including corporate stock if a corporation, and  
18 control over the management and day-to-day operations of the  
19 business and an interest in the capital, assets, and profits  
20 and losses of the business proportionate to percentage of  
21 ownership.

22 "Person" means a natural individual, firm, partnership,  
23 association, joint stock company, joint venture, public or  
24 private corporation, limited liability company, or a receiver,  
25 executor, trustee, guardian, or other representative appointed  
26 by order of any court.

1 "Possession limit" means the amount of cannabis under  
2 Section 10-10 that may be possessed at any one time by a person  
3 21 years of age or older or who is a registered qualifying  
4 medical cannabis patient or caregiver under the Compassionate  
5 Use of Medical Cannabis Program Act.

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

18 "Primary residence" means a dwelling where a person  
19 usually stays or stays more often than other locations. It may  
20 be determined by, without limitation, presence, tax filings;  
21 address on an Illinois driver's license, an Illinois  
22 Identification Card, or an Illinois Person with a Disability  
23 Identification Card; or voter registration. No person may have  
24 more than one primary residence.

25 "Processing organization" or "processor" means a facility  
26 operated by an organization or business that is licensed by



1 the Department of Agriculture to either extract constituent  
2 chemicals or compounds to produce cannabis concentrate or  
3 incorporate cannabis or cannabis concentrate into a product  
4 formulation to produce a cannabis product.

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

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

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

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

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

26 "Qualified Social Equity Applicant" means a Social Equity

1 Applicant who has been awarded a conditional license under  
2 this Act to operate a cannabis business establishment.

3 "Resided" means an individual's primary residence was  
4 located within the relevant geographic area as established by  
5 2 of the following:

6 (1) a signed lease agreement that includes the  
7 applicant's name;

8 (2) a property deed that includes the applicant's  
9 name;

10 (3) school records;

11 (4) a voter registration card;

12 (5) an Illinois driver's license, an Illinois  
13 Identification Card, or an Illinois Person with a  
14 Disability Identification Card;

15 (6) a paycheck stub;

16 (7) a utility bill;

17 (8) tax records; or

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

20 "Smoking" means the inhalation of smoke caused by the  
21 combustion of cannabis.

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

24 (1) an applicant with at least 51% ownership and  
25 control by one or more individuals who have resided for at  
26 least 5 of the preceding 10 years in a Disproportionately

1           Impacted Area;

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

4                 (i) have been arrested for, convicted of, or  
5                 adjudicated delinquent for any offense that is  
6                 eligible for expungement under this Act; or

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

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

11                (i) currently reside in a Disproportionately  
12                Impacted Area; or

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

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

22          "Tied Applicant" means an application submitted by a  
23          Dispensary Applicant pursuant to Section 15-30 that received  
24          the same number of application points under Section 15-30 as  
25          the Dispensary Applicant's final score as one or more  
26          top-scoring applications in the same BLS Region and would have

1     been awarded a license but for the one or more other  
2     top-scoring applications that received the same number of  
3     application points. Each application for which a Dispensary  
4     Applicant was required to pay a required application fee for  
5     the application period ending January 2, 2020 shall be  
6     considered an application of a separate Tied Applicant.

7     "Tied Applicant Lottery" means the process established  
8     under 68 Ill. Adm. Code 1291.50 for awarding Conditional Adult  
9     Use Dispensing Organization Licenses pursuant to Sections  
10    15-25 and 15-30 among Eligible Tied Applicants.

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

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

24    "Transporting organization agent" means a principal  
25    officer, board member, employee, or agent of a transporting  
26    organization.

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

4 "Unit of local government" means any county, city,  
5 village, or incorporated town.

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

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

16 (2) any cannabis plant that is cultivated solely for  
17 the purpose of propagating clones and is never used to  
18 produce cannabis.

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

22 (410 ILCS 705/10-10)

23 Sec. 10-10. Possession limit.

24 (a) Except if otherwise authorized by this Act, for a  
25 person who is 21 years of age or older and a resident of this

1 State, the possession limit is as follows:

2 (1) 30 grams of cannabis flower;

3 (2) no more than 500 milligrams of THC contained in  
4 cannabis-infused product;

5 (3) 5 grams of cannabis concentrate; and

6 (4) for registered qualifying patients, any cannabis  
7 produced by cannabis plants grown under subsection (b) of  
8 Section 10-5, provided any amount of cannabis produced in  
9 excess of 30 grams of raw cannabis or its equivalent must  
10 remain secured within the residence or residential  
11 property in which it was grown.

12 (b) For a person who is 21 years of age or older and who is  
13 not a resident of this State, the possession limit is:

14 (1) 15 grams of cannabis flower;

15 (2) 2.5 grams of cannabis concentrate; and

16 (3) 250 milligrams of THC contained in a  
17 cannabis-infused product.

18 (c) The possession limits found in subsections (a) and (b)  
19 of this Section are to be considered cumulative.

