



Sen. Kimberly A. Lightford

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10400SB4015sam001

LRB104 19921 WRO 34743 a

1 AMENDMENT TO SENATE BILL 4015

2 AMENDMENT NO. _____. Amend Senate Bill 4015 by replacing
3 everything after the enacting clause with the following:

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

7 (20 ILCS 2105/2105-117)

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

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

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

15 Section 10. The Use Tax Act is amended by changing Section
16 3-10 as follows:

17 (35 ILCS 105/3-10) from Ch. 120, par. 439.33-10

18 Sec. 3-10. Rate of tax. Unless otherwise provided in this
19 Section, the tax imposed by this Act is at the rate of 6.25% of
20 either the selling price or the fair market value, if any, of
21 the tangible personal property, which, on and after January 1,
22 2025, includes leases of tangible personal property. In all
23 cases where property functionally used or consumed is the same
24 as the property that was purchased at retail, then the tax is

1 imposed on the selling price of the property. In all cases
2 where property functionally used or consumed is a by-product
3 or waste product that has been refined, manufactured, or
4 produced from property purchased at retail, then the tax is
5 imposed on the lower of the fair market value, if any, of the
6 specific property so used in this State or on the selling price
7 of the property purchased at retail. For purposes of this
8 Section "fair market value" means the price at which property
9 would change hands between a willing buyer and a willing
10 seller, neither being under any compulsion to buy or sell and
11 both having reasonable knowledge of the relevant facts. The
12 fair market value shall be established by Illinois sales by
13 the taxpayer of the same property as that functionally used or
14 consumed, or if there are no such sales by the taxpayer, then
15 comparable sales or purchases of property of like kind and
16 character in Illinois.

17 Beginning on July 1, 2000 and through December 31, 2000,
18 with respect to motor fuel, as defined in Section 1.1 of the
19 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
20 the Use Tax Act, the tax is imposed at the rate of 1.25%.

21 Beginning on August 6, 2010 through August 15, 2010, and
22 beginning again on August 5, 2022 through August 14, 2022,
23 with respect to sales tax holiday items as defined in Section
24 3-6 of this Act, the tax is imposed at the rate of 1.25%.

25 With respect to gasohol, the tax imposed by this Act
26 applies to (i) 70% of the proceeds of sales made on or after

1 January 1, 1990, and before July 1, 2003, (ii) 80% of the
2 proceeds of sales made on or after July 1, 2003 and on or
3 before July 1, 2017, (iii) 100% of the proceeds of sales made
4 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
5 the proceeds of sales made on or after January 1, 2024 and on
6 or before December 31, 2028, and (v) 100% of the proceeds of
7 sales made after December 31, 2028. If, at any time, however,
8 the tax under this Act on sales of gasohol is imposed at the
9 rate of 1.25%, then the tax imposed by this Act applies to 100%
10 of the proceeds of sales of gasohol made during that time.

11 With respect to mid-range ethanol blends, the tax imposed
12 by this Act applies to (i) 80% of the proceeds of sales made on
13 or after January 1, 2024 and on or before December 31, 2028 and
14 (ii) 100% of the proceeds of sales made thereafter. If, at any
15 time, however, the tax under this Act on sales of mid-range
16 ethanol blends is imposed at the rate of 1.25%, then the tax
17 imposed by this Act applies to 100% of the proceeds of sales of
18 mid-range ethanol blends made during that time.

19 With respect to majority blended ethanol fuel, the tax
20 imposed by this Act does not apply to the proceeds of sales
21 made on or after July 1, 2003 and on or before December 31,
22 2028 but applies to 100% of the proceeds of sales made
23 thereafter.

24 With respect to biodiesel blends with no less than 1% and
25 no more than 10% biodiesel, the tax imposed by this Act applies
26 to (i) 80% of the proceeds of sales made on or after July 1,

1 2003 and on or before December 31, 2018 and (ii) 100% of the
2 proceeds of sales made after December 31, 2018 and before
3 January 1, 2024. On and after January 1, 2024 and on or before
4 December 31, 2030, the taxation of biodiesel, renewable
5 diesel, and biodiesel blends shall be as provided in Section
6 3-5.1. If, at any time, however, the tax under this Act on
7 sales of biodiesel blends with no less than 1% and no more than
8 10% biodiesel is imposed at the rate of 1.25%, then the tax
9 imposed by this Act applies to 100% of the proceeds of sales of
10 biodiesel blends with no less than 1% and no more than 10%
11 biodiesel made during that time.

12 With respect to biodiesel and biodiesel blends with more
13 than 10% but no more than 99% biodiesel, the tax imposed by
14 this Act does not apply to the proceeds of sales made on or
15 after July 1, 2003 and on or before December 31, 2023. On and
16 after January 1, 2024 and on or before December 31, 2030, the
17 taxation of biodiesel, renewable diesel, and biodiesel blends
18 shall be as provided in Section 3-5.1.

19 Until July 1, 2022 and from July 1, 2023 through December
20 31, 2025, with respect to food for human consumption that is to
21 be consumed off the premises where it is sold (other than
22 alcoholic beverages, food consisting of or infused with adult
23 use cannabis, soft drinks, and food that has been prepared for
24 immediate consumption), the tax is imposed at the rate of 1%.
25 Beginning on July 1, 2022 and until July 1, 2023, with respect
26 to food for human consumption that is to be consumed off the

1 premises where it is sold (other than alcoholic beverages,
2 food consisting of or infused with adult use cannabis, soft
3 drinks, and food that has been prepared for immediate
4 consumption), the tax is imposed at the rate of 0%. On and
5 after January 1, 2026, food for human consumption that is to be
6 consumed off the premises where it is sold (other than
7 alcoholic beverages, food consisting of or infused with adult
8 use cannabis, soft drinks, candy, and food that has been
9 prepared for immediate consumption) is exempt from the tax
10 imposed by this Act.

11 With respect to prescription and nonprescription
12 medicines, drugs, medical appliances, products classified as
13 Class III medical devices by the United States Food and Drug
14 Administration that are used for cancer treatment pursuant to
15 a prescription, as well as any accessories and components
16 related to those devices, modifications to a motor vehicle for
17 the purpose of rendering it usable by a person with a
18 disability, and insulin, blood sugar testing materials,
19 syringes, and needles used by human diabetics, the tax is
20 imposed at the rate of 1%. For the purposes of this Section,
21 until September 1, 2009: the term "soft drinks" means any
22 complete, finished, ready-to-use, non-alcoholic drink, whether
23 carbonated or not, including, but not limited to, soda water,
24 cola, fruit juice, vegetable juice, carbonated water, and all
25 other preparations commonly known as soft drinks of whatever
26 kind or description that are contained in any closed or sealed

1 bottle, can, carton, or container, regardless of size; but
2 "soft drinks" does not include coffee, tea, non-carbonated
3 water, infant formula, milk or milk products as defined in the
4 Grade A Pasteurized Milk and Milk Products Act, or drinks
5 containing 50% or more natural fruit or vegetable juice.

6 Notwithstanding any other provisions of this Act,
7 beginning September 1, 2009, "soft drinks" means non-alcoholic
8 beverages that contain natural or artificial sweeteners. "Soft
9 drinks" does not include beverages that contain milk or milk
10 products, soy, rice or similar milk substitutes, or greater
11 than 50% of vegetable or fruit juice by volume.

12 Until August 1, 2009, and notwithstanding any other
13 provisions of this Act, "food for human consumption that is to
14 be consumed off the premises where it is sold" includes all
15 food sold through a vending machine, except soft drinks and
16 food products that are dispensed hot from a vending machine,
17 regardless of the location of the vending machine. Beginning
18 August 1, 2009, and notwithstanding any other provisions of
19 this Act, "food for human consumption that is to be consumed
20 off the premises where it is sold" includes all food sold
21 through a vending machine, except soft drinks, candy, and food
22 products that are dispensed hot from a vending machine,
23 regardless of the location of the vending machine.

24 Notwithstanding any other provisions of this Act,
25 beginning September 1, 2009, "food for human consumption that
26 is to be consumed off the premises where it is sold" does not

1 include candy. For purposes of this Section, "candy" means a
2 preparation of sugar, honey, or other natural or artificial
3 sweeteners in combination with chocolate, fruits, nuts or
4 other ingredients or flavorings in the form of bars, drops, or
5 pieces. "Candy" does not include any preparation that contains
6 flour or requires refrigeration.

7 Notwithstanding any other provisions of this Act,
8 beginning September 1, 2009, "nonprescription medicines and
9 drugs" does not include grooming and hygiene products. For
10 purposes of this Section, "grooming and hygiene products"
11 includes, but is not limited to, soaps and cleaning solutions,
12 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
13 lotions and screens, unless those products are available by
14 prescription only, regardless of whether the products meet the
15 definition of "over-the-counter-drugs". For the purposes of
16 this paragraph, "over-the-counter-drug" means a drug for human
17 use that contains a label that identifies the product as a drug
18 as required by 21 CFR 201.66. The "over-the-counter-drug"
19 label includes:

20 (A) a "Drug Facts" panel; or

21 (B) a statement of the "active ingredient(s)" with a
22 list of those ingredients contained in the compound,
23 substance or preparation.

24 Beginning on January 1, 2014 (the effective date of Public
25 Act 98-122), and through June 30, 2026, "prescription and
26 nonprescription medicines and drugs" includes medical cannabis

1 purchased from a registered dispensing organization under the
2 Compassionate Use of Medical Cannabis Program Act.

3 Beginning on July 1, 2026, "prescription and
4 nonprescription medicines and drugs" includes cannabis
5 purchased by a qualified registered patient, provisional
6 patient, designated caregiver, or Opioid Alternative Patient
7 Program participant as part of their adequate medical supply,
8 as these terms are defined under the Cannabis Regulation and
9 Tax Act, from a dispensing organization registered under the
10 Compassionate Use of Medical Cannabis Program Act or the
11 Cannabis Regulation and Tax Act.

12 As used in this Section, through June 30, 2026, "adult use
13 cannabis" means cannabis subject to tax under the Cannabis
14 Cultivation Privilege Tax Law and the Cannabis Purchaser
15 Excise Tax Law and does not include cannabis subject to tax
16 under the Compassionate Use of Medical Cannabis Program Act.