20 (d) No person shall knowingly obtain, seek to obtain, or  
21 possess an amount of cannabis from a dispensing organization  
22 or craft grower that would cause him or her to exceed the  
23 possession limit under this Section, including cannabis that  
24 is cultivated by a person under this Act or obtained under the  
25 Compassionate Use of Medical Cannabis Program Act.

26 ~~(e) Cannabis and cannabis derived substances regulated~~

~~under the Industrial Hemp Act are not covered by this Act.~~

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

(410 ILCS 705/10-15)

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

(a) Nothing in this Act is intended to permit the transfer of cannabis, cannabis-infused products, CBD, or hemp, with or without remuneration, to a person under 21 years of age, or to allow a person under 21 years of age to purchase, possess, use, process, transport, grow, or consume cannabis, cannabis-infused products, CBD, or hemp, except where authorized by the Compassionate Use of Medical Cannabis Program Act or by the Community College Cannabis Vocational Pilot Program.

(b) Notwithstanding any other provisions of law authorizing the possession of medical cannabis, nothing in this Act authorizes a person who is under 21 years of age to possess cannabis, cannabis-infused products, CBD, or hemp. A person under 21 years of age with cannabis, cannabis-infused products, CBD, or hemp in the person's ~~his or her~~ possession is guilty of a civil law violation as outlined in paragraph (a) of Section 4 of the Cannabis Control Act.

(c) If the person under the age of 21 was in a motor vehicle at the time of the offense, the Secretary of State may suspend or revoke the driving privileges of any person for a violation of this Section under Section 6-206 of the Illinois

1 Vehicle Code and the rules adopted under it.

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

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

25 (410 ILCS 705/10-20)



1       Sec. 10-20. Identification; false identification; penalty.

2       (a) To protect personal privacy, the Department of  
3       Financial and Professional Regulation shall not require a  
4       purchaser to provide a dispensing organization with personal  
5       information other than government-issued identification to  
6       determine the purchaser's age, and a dispensing organization  
7       shall not obtain and record personal information about a  
8       purchaser without the purchaser's consent. A dispensing  
9       organization shall use an electronic reader or electronic  
10      scanning device to scan a purchaser's government-issued  
11      identification, if applicable, to determine the purchaser's  
12      age and the validity of the identification. Any identifying or  
13      personal information of a purchaser obtained or received in  
14      accordance with this Section shall not be retained, used,  
15      shared or disclosed for any purpose except as authorized by  
16      this Act.

17      (b) A person who is under 21 years of age may not present  
18      or offer to a cannabis business establishment or the cannabis  
19      business establishment's principal or employee any written or  
20      oral evidence of age that is false, fraudulent, or not  
21      actually the person's own, for the purpose of:

22           (1) purchasing, attempting to purchase, or otherwise  
23           obtaining or attempting to obtain cannabis,  
24           cannabis-infused products, CBD, or hemp ~~or any cannabis~~  
25           ~~product~~; or

26           (2) gaining access to a cannabis business

1 establishment.

2 (c) A violation of this Section is a Class A misdemeanor  
3 consistent with Section 6-20 of the Liquor Control Act of  
4 1934.

5 (d) The Secretary of State may suspend or revoke the  
6 driving privileges of any person for a violation of this  
7 Section under Section 6-206 of the Illinois Vehicle Code and  
8 the rules adopted under it.

9 (e) Any retailer who violates Section 15-85 of this Act is  
10 guilty of a petty offense. For the first offense in a 24-month  
11 period, the retailer shall be fined \$200 if it does not have a  
12 training program that facilitates compliance with minimum-age  
13 cannabis laws. For the second offense in a 24-month period,  
14 the retailer shall be fined \$400 if it does not have a training  
15 program that facilitates compliance with minimum-age cannabis  
16 laws. For the third offense within a 24-month period, the  
17 retailer shall be fined \$600 if it does not have a training  
18 program that facilitates compliance with minimum-age cannabis  
19 laws. For the fourth or subsequent offense in a 24-month  
20 period, the retailer shall be fined \$800 if it does not have a  
21 training program that facilitates compliance with minimum-age  
22 cannabis laws. For the purposes of this subsection, the  
23 24-month period shall begin with the person's first violation  
24 of the Act. The penalties in this subsection are in addition to  
25 any other penalties prescribed under this Act.

26 (f) A training program under this Section must facilitate

1 compliance with minimum-age cannabis laws and include at least  
2 the following elements: (i) it must explain that only  
3 individuals displaying valid identification demonstrating that  
4 they are 21 years of age or older shall be eligible to purchase  
5 cannabis, cannabis-infused products, CBD, or hemp; and (ii) it  
6 must explain where a clerk can check identification for a date  
7 of birth. The training may be conducted electronically. Each  
8 retailer that has a training program shall require each  
9 employee who completes the training program to sign a form  
10 attesting that the employee has received and completed  
11 cannabis training. The form shall be kept in the employee's  
12 file and may be used to provide proof of training.