17 Beginning July 1, 2026, as used in this Section, "adult
18 use cannabis" means cannabis subject to tax under the Cannabis
19 Cultivation Privilege Tax Law and the Cannabis Purchaser
20 Excise Tax Law and does not include cannabis purchased by a
21 qualified registered patient, provisional patient, designated
22 caregiver, or Opioid Alternative Patient Program participant
23 as part of their adequate medical supply.

24 If the property that is purchased at retail from a
25 retailer is acquired outside Illinois and used outside
26 Illinois before being brought to Illinois for use here and is

1 taxable under this Act, the "selling price" on which the tax is
2 computed shall be reduced by an amount that represents a
3 reasonable allowance for depreciation for the period of prior
4 out-of-state use. No depreciation is allowed in cases where
5 the tax under this Act is imposed on lease receipts.

6 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
7 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-417, eff.
8 8-15-25.)

9 Section 15. The Service Use Tax Act is amended by changing
10 Section 3-10 as follows:

11 (35 ILCS 110/3-10)

12 Sec. 3-10. Rate of tax. Unless otherwise provided in this
13 Section, the tax imposed by this Act is at the rate of 6.25% of
14 the selling price of tangible personal property transferred,
15 including, on and after January 1, 2025, transferred by lease,
16 as an incident to the sale of service, but, for the purpose of
17 computing this tax, in no event shall the selling price be less
18 than the cost price of the property to the serviceman.

19 Beginning on July 1, 2000 and through December 31, 2000,
20 with respect to motor fuel, as defined in Section 1.1 of the
21 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
22 the Use Tax Act, the tax is imposed at the rate of 1.25%.

23 With respect to gasohol, as defined in the Use Tax Act, the
24 tax imposed by this Act applies to (i) 70% of the selling price

1 of property transferred as an incident to the sale of service
2 on or after January 1, 1990, and before July 1, 2003, (ii) 80%
3 of the selling price of property transferred as an incident to
4 the sale of service on or after July 1, 2003 and on or before
5 July 1, 2017, (iii) 100% of the selling price of property
6 transferred as an incident to the sale of service after July 1,
7 2017 and before January 1, 2024, (iv) 90% of the selling price
8 of property transferred as an incident to the sale of service
9 on or after January 1, 2024 and on or before December 31, 2028,
10 and (v) 100% of the selling price of property transferred as an
11 incident to the sale of service after December 31, 2028. If, at
12 any time, however, the tax under this Act on sales of gasohol,
13 as defined in the Use Tax Act, is imposed at the rate of 1.25%,
14 then the tax imposed by this Act applies to 100% of the
15 proceeds of sales of gasohol made during that time.

16 With respect to mid-range ethanol blends, as defined in
17 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
18 applies to (i) 80% of the selling price of property
19 transferred as an incident to the sale of service on or after
20 January 1, 2024 and on or before December 31, 2028 and (ii)
21 100% of the selling price of property transferred as an
22 incident to the sale of service after December 31, 2028. If, at
23 any time, however, the tax under this Act on sales of mid-range
24 ethanol blends is imposed at the rate of 1.25%, then the tax
25 imposed by this Act applies to 100% of the selling price of
26 mid-range ethanol blends transferred as an incident to the

1 sale of service during that time.

2 With respect to majority blended ethanol fuel, as defined
3 in the Use Tax Act, the tax imposed by this Act does not apply
4 to the selling price of property transferred as an incident to
5 the sale of service on or after July 1, 2003 and on or before
6 December 31, 2028 but applies to 100% of the selling price
7 thereafter.

8 With respect to biodiesel blends, as defined in the Use
9 Tax Act, with no less than 1% and no more than 10% biodiesel,
10 the tax imposed by this Act applies to (i) 80% of the selling
11 price of property transferred as an incident to the sale of
12 service on or after July 1, 2003 and on or before December 31,
13 2018 and (ii) 100% of the proceeds of the selling price after
14 December 31, 2018 and before January 1, 2024. On and after
15 January 1, 2024 and on or before December 31, 2030, the
16 taxation of biodiesel, renewable diesel, and biodiesel blends
17 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
18 at any time, however, the tax under this Act on sales of
19 biodiesel blends, as defined in the Use Tax Act, with no less
20 than 1% and no more than 10% biodiesel is imposed at the rate
21 of 1.25%, then the tax imposed by this Act applies to 100% of
22 the proceeds of sales of biodiesel blends with no less than 1%
23 and no more than 10% biodiesel made during that time.

24 With respect to biodiesel, as defined in the Use Tax Act,
25 and biodiesel blends, as defined in the Use Tax Act, with more
26 than 10% but no more than 99% biodiesel, the tax imposed by

1 this Act does not apply to the proceeds of the selling price of
2 property transferred as an incident to the sale of service on
3 or after July 1, 2003 and on or before December 31, 2023. On
4 and after January 1, 2024 and on or before December 31, 2030,
5 the taxation of biodiesel, renewable diesel, and biodiesel
6 blends shall be as provided in Section 3-5.1 of the Use Tax
7 Act.

8 At the election of any registered serviceman made for each
9 fiscal year, for whom the aggregate annual cost price of
10 tangible personal property transferred as an incident to the
11 sales of service is less than 35%, or 75% in the case of
12 servicemen transferring prescription drugs or servicemen
13 engaged in graphic arts production, of the aggregate annual
14 total gross receipts from all sales of service, the tax
15 imposed by this Act shall be based on the serviceman's cost
16 price of the tangible personal property transferred as an
17 incident to the sale of those services. This election may also
18 be made by any serviceman maintaining a place of business in
19 this State who makes retail sales from outside of this State to
20 Illinois customers but is not required to be registered under
21 Section 2a of the Retailers' Occupation Tax Act. Beginning
22 January 1, 2026, this election shall not apply to any sale of
23 service made through a marketplace that has met the threshold
24 in subsection (b-5) of Section 2d of this Act.

25 Beginning January 1, 2026, the tax shall be imposed at the
26 rate of 6.25% of 50% of the entire billing to the service

1 customer for all sales of service made through a marketplace
2 that has met the threshold in subsection (b-5) of Section 2d of
3 this Act. In no event shall 50% of the entire billing be less
4 than the cost price of the property to the marketplace
5 serviceman or the marketplace facilitator on its own sales of
6 service.

7 Until July 1, 2022 and from July 1, 2023 through December
8 31, 2025, the tax shall be imposed at the rate of 1% on food
9 prepared for immediate consumption and transferred incident to
10 a sale of service subject to this Act or the Service Occupation
11 Tax Act by an entity licensed under the Hospital Licensing
12 Act, the Nursing Home Care Act, the Assisted Living and Shared
13 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
14 Specialized Mental Health Rehabilitation Act of 2013, or the
15 Child Care Act of 1969, or an entity that holds a permit issued
16 pursuant to the Life Care Facilities Act. Until July 1, 2022
17 and from July 1, 2023 through December 31, 2025, the tax shall
18 also be imposed at the rate of 1% on food for human consumption
19 that is to be consumed off the premises where it is sold (other
20 than alcoholic beverages, food consisting of or infused with
21 adult use cannabis, soft drinks, and food that has been
22 prepared for immediate consumption and is not otherwise
23 included in this paragraph).

24 Beginning on July 1, 2022 and until July 1, 2023, the tax
25 shall be imposed at the rate of 0% on food prepared for
26 immediate consumption and transferred incident to a sale of

1 service subject to this Act or the Service Occupation Tax Act
2 by an entity licensed under the Hospital Licensing Act, the
3 Nursing Home Care Act, the Assisted Living and Shared Housing
4 Act, the ID/DD Community Care Act, the MC/DD Act, the
5 Specialized Mental Health Rehabilitation Act of 2013, or the
6 Child Care Act of 1969, or an entity that holds a permit issued
7 pursuant to the Life Care Facilities Act. Beginning on July 1,
8 2022 and until July 1, 2023, the tax shall also be imposed at
9 the rate of 0% on food for human consumption that is to be
10 consumed off the premises where it is sold (other than
11 alcoholic beverages, food consisting of or infused with adult
12 use cannabis, soft drinks, and food that has been prepared for
13 immediate consumption and is not otherwise included in this
14 paragraph).

15 On and after January 1, 2026, food prepared for immediate
16 consumption and transferred incident to a sale of service
17 subject to this Act or the Service Occupation Tax Act by an
18 entity licensed under the Hospital Licensing Act, the Nursing
19 Home Care Act, the Assisted Living and Shared Housing Act, the
20 ID/DD Community Care Act, the MC/DD Act, the Specialized
21 Mental Health Rehabilitation Act of 2013, or the Child Care
22 Act of 1969, or by an entity that holds a permit issued
23 pursuant to the Life Care Facilities Act is exempt from the tax
24 under this Act. On and after January 1, 2026, food for human
25 consumption that is to be consumed off the premises where it is
26 sold (other than alcoholic beverages, food consisting of or

1 infused with adult use cannabis, soft drinks, candy, and food
2 that has been prepared for immediate consumption and is not
3 otherwise included in this paragraph) is exempt from the tax
4 under this Act.

5 The tax shall be imposed at the rate of 1% on prescription
6 and nonprescription medicines, drugs, medical appliances,
7 products classified as Class III medical devices by the United
8 States Food and Drug Administration that are used for cancer
9 treatment pursuant to a prescription, as well as any
10 accessories and components related to those devices,
11 modifications to a motor vehicle for the purpose of rendering
12 it usable by a person with a disability, and insulin, blood
13 sugar testing materials, syringes, and needles used by human
14 diabetics. For the purposes of this Section, until September
15 1, 2009: the term "soft drinks" means any complete, finished,
16 ready-to-use, non-alcoholic drink, whether carbonated or not,
17 including, but not limited to, soda water, cola, fruit juice,
18 vegetable juice, carbonated water, and all other preparations
19 commonly known as soft drinks of whatever kind or description
20 that are contained in any closed or sealed bottle, can,
21 carton, or container, regardless of size; but "soft drinks"
22 does not include coffee, tea, non-carbonated water, infant
23 formula, milk or milk products as defined in the Grade A
24 Pasteurized Milk and Milk Products Act, or drinks containing
25 50% or more natural fruit or vegetable juice.