13 (g) ~~(e)~~ No agent or employee of the licensee shall be  
14 disciplined or discharged for selling or furnishing cannabis  
15 or cannabis products to a person under 21 years of age if the  
16 agent or employee demanded and was shown, before furnishing  
17 cannabis or cannabis products to a person under 21 years of  
18 age, adequate written evidence of age and identity of the  
19 person. This subsection ~~(e)~~ does not apply if the agent or  
20 employee accepted the written evidence knowing it to be false  
21 or fraudulent. Adequate written evidence of age and identity  
22 of the person is a document issued by a federal, State, county,  
23 or municipal government, or subdivision or agency thereof,  
24 including, but not limited to, a motor vehicle operator's  
25 license, a registration certificate issued under the Military  
26 Selective Service Act, or an identification card issued to a

1 member of the Armed Forces. Proof that the licensee or his or  
2 her employee or agent was shown and reasonably relied upon  
3 such written evidence in any transaction forbidden by this  
4 Section is an affirmative defense in any criminal prosecution  
5 therefor or to any proceedings for the suspension or  
6 revocation of any license based thereon.

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

8 (410 ILCS 705/15-80)

9 Sec. 15-80. Storage requirements.

10 (a) Authorized on-premises storage. A dispensing  
11 organization must store inventory on its premises. All  
12 inventory stored on the premises, including cannabis,  
13 cannabis-infused products, CBD, and hemp, must be secured in a  
14 restricted access area and tracked consistently with the  
15 inventory tracking rules.

16 (b) A dispensary shall be of suitable size and  
17 construction to facilitate cleaning, maintenance, and proper  
18 operations.

19 (c) A dispensary shall maintain adequate lighting,  
20 ventilation, temperature, humidity control, and equipment.

21 (d) Containers storing cannabis, cannabis-infused  
22 products, CBD, or hemp that have been tampered with, damaged,  
23 or opened shall be labeled with the date opened and  
24 quarantined from other cannabis products in the vault until  
25 they are disposed.

1 (e) Inventory Cannabis that was tampered with, expired, or  
2 damaged shall not be stored at the premises for more than 7  
3 calendar days.

4 (f) Samples of cannabis, cannabis-infused products, CBD,  
5 and hemp Cannabis samples shall be stored in a sealed  
6 container. Samples shall be maintained in the restricted  
7 access area.

8 (g) The dispensary storage areas shall be maintained in  
9 accordance with the security requirements in this Act and  
10 rules.

11 (h) Cannabis, cannabis-infused products, CBD, and hemp  
12 must be stored at appropriate temperatures and under  
13 appropriate conditions to help ensure that the ~~its~~ packaging,  
14 strength, quality, and purity are not adversely affected.

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

16 (410 ILCS 705/15-85)

17 Sec. 15-85. Dispensing cannabis.

18 (a) Before a dispensing organization agent dispenses  
19 cannabis, cannabis-infused products, CBD, or hemp to a  
20 purchaser, the agent shall:

21 (1) Verify the age of the purchaser by checking a  
22 government-issued identification card by use of an  
23 electronic reader or electronic scanning device to scan a  
24 purchaser's government-issued identification, if  
25 applicable, to determine the purchaser's age and the

1 validity of the identification;

2 (2) Verify the validity of the government-issued  
3 identification card by use of an electronic reader or  
4 electronic scanning device to scan a purchaser's  
5 government-issued identification, if applicable, to  
6 determine the purchaser's age and the validity of the  
7 identification;

8 (3) Offer any appropriate purchaser education or  
9 support materials;

10 (4) Enter the following information into the State's  
11 cannabis electronic verification system:

12 (i) The dispensing organization agent's  
13 identification number, or if the agent's card  
14 application is pending the Department's approval, a  
15 temporary and unique identifier until the agent's card  
16 application is approved or denied by the Department;

17 (ii) The dispensing organization's identification  
18 number;

19 (iii) The amount and ~~7~~ type (including strain, if  
20 applicable) of cannabis, ~~or~~ cannabis-infused product, CBD, or hemp  
21 dispensed;

22 (iv) The date and time the cannabis, cannabis-infused product, CBD, or hemp  
23 was dispensed.

24 (b) A dispensing organization shall refuse to sell  
25 cannabis, ~~or~~ cannabis-infused products, CBD, or hemp to any  
26 person unless the person produces a valid identification

1 showing that the person is 21 years of age or older. A medical  
2 cannabis dispensing organization may sell cannabis, ~~or~~  
3 cannabis-infused products, CBD, or hemp to a person who is  
4 under 21 years of age if the sale complies with the provisions  
5 of the Compassionate Use of Medical Cannabis Program Act and  
6 rules.

7 (c) For the purposes of this Section, valid identification  
8 must:

9 (1) Be valid and unexpired;

10 (2) Contain a photograph and the date of birth of the  
11 person.

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