26 Notwithstanding any other provisions of this Act,

1 beginning September 1, 2009, "soft drinks" means non-alcoholic
2 beverages that contain natural or artificial sweeteners. "Soft
3 drinks" does not include beverages that contain milk or milk
4 products, soy, rice or similar milk substitutes, or greater
5 than 50% of vegetable or fruit juice by volume.

6 Until August 1, 2009, and notwithstanding any other
7 provisions of this Act, "food for human consumption that is to
8 be consumed off the premises where it is sold" includes all
9 food sold through a vending machine, except soft drinks and
10 food products that are dispensed hot from a vending machine,
11 regardless of the location of the vending machine. Beginning
12 August 1, 2009, and notwithstanding any other provisions of
13 this Act, "food for human consumption that is to be consumed
14 off the premises where it is sold" includes all food sold
15 through a vending machine, except soft drinks, candy, and food
16 products that are dispensed hot from a vending machine,
17 regardless of the location of the vending machine.

18 Notwithstanding any other provisions of this Act,
19 beginning September 1, 2009, "food for human consumption that
20 is to be consumed off the premises where it is sold" does not
21 include candy. For purposes of this Section, "candy" means a
22 preparation of sugar, honey, or other natural or artificial
23 sweeteners in combination with chocolate, fruits, nuts or
24 other ingredients or flavorings in the form of bars, drops, or
25 pieces. "Candy" does not include any preparation that contains
26 flour or requires refrigeration.

1 Notwithstanding any other provisions of this Act,
2 beginning September 1, 2009, "nonprescription medicines and
3 drugs" does not include grooming and hygiene products. For
4 purposes of this Section, "grooming and hygiene products"
5 includes, but is not limited to, soaps and cleaning solutions,
6 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
7 lotions and screens, unless those products are available by
8 prescription only, regardless of whether the products meet the
9 definition of "over-the-counter-drugs". For the purposes of
10 this paragraph, "over-the-counter-drug" means a drug for human
11 use that contains a label that identifies the product as a drug
12 as required by 21 CFR 201.66. The "over-the-counter-drug"
13 label includes:

14 (A) a "Drug Facts" panel; or

15 (B) a statement of the "active ingredient(s)" with a
16 list of those ingredients contained in the compound,
17 substance or preparation.

18 Beginning on January 1, 2014 (the effective date of Public
19 Act 98-122), and through June 30, 2026, "prescription and
20 nonprescription medicines and drugs" includes medical cannabis
21 purchased from a registered dispensing organization under the
22 Compassionate Use of Medical Cannabis Program Act.

23 Beginning on July 1, 2026, "prescription and
24 nonprescription medicines and drugs" includes cannabis
25 purchased by a qualified registered patient, provisional
26 patient, designated caregiver, or Opioid Alternative Patient

1 Program participant as part of their adequate medical supply,
2 as these terms are defined under the Cannabis Regulation and
3 Tax Act, from a dispensing organization registered under the
4 Compassionate Use of Medical Cannabis Program Act or the
5 Cannabis Regulation and Tax Act.

6 As used in this Section, through June 30, 2026, "adult use
7 cannabis" means cannabis subject to tax under the Cannabis
8 Cultivation Privilege Tax Law and the Cannabis Purchaser
9 Excise Tax Law and does not include cannabis subject to tax
10 under the Compassionate Use of Medical Cannabis Program Act.

11 Beginning July 1, 2026, as used in this Section, "adult
12 use cannabis" means cannabis subject to tax under the Cannabis
13 Cultivation Privilege Tax Law and the Cannabis Purchaser
14 Excise Tax Law and does not include cannabis purchased by a
15 qualified registered patient, provisional patient, designated
16 caregiver, or Opioid Alternative Patient Program participant
17 as part of their adequate medical supply.

18 If the property that is acquired from a serviceman is
19 acquired outside Illinois and used outside Illinois before
20 being brought to Illinois for use here and is taxable under
21 this Act, the "selling price" on which the tax is computed
22 shall be reduced by an amount that represents a reasonable
23 allowance for depreciation for the period of prior
24 out-of-state use. No depreciation is allowed in cases where
25 the tax under this Act is imposed on lease receipts.

26 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;

1 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-6, eff.
2 6-16-25; 104-417, eff. 8-15-25.)

3 Section 20. The Service Occupation Tax Act is amended by
4 changing Section 3-10 as follows:

5 (35 ILCS 115/3-10)

6 Sec. 3-10. Rate of tax. Unless otherwise provided in this
7 Section, the tax imposed by this Act is at the rate of 6.25% of
8 the "selling price", as defined in Section 2 of the Service Use
9 Tax Act, of the tangible personal property, including, on and
10 after January 1, 2025, tangible personal property transferred
11 by lease. For the purpose of computing this tax, in no event
12 shall the "selling price" be less than the cost price to the
13 serviceman of the tangible personal property transferred. The
14 selling price of each item of tangible personal property
15 transferred as an incident of a sale of service may be shown as
16 a distinct and separate item on the serviceman's billing to
17 the service customer. If the selling price is not so shown, the
18 selling price of the tangible personal property is deemed to
19 be 50% of the serviceman's entire billing to the service
20 customer. When, however, a serviceman contracts to design,
21 develop, and produce special order machinery or equipment, the
22 tax imposed by this Act shall be based on the serviceman's cost
23 price of the tangible personal property transferred incident
24 to the completion of the contract.

1 Beginning on July 1, 2000 and through December 31, 2000,
2 with respect to motor fuel, as defined in Section 1.1 of the
3 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
4 the Use Tax Act, the tax is imposed at the rate of 1.25%.

5 With respect to gasohol, as defined in the Use Tax Act, the
6 tax imposed by this Act shall apply to (i) 70% of the cost
7 price of property transferred as an incident to the sale of
8 service on or after January 1, 1990, and before July 1, 2003,
9 (ii) 80% of the selling price of property transferred as an
10 incident to the sale of service on or after July 1, 2003 and on
11 or before July 1, 2017, (iii) 100% of the selling price of
12 property transferred as an incident to the sale of service
13 after July 1, 2017 and prior to January 1, 2024, (iv) 90% of
14 the selling price of property transferred as an incident to
15 the sale of service on or after January 1, 2024 and on or
16 before December 31, 2028, and (v) 100% of the selling price of
17 property transferred as an incident to the sale of service
18 after December 31, 2028. If, at any time, however, the tax
19 under this Act on sales of gasohol, as defined in the Use Tax
20 Act, is imposed at the rate of 1.25%, then the tax imposed by
21 this Act applies to 100% of the proceeds of sales of gasohol
22 made during that time.

23 With respect to mid-range ethanol blends, as defined in
24 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
25 applies to (i) 80% of the selling price of property
26 transferred as an incident to the sale of service on or after

1 January 1, 2024 and on or before December 31, 2028 and (ii)
2 100% of the selling price of property transferred as an
3 incident to the sale of service after December 31, 2028. If, at
4 any time, however, the tax under this Act on sales of mid-range
5 ethanol blends is imposed at the rate of 1.25%, then the tax
6 imposed by this Act applies to 100% of the selling price of
7 mid-range ethanol blends transferred as an incident to the
8 sale of service during that time.

9 With respect to majority blended ethanol fuel, as defined
10 in the Use Tax Act, the tax imposed by this Act does not apply
11 to the selling price of property transferred as an incident to
12 the sale of service on or after July 1, 2003 and on or before
13 December 31, 2028 but applies to 100% of the selling price
14 thereafter.

15 With respect to biodiesel blends, as defined in the Use
16 Tax Act, with no less than 1% and no more than 10% biodiesel,
17 the tax imposed by this Act applies to (i) 80% of the selling
18 price of property transferred as an incident to the sale of
19 service on or after July 1, 2003 and on or before December 31,
20 2018 and (ii) 100% of the proceeds of the selling price after
21 December 31, 2018 and before January 1, 2024. On and after
22 January 1, 2024 and on or before December 31, 2030, the
23 taxation of biodiesel, renewable diesel, and biodiesel blends
24 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
25 at any time, however, the tax under this Act on sales of
26 biodiesel blends, as defined in the Use Tax Act, with no less

1 than 1% and no more than 10% biodiesel is imposed at the rate
2 of 1.25%, then the tax imposed by this Act applies to 100% of
3 the proceeds of sales of biodiesel blends with no less than 1%
4 and no more than 10% biodiesel made during that time.

5 With respect to biodiesel, as defined in the Use Tax Act,
6 and biodiesel blends, as defined in the Use Tax Act, with more
7 than 10% but no more than 99% biodiesel material, the tax
8 imposed by this Act does not apply to the proceeds of the
9 selling price of property transferred as an incident to the
10 sale of service on or after July 1, 2003 and on or before
11 December 31, 2023. On and after January 1, 2024 and on or
12 before December 31, 2030, the taxation of biodiesel, renewable
13 diesel, and biodiesel blends shall be as provided in Section
14 3-5.1 of the Use Tax Act.

15 At the election of any registered serviceman made for each
16 fiscal year, for whom the aggregate annual cost price of
17 tangible personal property transferred as an incident to the
18 sales of service is less than 35%, or 75% in the case of
19 servicemen transferring prescription drugs or servicemen
20 engaged in graphic arts production, of the aggregate annual
21 total gross receipts from all sales of service, the tax
22 imposed by this Act shall be based on the serviceman's cost
23 price of the tangible personal property transferred incident
24 to the sale of those services. This election may also be made
25 by a serviceman maintaining a place of business in this State
26 who makes retail sales from outside of this State to Illinois

1 customers but is not required to be registered under Section
2 2a of the Retailers' Occupation Tax Act. Beginning January 1,
3 2026, this election shall not apply to any sale of service made
4 through a marketplace that has met the threshold in subsection
5 (d) of Section 3 of this Act.

6 Beginning January 1, 2026, the tax shall be imposed at the
7 rate of 6.25% of 50% of the entire billing to the service
8 customer for all sales of service made through a marketplace
9 that has met the threshold in subsection (d) of Section 3 of
10 this Act. In no event shall 50% of the entire billing be less
11 than the cost price of the property to the marketplace
12 serviceman or the marketplace facilitator on its own sales of
13 service.

14 Until July 1, 2022 and from July 1, 2023 through December
15 31, 2025, the tax shall be imposed at the rate of 1% on food
16 prepared for immediate consumption and transferred incident to
17 a sale of service subject to this Act or the Service Use Tax
18 Act by an entity licensed under the Hospital Licensing Act,
19 the Nursing Home Care Act, the Assisted Living and Shared
20 Housing Act, the ID/DD Community Care Act, the MC/DD Act, the
21 Specialized Mental Health Rehabilitation Act of 2013, or the
22 Child Care Act of 1969, or an entity that holds a permit issued
23 pursuant to the Life Care Facilities Act. Until July 1, 2022
24 and from July 1, 2023 through December 31, 2025, the tax shall
25 also be imposed at the rate of 1% on food for human consumption
26 that is to be consumed off the premises where it is sold (other

1 than alcoholic beverages, food consisting of or infused with
2 adult use cannabis, soft drinks, and food that has been
3 prepared for immediate consumption and is not otherwise
4 included in this paragraph).

5 Beginning on July 1, 2022 and until July 1, 2023, the tax
6 shall be imposed at the rate of 0% on food prepared for
7 immediate consumption and transferred incident to a sale of
8 service subject to this Act or the Service Use Tax Act by an
9 entity licensed under the Hospital Licensing Act, the Nursing
10 Home Care Act, the Assisted Living and Shared Housing Act, the
11 ID/DD Community Care Act, the MC/DD Act, the Specialized
12 Mental Health Rehabilitation Act of 2013, or the Child Care
13 Act of 1969, or an entity that holds a permit issued pursuant
14 to the Life Care Facilities Act. Beginning July 1, 2022 and
15 until July 1, 2023, the tax shall also be imposed at the rate
16 of 0% on food for human consumption that is to be consumed off
17 the premises where it is sold (other than alcoholic beverages,
18 food consisting of or infused with adult use cannabis, soft
19 drinks, and food that has been prepared for immediate
20 consumption and is not otherwise included in this paragraph).

21 On and after January 1, 2026, food prepared for immediate
22 consumption and transferred incident to a sale of service
23 subject to this Act or the Service Use Tax Act by an entity
24 licensed under the Hospital Licensing Act, the Nursing Home
25 Care Act, the Assisted Living and Shared Housing Act, the
26 ID/DD Community Care Act, the MC/DD Act, the Specialized

1 Mental Health Rehabilitation Act of 2013, or the Child Care
2 Act of 1969, or an entity that holds a permit issued pursuant
3 to the Life Care Facilities Act is exempt from the tax imposed
4 by this Act. On and after January 1, 2026, food for human
5 consumption that is to be consumed off the premises where it is
6 sold (other than alcoholic beverages, food consisting of or
7 infused with adult use cannabis, soft drinks, candy, and food
8 that has been prepared for immediate consumption and is not
9 otherwise included in this paragraph) is exempt from the tax
10 imposed by this Act.

11 The tax shall be imposed at the rate of 1% on prescription
12 and nonprescription medicines, drugs, medical appliances,
13 products classified as Class III medical devices by the United
14 States Food and Drug Administration that are used for cancer
15 treatment pursuant to a prescription, as well as any
16 accessories and components related to those devices,
17 modifications to a motor vehicle for the purpose of rendering
18 it usable by a person with a disability, and insulin, blood
19 sugar testing materials, syringes, and needles used by human
20 diabetics. For the purposes of this Section, until September
21 1, 2009: the term "soft drinks" means any complete, finished,
22 ready-to-use, non-alcoholic drink, whether carbonated or not,
23 including, but not limited to, soda water, cola, fruit juice,
24 vegetable juice, carbonated water, and all other preparations
25 commonly known as soft drinks of whatever kind or description
26 that are contained in any closed or sealed can, carton, or

1 container, regardless of size; but "soft drinks" does not
2 include coffee, tea, non-carbonated water, infant formula,
3 milk or milk products as defined in the Grade A Pasteurized
4 Milk and Milk Products Act, or drinks containing 50% or more
5 natural fruit or vegetable juice.

6 Notwithstanding any other provisions of this Act,
7 beginning September 1, 2009, "soft drinks" means non-alcoholic
8 beverages that contain natural or artificial sweeteners. "Soft
9 drinks" does not include beverages that contain milk or milk
10 products, soy, rice or similar milk substitutes, or greater
11 than 50% of vegetable or fruit juice by volume.

12 Until August 1, 2009, and notwithstanding any other
13 provisions of this Act, "food for human consumption that is to
14 be consumed off the premises where it is sold" includes all
15 food sold through a vending machine, except soft drinks and
16 food products that are dispensed hot from a vending machine,
17 regardless of the location of the vending machine. Beginning
18 August 1, 2009, and notwithstanding any other provisions of
19 this Act, "food for human consumption that is to be consumed
20 off the premises where it is sold" includes all food sold
21 through a vending machine, except soft drinks, candy, and food
22 products that are dispensed hot from a vending machine,
23 regardless of the location of the vending machine.

24 Notwithstanding any other provisions of this Act,
25 beginning September 1, 2009, "food for human consumption that
26 is to be consumed off the premises where it is sold" does not

1 include candy. For purposes of this Section, "candy" means a
2 preparation of sugar, honey, or other natural or artificial
3 sweeteners in combination with chocolate, fruits, nuts or
4 other ingredients or flavorings in the form of bars, drops, or
5 pieces. "Candy" does not include any preparation that contains
6 flour or requires refrigeration.

7 Notwithstanding any other provisions of this Act,
8 beginning September 1, 2009, "nonprescription medicines and
9 drugs" does not include grooming and hygiene products. For
10 purposes of this Section, "grooming and hygiene products"
11 includes, but is not limited to, soaps and cleaning solutions,
12 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
13 lotions and screens, unless those products are available by
14 prescription only, regardless of whether the products meet the
15 definition of "over-the-counter-drugs". For the purposes of
16 this paragraph, "over-the-counter-drug" means a drug for human
17 use that contains a label that identifies the product as a drug
18 as required by 21 CFR 201.66. The "over-the-counter-drug"
19 label includes:

20 (A) a "Drug Facts" panel; or

21 (B) a statement of the "active ingredient(s)" with a
22 list of those ingredients contained in the compound,
23 substance or preparation.

24 Beginning on January 1, 2014 (the effective date of Public
25 Act 98-122), and through June 30, 2026, "prescription and
26 nonprescription medicines and drugs" includes medical cannabis

1 purchased from a registered dispensing organization under the
2 Compassionate Use of Medical Cannabis Program Act.

3 Beginning on July 1, 2026, "prescription and
4 nonprescription medicines and drugs" includes cannabis
5 purchased by a qualified registered patient, provisional
6 patient, designated caregiver, or Opioid Alternative Patient
7 Program participant as part of their adequate medical supply,
8 as these terms are defined under the Cannabis Regulation and
9 Tax Act, from a dispensing organization registered under the
10 Compassionate Use of Medical Cannabis Program Act or the
11 Cannabis Regulation and Tax Act.

12 As used in this Section, and through June 30, 2026, "adult
13 use cannabis" means cannabis subject to tax under the Cannabis
14 Cultivation Privilege Tax Law and the Cannabis Purchaser
15 Excise Tax Law and does not include cannabis subject to tax
16 under the Compassionate Use of Medical Cannabis Program Act.

17 Beginning July 1, 2026, as used in this Section, "adult
18 use cannabis" means cannabis subject to tax under the Cannabis
19 Cultivation Privilege Tax Law and the Cannabis Purchaser
20 Excise Tax Law and does not include cannabis purchased by a
21 qualified registered patient, provisional patient, designated
22 caregiver, or Opioid Alternative Patient Program participant
23 as part of their adequate medical supply.

24 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
25 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-6, eff.
26 6-16-25; 104-417, eff. 8-15-25.)

1 Section 25. The Retailers' Occupation Tax Act is amended
2 by changing Sections 2-10 and 11 as follows:

3 (35 ILCS 120/2-10) from Ch. 120, par. 441-10

4 Sec. 2-10. Rate of tax. Unless otherwise provided in this
5 Section, the tax imposed by this Act is at the rate of 6.25% of
6 gross receipts from sales, which, on and after January 1,
7 2025, includes leases, of tangible personal property made in
8 the course of business.

9 Beginning on July 1, 2000 and through December 31, 2000,
10 with respect to motor fuel, as defined in Section 1.1 of the
11 Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of
12 the Use Tax Act, the tax is imposed at the rate of 1.25%.

13 Beginning on August 6, 2010 through August 15, 2010, and
14 beginning again on August 5, 2022 through August 14, 2022,
15 with respect to sales tax holiday items as defined in Section
16 2-8 of this Act, the tax is imposed at the rate of 1.25%.

17 Within 14 days after July 1, 2000 (the effective date of
18 Public Act 91-872), each retailer of motor fuel and gasohol
19 shall cause the following notice to be posted in a prominently
20 visible place on each retail dispensing device that is used to
21 dispense motor fuel or gasohol in the State of Illinois: "As of
22 July 1, 2000, the State of Illinois has eliminated the State's
23 share of sales tax on motor fuel and gasohol through December
24 31, 2000. The price on this pump should reflect the

1 elimination of the tax." The notice shall be printed in bold
2 print on a sign that is no smaller than 4 inches by 8 inches.
3 The sign shall be clearly visible to customers. Any retailer
4 who fails to post or maintain a required sign through December
5 31, 2000 is guilty of a petty offense for which the fine shall
6 be \$500 per day per each retail premises where a violation
7 occurs.

8 With respect to gasohol, as defined in the Use Tax Act, the
9 tax imposed by this Act applies to (i) 70% of the proceeds of
10 sales made on or after January 1, 1990, and before July 1,
11 2003, (ii) 80% of the proceeds of sales made on or after July
12 1, 2003 and on or before July 1, 2017, (iii) 100% of the
13 proceeds of sales made after July 1, 2017 and prior to January
14 1, 2024, (iv) 90% of the proceeds of sales made on or after
15 January 1, 2024 and on or before December 31, 2028, and (v)
16 100% of the proceeds of sales made after December 31, 2028. If,
17 at any time, however, the tax under this Act on sales of
18 gasohol, as defined in the Use Tax Act, is imposed at the rate
19 of 1.25%, then the tax imposed by this Act applies to 100% of
20 the proceeds of sales of gasohol made during that time.

21 With respect to mid-range ethanol blends, as defined in
22 Section 3-44.3 of the Use Tax Act, the tax imposed by this Act
23 applies to (i) 80% of the proceeds of sales made on or after
24 January 1, 2024 and on or before December 31, 2028 and (ii)
25 100% of the proceeds of sales made after December 31, 2028. If,
26 at any time, however, the tax under this Act on sales of

1 mid-range ethanol blends is imposed at the rate of 1.25%, then
2 the tax imposed by this Act applies to 100% of the proceeds of
3 sales of mid-range ethanol blends made during that time.

4 With respect to majority blended ethanol fuel, as defined
5 in the Use Tax Act, the tax imposed by this Act does not apply
6 to the proceeds of sales made on or after July 1, 2003 and on
7 or before December 31, 2028 but applies to 100% of the proceeds
8 of sales made thereafter.

9 With respect to biodiesel blends, as defined in the Use
10 Tax Act, with no less than 1% and no more than 10% biodiesel,
11 the tax imposed by this Act applies to (i) 80% of the proceeds
12 of sales made on or after July 1, 2003 and on or before
13 December 31, 2018 and (ii) 100% of the proceeds of sales made
14 after December 31, 2018 and before January 1, 2024. On and
15 after January 1, 2024 and on or before December 31, 2030, the
16 taxation of biodiesel, renewable diesel, and biodiesel blends
17 shall be as provided in Section 3-5.1 of the Use Tax Act. If,
18 at any time, however, the tax under this Act on sales of
19 biodiesel blends, as defined in the Use Tax Act, with no less
20 than 1% and no more than 10% biodiesel is imposed at the rate
21 of 1.25%, then the tax imposed by this Act applies to 100% of
22 the proceeds of sales of biodiesel blends with no less than 1%
23 and no more than 10% biodiesel made during that time.

24 With respect to biodiesel, as defined in the Use Tax Act,
25 and biodiesel blends, as defined in the Use Tax Act, with more
26 than 10% but no more than 99% biodiesel, the tax imposed by

1 this Act does not apply to the proceeds of sales made on or
2 after July 1, 2003 and on or before December 31, 2023. On and
3 after January 1, 2024 and on or before December 31, 2030, the
4 taxation of biodiesel, renewable diesel, and biodiesel blends
5 shall be as provided in Section 3-5.1 of the Use Tax Act.

6 Until July 1, 2022 and from July 1, 2023 through December
7 31, 2025, with respect to food for human consumption that is to
8 be consumed off the premises where it is sold (other than
9 alcoholic beverages, food consisting of or infused with adult
10 use cannabis, soft drinks, and food that has been prepared for
11 immediate consumption), the tax is imposed at the rate of 1%.
12 Beginning July 1, 2022 and until July 1, 2023, with respect to
13 food for human consumption that is to be consumed off the
14 premises where it is sold (other than alcoholic beverages,
15 food consisting of or infused with adult use cannabis, soft
16 drinks, and food that has been prepared for immediate
17 consumption), the tax is imposed at the rate of 0%. On and
18 after January 1, 2026, food for human consumption that is to be
19 consumed off the premises where it is sold (other than
20 alcoholic beverages, food consisting of or infused with adult
21 use cannabis, soft drinks, candy, and food that has been
22 prepared for immediate consumption) is exempt from the tax
23 imposed by this Act.

24 With respect to prescription and nonprescription
25 medicines, drugs, medical appliances, products classified as
26 Class III medical devices by the United States Food and Drug

1 Administration that are used for cancer treatment pursuant to
2 a prescription, as well as any accessories and components
3 related to those devices, modifications to a motor vehicle for
4 the purpose of rendering it usable by a person with a
5 disability, and insulin, blood sugar testing materials,
6 syringes, and needles used by human diabetics, the tax is
7 imposed at the rate of 1%. For the purposes of this Section,
8 until September 1, 2009: the term "soft drinks" means any
9 complete, finished, ready-to-use, non-alcoholic drink, whether
10 carbonated or not, including, but not limited to, soda water,
11 cola, fruit juice, vegetable juice, carbonated water, and all
12 other preparations commonly known as soft drinks of whatever
13 kind or description that are contained in any closed or sealed
14 bottle, can, carton, or container, regardless of size; but
15 "soft drinks" does not include coffee, tea, non-carbonated
16 water, infant formula, milk or milk products as defined in the
17 Grade A Pasteurized Milk and Milk Products Act, or drinks
18 containing 50% or more natural fruit or vegetable juice.

19 Notwithstanding any other provisions of this Act,
20 beginning September 1, 2009, "soft drinks" means non-alcoholic
21 beverages that contain natural or artificial sweeteners. "Soft
22 drinks" does not include beverages that contain milk or milk
23 products, soy, rice or similar milk substitutes, or greater
24 than 50% of vegetable or fruit juice by volume.

25 Until August 1, 2009, and notwithstanding any other
26 provisions of this Act, "food for human consumption that is to

1 be consumed off the premises where it is sold" includes all
2 food sold through a vending machine, except soft drinks and
3 food products that are dispensed hot from a vending machine,
4 regardless of the location of the vending machine. Beginning
5 August 1, 2009, and notwithstanding any other provisions of
6 this Act, "food for human consumption that is to be consumed
7 off the premises where it is sold" includes all food sold
8 through a vending machine, except soft drinks, candy, and food
9 products that are dispensed hot from a vending machine,
10 regardless of the location of the vending machine.

11 Notwithstanding any other provisions of this Act,
12 beginning September 1, 2009, "food for human consumption that
13 is to be consumed off the premises where it is sold" does not
14 include candy. For purposes of this Section, "candy" means a
15 preparation of sugar, honey, or other natural or artificial
16 sweeteners in combination with chocolate, fruits, nuts or
17 other ingredients or flavorings in the form of bars, drops, or
18 pieces. "Candy" does not include any preparation that contains
19 flour or requires refrigeration.

20 Notwithstanding any other provisions of this Act,
21 beginning September 1, 2009, "nonprescription medicines and
22 drugs" does not include grooming and hygiene products. For
23 purposes of this Section, "grooming and hygiene products"
24 includes, but is not limited to, soaps and cleaning solutions,
25 shampoo, toothpaste, mouthwash, antiperspirants, and sun tan
26 lotions and screens, unless those products are available by

1 prescription only, regardless of whether the products meet the
2 definition of "over-the-counter-drugs". For the purposes of
3 this paragraph, "over-the-counter-drug" means a drug for human
4 use that contains a label that identifies the product as a drug
5 as required by 21 CFR 201.66. The "over-the-counter-drug"
6 label includes:

7 (A) a "Drug Facts" panel; or

8 (B) a statement of the "active ingredient(s)" with a
9 list of those ingredients contained in the compound,
10 substance or preparation.

11 Beginning on January 1, 2014 (the effective date of Public
12 Act 98-122), and through June 30, 2026, "prescription and
13 nonprescription medicines and drugs" includes medical cannabis
14 purchased from a registered dispensing organization under the
15 Compassionate Use of Medical Cannabis Program Act.

16 Beginning on July 1, 2026, "prescription and
17 nonprescription medicines and drugs" includes cannabis
18 purchased by a qualified registered patient, provisional
19 patient, designated caregiver, or Opioid Alternative Patient
20 Program participant as part of their adequate medical supply,
21 as these terms are defined under the Cannabis Regulation and
22 Tax Act, from a dispensing organization registered under the
23 Compassionate Use of Medical Cannabis Program Act or the
24 Cannabis Regulation and Tax Act.

25 As used in this Section, and through June 30, 2026, "adult
26 use cannabis" means cannabis subject to tax under the Cannabis

1 Cultivation Privilege Tax Law and the Cannabis Purchaser
2 Excise Tax Law and does not include cannabis subject to tax
3 under the Compassionate Use of Medical Cannabis Program Act.

4 Beginning July 1, 2026, as used in this Section, "adult
5 use cannabis" means cannabis subject to tax under the Cannabis
6 Cultivation Privilege Tax Law and the Cannabis Purchaser
7 Excise Tax Law and does not include cannabis purchased by a
8 qualified registered patient, provisional patient, designated
9 caregiver, or Opioid Alternative Patient Program participant
10 as part of their adequate medical supply.

11 (Source: P.A. 103-9, eff. 6-7-23; 103-154, eff. 6-30-23;
12 103-592, eff. 1-1-25; 103-781, eff. 8-5-24; 104-417, eff.
13 8-15-25.)

14 (35 ILCS 120/11) (from Ch. 120, par. 450)

15 Sec. 11. All information received by the Department from
16 returns filed under this Act, or from any investigation
17 conducted under this Act, shall be confidential, except for
18 official purposes, and any person, including a third party as
19 defined in the Local Government Revenue Recapture Act, who
20 divulges any such information in any manner, except in
21 accordance with a proper judicial order or as otherwise
22 provided by law, including the Local Government Revenue
23 Recapture Act, shall be guilty of a Class B misdemeanor with a
24 fine not to exceed \$7,500.

25 Nothing in this Act prevents the Director of Revenue from

1 publishing or making available to the public the names and
2 addresses of persons filing returns under this Act, or
3 reasonable statistics concerning the operation of the tax by
4 grouping the contents of returns so the information in any
5 individual return is not disclosed.

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

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

21 The furnishing upon request of information obtained by the
22 Department from returns filed under this Act or investigations
23 conducted under this Act to the Illinois Liquor Control
24 Commission for official use is deemed to be an official
25 purpose within the meaning of this Section.

26 Notice to a surety of potential liability shall not be

1 given unless the taxpayer has first been notified, not less
2 than 10 days prior thereto, of the Department's intent to so
3 notify the surety.

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

8 Where an appeal or a protest has been filed on behalf of a
9 taxpayer, the furnishing upon request of the attorney for the
10 taxpayer of returns filed by the taxpayer and information
11 related thereto under this Act is deemed to be an official
12 purpose within the meaning of this Section.

13 The furnishing of financial information to a municipality
14 or county, upon request of the chief executive officer
15 thereof, is an official purpose within the meaning of this
16 Section, provided the municipality or county agrees in writing
17 to the requirements of this Section. Information provided to
18 municipalities and counties under this paragraph shall be
19 limited to: (1) the business name; (2) the business address;
20 (3) the standard classification number assigned to the
21 business; (4) net revenue distributed to the requesting
22 municipality or county that is directly related to the
23 requesting municipality's or county's local share of the
24 proceeds under the Use Tax Act, the Service Use Tax Act, the
25 Service Occupation Tax Act, and the Retailers' Occupation Tax
26 Act distributed from the Local Government Tax Fund, and, if

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

15 Information so provided shall be subject to all
16 confidentiality provisions of this Section. The written
17 agreement shall provide for reciprocity, limitations on
18 access, disclosure, and procedures for requesting information.
19 For the purposes of furnishing financial information to a
20 municipality or county under this Section, "chief executive
21 officer" means the mayor of a city, the village board
22 president of a village, the mayor or president of an
23 incorporated town, the county executive of a county that has
24 adopted the county executive form of government, the president
25 of the board of commissioners of Cook County, or the
26 chairperson of the county board or board of county

1 commissioners of any other county.

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

18 The Director may make available to any State agency,
19 including the Illinois Supreme Court, which licenses persons
20 to engage in any occupation, information that a person
21 licensed by such agency has failed to file returns under this
22 Act or pay the tax, penalty and interest shown therein, or has
23 failed to pay any final assessment of tax, penalty or interest
24 due under this Act. The Director may make available to any
25 State agency, including the Illinois Supreme Court,
26 information regarding whether a bidder, contractor, or an

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

1 of the board of directors or similar governing body of the
2 business or (2) is convertible into, or entitles the holder to
3 receive upon its exercise, a security that confers such a
4 right to vote. A general partnership interest is a voting
5 security.

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

13 The Director may also make available to the Secretary of
14 State information that a limited liability company, which has
15 filed articles of organization with the Secretary of State, or
16 corporation which has been issued a certificate of
17 incorporation by the Secretary of State has failed to file
18 returns under this Act or pay the tax, penalty and interest
19 shown therein, or has failed to pay any final assessment of
20 tax, penalty or interest due under this Act. An assessment is
21 final when all proceedings in court for review of such
22 assessment have terminated or the time for the taking thereof
23 has expired without such proceedings being instituted.

24 It is an official purpose within the meaning of this
25 Section for the Department to publicly report the aggregate
26 amount of tax revenues from a given tax return type that the

1 Department allocates from a State fund or State trust fund to
2 each unit of local government, such as the amount of the
3 monthly allocation to each unit of local government of
4 Municipal Cannabis Retailers' Occupation Tax, County Cannabis
5 Retailers' Occupation Tax, or Business District Occupation
6 Tax, notwithstanding that some units of local government may
7 have as few as one retailer reporting revenues for a given tax
8 return type in any given reporting period.

9 The Director shall make available for public inspection in
10 the Department's principal office and for publication, at
11 cost, administrative decisions issued on or after January 1,
12 1995. These decisions are to be made available in a manner so
13 that the following taxpayer information is not disclosed:

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

16 (2) At the sole discretion of the Director, trade
17 secrets or other confidential information identified as
18 such by the taxpayer, no later than 30 days after receipt
19 of an administrative decision, by such means as the
20 Department shall provide by rule.

21 The Director shall determine the appropriate extent of the
22 deletions allowed in paragraph (2). In the event the taxpayer
23 does not submit deletions, the Director shall make only the
24 deletions specified in paragraph (1).

25 The Director shall make available for public inspection
26 and publication an administrative decision within 180 days

1 after the issuance of the administrative decision. The term
2 "administrative decision" has the same meaning as defined in
3 Section 3-101 of Article III of the Code of Civil Procedure.
4 Costs collected under this Section shall be paid into the Tax
5 Compliance and Administration Fund.

6 Nothing contained in this Act shall prevent the Director
7 from divulging information to any person pursuant to a request
8 or authorization made by the taxpayer or by an authorized
9 representative of the taxpayer.

10 The furnishing of information obtained by the Department
11 from returns filed under Public Act 101-10 to the Department
12 of Transportation for purposes of compliance with Public Act
13 101-10 regarding aviation fuel is deemed to be an official
14 purpose within the meaning of this Section.

15 The Director may make information available to the
16 Secretary of State for the purpose of administering Section
17 5-901 of the Illinois Vehicle Code.

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

20 Section 30. The Compassionate Use of Medical Cannabis
21 Program Act is amended by changing Sections 7, 7-15, 10, 15,
22 25, 30, 35, 57, 60, 62, 70, 75, 85, 90, 95, 100, 105, 110, 115,
23 120, 125, 130, 140, 145, 150, 180, 200, 205, and 210 as
24 follows:

1 (410 ILCS 130/7)

2 Sec. 7. Lawful user and lawful products. For the purposes
3 of this Act and to clarify the legislative findings on the
4 lawful use of cannabis:

5 (1) A cardholder under this Act shall not be
6 considered an unlawful user or addicted to narcotics
7 solely as a result of his or her qualifying patient,
8 provisional patient, or designated caregiver, or Opioid
9 Alternative Patient Program participant status.

10 (2) All ~~medical~~ cannabis products purchased by a
11 qualifying patient, provisional patient, designated
12 caregiver, or Opioid Alternative Patient Program
13 participant at a licensed dispensing organization shall be
14 lawful products ~~and a distinction shall be made between~~
15 ~~medical and non medical uses of cannabis as a result of~~
16 ~~the qualifying patient's cardholder status, provisional~~
17 ~~registration for qualifying patient cardholder status, or~~
18 ~~participation in the Opioid Alternative Pilot Program~~
19 ~~under the authorized use granted under State law.~~

20 (3) An individual with a provisional registration for
21 qualifying patient cardholder status, a qualifying patient
22 in the Compassionate Use of Medical Cannabis Program, or
23 an Opioid Alternative Patient ~~Pilot~~ Program participant
24 under Section 62 shall not be considered an unlawful user
25 or addicted to narcotics solely as a result of his or her
26 application to or participation in the program.

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

2 (410 ILCS 130/10)

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

5 (a) "Adequate medical supply" means:

6 (1) 2.5 ounces of usable cannabis during a period of
7 14 days and that is derived solely from an intrastate
8 source.

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

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

22 (4) The pre-mixed weight of medical cannabis used in
23 making a cannabis-infused ~~cannabis-infused~~ product shall
24 apply toward the limit on the total amount of medical
25 cannabis a registered qualifying patient may possess at

1 any one time.

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

7 (b) "Cannabis" has the same meaning given to that term in
8 Section 1-10 ~~3~~ of the Cannabis Regulation and Tax Control Act.

9 (b-5) "Cannabis business establishment" has the same
10 meaning given to that term in Section 1-10 of the Cannabis
11 Regulation and Tax Act.

12 (c) "Cannabis plant monitoring system" means a system that
13 includes, but is not limited to, testing and data collection
14 established and maintained by the registered cultivation
15 center and available to the Department for the purposes of
16 documenting each cannabis plant and for monitoring plant
17 development throughout the life cycle of a cannabis plant
18 cultivated for the intended use by a qualifying patient from
19 seed planting to final packaging.

20 (d) "Cardholder" means a qualifying patient, provisional
21 patient, or a designated caregiver who has been issued and
22 possesses a valid registry identification card by the
23 Department of Public Health.

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

1 (e) "Cultivation center" means a facility operated by an
2 organization or business that is registered by the Department
3 of Agriculture to perform necessary activities to provide only
4 registered medical cannabis dispensing organizations with
5 usable medical cannabis. Beginning July 1, 2026, cultivation
6 centers registered under this Act are subject to regulation
7 exclusively as a cultivation center under the Cannabis
8 Regulation and Tax Act. Cultivation center registrations under
9 this Act shall not be renewed after July 1, 2026.

10 (f) "Cultivation center agent" means a principal officer,
11 board member, employee, or agent of a registered cultivation
12 center who is 21 years of age. This subsection becomes
13 inoperative on January 1, 2027 ~~or older and has not been~~
14 ~~convicted of an excluded offense.~~

15 (g) "Cultivation center agent identification card" means a
16 document issued by the Department of Agriculture that
17 identifies a person as a cultivation center agent. This
18 subsection (g) becomes inoperative on January 1, 2027.

19 (h) "Debilitating medical condition" means one or more of
20 the following:

21 (1) cancer, glaucoma, positive status for human
22 immunodeficiency virus, acquired immune deficiency
23 syndrome, hepatitis C, amyotrophic lateral sclerosis,
24 Crohn's disease (including, but not limited to, ulcerative
25 colitis), agitation of Alzheimer's disease,
26 cachexia/wasting syndrome, muscular dystrophy, severe

1 fibromyalgia, spinal cord disease, including but not
2 limited to arachnoiditis, Tarlov cysts, hydromyelia,
3 syringomyelia, Rheumatoid arthritis, fibrous dysplasia,
4 spinal cord injury, traumatic brain injury and
5 post-concussion syndrome, Multiple Sclerosis,
6 Arnold-Chiari malformation and Syringomyelia,
7 Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's,
8 Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD
9 (Complex Regional Pain Syndromes Type I), Causalgia, CRPS
10 (Complex Regional Pain Syndromes Type II),
11 Neurofibromatosis, Chronic Inflammatory Demyelinating
12 Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial
13 Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella
14 syndrome, residual limb pain, seizures (including those
15 characteristic of epilepsy), post-traumatic stress
16 disorder (PTSD), autism, chronic pain, irritable bowel
17 syndrome, migraines, osteoarthritis, anorexia nervosa,
18 Ehlers-Danlos Syndrome, Neuro-Behcet's Autoimmune
19 Disease, neuropathy, polycystic kidney disease, superior
20 canal dehiscence syndrome, endometriosis, ovarian cysts,
21 uterine fibroids, female orgasmic disorder, or the
22 treatment of these conditions;

23 (1.5) terminal illness with a diagnosis of 6 months or
24 less; if the terminal illness is not one of the qualifying
25 debilitating medical conditions, then the certifying
26 health care professional shall on the certification form

1 identify the cause of the terminal illness; or

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

5 (i) "Designated caregiver" means a person who: (1) is at
6 least 21 years of age; (2) has agreed to assist with a
7 patient's medical use of cannabis; ~~(3) has not been convicted~~
8 ~~of an excluded offense;~~ and (3) (4) assists no more than one
9 registered qualifying patient with the patient's his or her
10 medical use of cannabis, except the parent or guardian of a
11 registered qualifying patient may assist each of their
12 children who are registered qualifying patients. Beginning
13 July 1, 2026, a designated caregiver registered under this Act
14 may perform the designated caregiver's duties at any
15 dispensary licensed by the Department of Financial and
16 Professional Regulation under the Cannabis Regulation and Tax
17 Act.

18 (j) "Dispensing organization agent identification card"
19 means a document issued by the Department of Financial and
20 Professional Regulation that identifies a person as a medical
21 cannabis dispensing organization agent. This subsection (j)
22 becomes inoperative on January 1, 2027.

23 (k) "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 a cultivation
26 center's agents or a dispensing organization's agent working

1 for the registered cultivation center or the registered
2 dispensing organization to cultivate, store, and distribute
3 cannabis for registered qualifying patients. For avoidance of
4 doubt, outdoor cultivation areas may be considered enclosed,
5 locked facilities so long as reasonable security measures
6 prevent unauthorized access; reasonable measures shall
7 include, but not be limited to, security fencing of at least
8 eight (8) feet in height with motion-activated lighting.

9 (1) (Blank). "Excluded offense" for cultivation center
10 agents and dispensing organizations means:

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

15 ~~(2) a violation of a state or federal controlled~~
16 ~~substance law, the Cannabis Control Act, or the~~
17 ~~Methamphetamine Control and Community Protection Act that~~
18 ~~was classified as a felony in the jurisdiction where the~~
19 ~~person was convicted, except that the registering~~
20 ~~Department may waive this restriction if the person~~
21 ~~demonstrates to the registering Department's satisfaction~~
22 ~~that his or her conviction was for the possession,~~
23 ~~cultivation, transfer, or delivery of a reasonable amount~~
24 ~~of cannabis intended for medical use. This exception does~~
25 ~~not apply if the conviction was under state law and~~
26 ~~involved a violation of an existing medical cannabis law.~~

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

5 ~~(1-5) (Blank).~~

6 (1-10) "Illinois Medical Cannabis Tracking System" means a
7 web-based system established and maintained by the Department
8 of Public Health that is available to the Department of
9 Agriculture, the Department of Financial and Professional
10 Regulation, the Illinois State Police, and registered medical
11 cannabis dispensing organizations on a 24-hour basis to upload
12 ~~written~~ certifications for Medical Cannabis Patient Program
13 registered patient and Opioid Alternative Patient Pilot
14 Program participants; ~~7~~ to verify Opioid Alternative Patient
15 Pilot Program participants, to verify Medical Cannabis Patient
16 Program registered Patient Program registered patient and
17 Opioid Alternative Patient Pilot Program participants'
18 available cannabis allotment ~~and assigned dispensary, and the~~
19 ~~tracking of the date of sale, amount, and price of medical~~
20 ~~cannabis purchased by an Opioid Alternative Pilot Program~~
21 ~~participant.~~

22 (m) "Medical cannabis cultivation center registration"
23 means a registration issued by the Department of Agriculture.
24 This subsection (m) becomes inoperative on January 1, 2027.

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

1 container, or package used for the purpose of containment of
2 medical cannabis from a cultivation center to a dispensing
3 organization. This subsection (n) becomes inoperative on
4 January 1, 2027.

5 (o) "Medical cannabis dispensing organization", or
6 "dispensing organization", or "dispensary organization",
7 through June 30, 2026, means a facility operated by an
8 organization or business that is registered by the Department
9 of Financial and Professional Regulation to acquire medical
10 cannabis from a registered cultivation center for the purpose
11 of dispensing cannabis, paraphernalia, or related supplies and
12 educational materials to registered qualifying patients,
13 individuals with a provisional registration for qualifying
14 patient cardholder status, or an Opioid Alternative Patient
15 Pilot Program participant. Beginning July 1, 2026, medical
16 cannabis dispensing organizations licensed under this Act are
17 subject to regulation as a dispensary under the Cannabis
18 Regulation and Tax Act.

19 (p) "Medical cannabis dispensing organization agent" or
20 "dispensing organization agent" means a principal officer,
21 board member, employee, or agent of a registered medical
22 cannabis dispensing organization who is 21 years of age or
23 older ~~and has not been convicted of an excluded offense.~~
24 Beginning July 1, 2026, medical cannabis dispensing
25 organization agents licensed under this Act are subject to
26 regulation as a dispensary organization agent under the

1 Cannabis Regulation and Tax Act.

2 (q) "Medical cannabis infused product" means food, oils,
3 ointments, or other products containing usable cannabis that
4 are not smoked.

5 (r) "Medical use" means the acquisition; administration;
6 delivery; possession; transfer; transportation; or use of
7 cannabis to treat or alleviate a registered qualifying
8 patient's debilitating medical condition or symptoms
9 associated with the patient's debilitating medical condition.

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

14 (r-10) "Opioid Alternative Patient ~~Pilot~~ Program
15 participant" means an individual who has received a valid
16 written certification to participate in the Opioid Alternative
17 Patient ~~Pilot~~ Program for a medical condition for which an
18 opioid has been or could be prescribed by a certifying health
19 care professional based on generally accepted standards of
20 care.

21 (s) "Physician" means a doctor of medicine or doctor of
22 osteopathy licensed under the Medical Practice Act of 1987 to
23 practice medicine and who has a controlled substances license
24 under Article III of the Illinois Controlled Substances Act.
25 It does not include a licensed practitioner under any other
26 Act including but not limited to the Illinois Dental Practice

1 Act.

2 (s-1) "Physician assistant" means a physician assistant
3 licensed under the Physician Assistant Practice Act of 1987
4 and who has a controlled substances license under Article III
5 of the Illinois Controlled Substances Act.

6 (s-5) "Provisional registration" means a document issued
7 by the Department of Public Health to a qualifying patient who
8 has submitted: (1) an online application and paid a fee to
9 participate in Compassionate Use of Medical Cannabis Program
10 pending approval or denial of the patient's application; or
11 (2) a completed application for terminal illness.

12 (s-10) "Provisional patient" means a qualifying patient
13 who has received a provisional registration from the
14 Department of Public Health.

15 (t) "Qualifying patient" or "registered qualifying
16 patient" means a person who has been diagnosed by a certifying
17 health care professional as having a debilitating medical
18 condition.

19 (u) "Registered" means licensed, permitted, or otherwise
20 certified by the Department of Agriculture, Department of
21 Public Health, or Department of Financial and Professional
22 Regulation.

23 (v) "Registry identification card" means a document issued
24 by the Department of Public Health that identifies a person as
25 a registered qualifying patient, provisional patient, or
26 registered designated caregiver.

1 (w) "Usable cannabis" means the seeds, leaves, buds, and
2 flowers of the cannabis plant and any mixture or preparation
3 thereof, but does not include the stalks, and roots of the
4 plant. It does not include the weight of any non-cannabis
5 ingredients combined with cannabis, such as ingredients added
6 to prepare a topical administration, food, or drink.

7 (x) "Verification system" means a Web-based system
8 established and maintained by the Department of Public Health
9 that is available to the Department of Agriculture, the
10 Department of Financial and Professional Regulation, law
11 enforcement personnel, and registered medical cannabis
12 dispensing organization agents on a 24-hour basis for the
13 verification of registry identification cards, ~~the tracking of~~
14 ~~delivery of medical cannabis to medical cannabis dispensing~~
15 ~~organizations, and the tracking of the date of sale, amount,~~
16 ~~and price of medical cannabis purchased by a registered~~
17 ~~qualifying patient.~~

18 (y) "Written certification" means a document dated and
19 signed by a certifying health care professional practicing in
20 the State of Illinois, stating (1) that the qualifying patient
21 has a debilitating medical condition and specifying the
22 debilitating medical condition the qualifying patient has; and
23 (2) that (A) the certifying health care professional is
24 treating or managing treatment of the patient's debilitating
25 medical condition; or (B) an Opioid Alternative Patient Pilot
26 Program participant has a medical condition for which opioids

1 have been or could be prescribed. A written certification
2 shall be made only in the course of a bona fide health care
3 professional-patient relationship, after the certifying health
4 care professional has completed an assessment of either a
5 qualifying patient's medical history or Opioid Alternative
6 Patient Pilot Program participant, reviewed relevant records
7 related to the patient's debilitating condition, and conducted
8 a physical examination.

9 (z) "Bona fide health care professional-patient
10 relationship" means a relationship ~~established at a hospital,~~
11 ~~certifying health care professional's office, or other health~~
12 ~~care facility~~ in which the certifying health care professional
13 has an ongoing responsibility for the assessment, care, and
14 treatment of a patient's debilitating medical condition or a
15 symptom of the patient's debilitating medical condition.

16 A veteran who has received treatment at a VA hospital
17 shall be deemed to have a bona fide health care
18 professional-patient relationship with a VA certifying health
19 care professional if the patient has been seen for his or her
20 debilitating medical condition at the VA Hospital in
21 accordance with VA Hospital protocols.

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

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

1 (410 ILCS 130/15)

2 Sec. 15. Authority.

3 (a) It is the duty of the Department of Public Health to
4 enforce the following provisions of this Act unless otherwise
5 provided for by this Act:

6 (1) establish and maintain a confidential registry of
7 qualifying patients authorized to engage in the medical
8 use of cannabis and their caregivers;

9 (2) distribute educational materials about the health
10 benefits and risks associated with the use of cannabis and
11 prescription medications;

12 (3) adopt rules to administer the patient and
13 caregiver registration program; and

14 (4) adopt rules establishing food handling
15 requirements for cannabis-infused products that are
16 prepared for human consumption.

17 (b) Through June 30, 2026, it ~~It~~ is the duty of the
18 Department of Agriculture to enforce the provisions of this
19 Act relating to the registration and oversight of cultivation
20 centers unless otherwise provided for in this Act.

21 (c) Through June 30, 2026, it ~~It~~ is the duty of the
22 Department of Financial and Professional Regulation to enforce
23 the provisions of this Act relating to the registration and
24 oversight of dispensing organizations unless otherwise
25 provided for in this Act.

26 (d) Through June 30, 2026, the ~~The~~ Department of Public

1 Health, the Department of Agriculture, or the Department of
2 Financial and Professional Regulation shall enter into
3 intergovernmental agreements, as necessary, to carry out the
4 provisions of this Act including, but not limited to, the
5 provisions relating to the registration and oversight of
6 cultivation centers, dispensing organizations, and qualifying
7 patients and caregivers. Beginning July 1, 2026, the
8 Department of Public Health may enter into intergovernmental
9 agreements, as necessary, to carry out the provisions of this
10 Act, including, but not limited to, the provisions relating to
11 qualifying patients, Opioid Alternative Patient Program
12 participants, and caregivers.

13 (e) The Department of Public Health, the Department of
14 Agriculture through July 1, 2026, or the Department of
15 Financial and Professional Regulation through June 30, 2026
16 may suspend, revoke, or impose other penalties upon a
17 registration for violations of this Act and any rules adopted
18 in accordance thereto. The suspension or revocation of, or
19 imposition of any other penalty upon, a registration is a
20 final Agency action, subject to judicial review. Jurisdiction
21 and venue for judicial review are vested in the Circuit Court.

22 (Source: P.A. 98-122, eff. 1-1-14; 98-1172, eff. 1-12-15;
23 99-519, eff. 6-30-16.)

24 (410 ILCS 130/25)

25 Sec. 25. Immunities and presumptions related to the

1 medical use of cannabis.

2 (a) A registered qualifying patient, provisional patient,
3 or Opioid Alternative Patient Program participant is not
4 subject to arrest, prosecution, or denial of any right or
5 privilege, including, but not limited to, civil penalty or
6 disciplinary action by an occupational or professional
7 licensing board, for the medical use of cannabis in accordance
8 with this Act, if the registered qualifying patient possesses
9 an amount of cannabis that does not exceed an adequate medical
10 supply as defined in subsection (a) of Section 10 of this Act
11 of usable cannabis and, where the registered qualifying
12 patient is a licensed professional, the use of cannabis does
13 not impair that licensed professional when he or she is
14 engaged in the practice of the profession for which he or she
15 is licensed.

16 (b) A registered designated caregiver is not subject to
17 arrest, prosecution, or denial of any right or privilege,
18 including, but not limited to, civil penalty or disciplinary
19 action by an occupational or professional licensing board, for
20 acting in accordance with this Act to assist a registered
21 qualifying patient to whom he or she is connected through the
22 Department's registration process with the medical use of
23 cannabis if the designated caregiver possesses an amount of
24 cannabis that does not exceed an adequate medical supply as
25 defined in subsection (a) of Section 10 of this Act of usable
26 cannabis. A school nurse or school administrator is not

1 subject to arrest, prosecution, or denial of any right or
2 privilege, including, but not limited to, a civil penalty, for
3 acting in accordance with Section 22-33 of the School Code
4 relating to administering or assisting a student in
5 self-administering a medical cannabis infused product. The
6 total amount possessed between the qualifying patient and
7 caregiver shall not exceed the patient's adequate supply as
8 defined in subsection (a) of Section 10 of this Act.

9 (c) A registered qualifying patient, ~~or~~ registered
10 designated caregiver, or Opioid Alternative Patient Program
11 participant is not subject to arrest, prosecution, or denial
12 of any right or privilege, including, but not limited to,
13 civil penalty or disciplinary action by an occupational or
14 professional licensing board for possession of cannabis that
15 is incidental to medical use, but is not usable cannabis as
16 defined in this Act.

17 (d) (1) There is a rebuttable presumption that a registered
18 qualifying patient or Opioid Alternative Patient Program
19 Participant is engaged in, or a designated caregiver is
20 assisting with, the medical use of cannabis in accordance with
21 this Act if the qualifying patient or designated caregiver:

22 (A) is in possession of a valid registry
23 identification card; and

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

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

6 (e) A certifying health care professional is not subject
7 to arrest, prosecution, or penalty in any manner, or denial of
8 any right or privilege, including, but not limited to, civil
9 penalty or disciplinary action by the Medical Disciplinary
10 Board or by any other occupational or professional licensing
11 board, solely for providing written certifications or for
12 otherwise stating that, in the certifying health care
13 professional's professional opinion, a patient is likely to
14 receive therapeutic or palliative benefit from the medical use
15 of cannabis to treat or alleviate the patient's debilitating
16 medical condition or symptoms associated with the debilitating
17 medical condition, provided that nothing shall prevent a
18 professional licensing or disciplinary board from sanctioning
19 a certifying health care professional for: (1) issuing a
20 written certification to a patient who is not under the
21 certifying health care professional's care for a debilitating
22 medical condition; or (2) failing to properly evaluate a
23 patient's medical condition or otherwise violating the
24 standard of care for evaluating medical conditions.

25 (f) No person may be subject to arrest, prosecution, or
26 denial of any right or privilege, including, but not limited

1 to, civil penalty or disciplinary action by an occupational or
2 professional licensing board, solely for: (1) selling cannabis
3 paraphernalia to a cardholder upon presentation of an
4 unexpired registry identification card in the recipient's name
5 or Opioid Alternative Patient Program participant upon
6 verification of certification, if employed and registered as a
7 dispensing agent by a registered dispensing organization; (2)
8 being in the presence or vicinity of the medical use of
9 cannabis as allowed under this Act; or (3) assisting a
10 registered qualifying patient with the act of administering
11 cannabis.

12 (g) A registered cultivation center is not subject to
13 prosecution; search or inspection, except by the Department of
14 Agriculture, Department of Public Health, or State or local
15 law enforcement under Section 130; seizure; or penalty in any
16 manner, or denial of any right or privilege, including, but
17 not limited to, civil penalty or disciplinary action by a
18 business licensing board or entity, for acting under this Act
19 and Department of Agriculture rules to: acquire, possess,
20 cultivate, manufacture, deliver, transfer, transport, supply,
21 or sell cannabis to registered dispensing organizations. This
22 subsection does not apply to events occurring on and after
23 July 1, 2026; however, the authority granted in this
24 subsection remains in force and effect for events occurring on
25 or before June 30, 2026.

26 (h) A registered cultivation center agent is not subject

1 to prosecution, search, or penalty in any manner, or denial of
2 any right or privilege, including, but not limited to, civil
3 penalty or disciplinary action by a business licensing board
4 or entity, for working or volunteering for a registered
5 cannabis cultivation center under this Act and Department of
6 Agriculture rules, including to perform the actions listed
7 under subsection (g). This subsection does not apply to events
8 occurring on and after July 1, 2026; however, the authority
9 granted in this subsection remains in force and effect for
10 events occurring on or before June 30, 2026.

11 (i) A registered dispensing organization is not subject to
12 prosecution; search or inspection, except by the Department of
13 Financial and Professional Regulation or State or local law
14 enforcement pursuant to Section 130; seizure; or penalty in
15 any manner, or denial of any right or privilege, including,
16 but not limited to, civil penalty or disciplinary action by a
17 business licensing board or entity, for acting under this Act
18 and Department of Financial and Professional Regulation rules
19 to: acquire, possess, or dispense cannabis, or related
20 supplies, and educational materials to registered qualifying
21 patients or registered designated caregivers on behalf of
22 registered qualifying patients. This subsection does not apply
23 to events occurring on and after July 1, 2026; however, the
24 authority granted in this subsection remains in force and
25 effect for events occurring on or before June 30, 2026.

26 (j) A registered dispensing organization agent is not

1 subject to prosecution, search, or penalty in any manner, or
2 denial of any right or privilege, including, but not limited
3 to, civil penalty or disciplinary action by a business
4 licensing board or entity, for working or volunteering for a
5 dispensing organization under this Act and Department of
6 Financial and Professional Regulation rules, including to
7 perform the actions listed under subsection (i). This
8 subsection does not apply to events occurring on and after
9 July 1, 2026; however, the authority granted in this
10 subsection remains in force and effect for events occurring on
11 or before June 30, 2026.

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

23 (l) Mere possession of, or application for, a registry
24 identification card or registration certificate does not
25 constitute probable cause or reasonable suspicion, nor shall
26 it be used as the sole basis to support the search of the

1 person, property, or home of the person possessing or applying
2 for the registry identification card. The possession of, or
3 application for, a registry identification card does not
4 preclude the existence of probable cause if probable cause
5 exists on other grounds.

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

12 (n) Nothing in this Act shall preclude local or State law
13 enforcement agencies from searching a registered dispensing
14 organization where there is probable cause to believe that the
15 criminal laws of this State have been violated and the search
16 is conducted in conformity with the Illinois Constitution, the
17 Constitution of the United States, and all State statutes.

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

25 (p) No law enforcement or correctional agency, nor any
26 individual employed by a law enforcement or correctional

1 agency, shall be subject to criminal or civil liability,
2 except for willful and wanton misconduct, as a result of
3 taking any action within the scope of the official duties of
4 the agency or individual to prohibit or prevent the possession
5 or use of cannabis by a cardholder or Opioid Alternative
6 Patient Program participant incarcerated at a correctional
7 facility, jail, or municipal lockup facility, on parole or
8 mandatory supervised release, or otherwise under the lawful
9 jurisdiction of the agency or individual.

10 (Source: P.A. 101-363, eff. 8-19-19; 101-370, eff. 1-1-20;
11 102-558, eff. 8-20-21.)

12 (410 ILCS 130/30)

13 Sec. 30. Limitations and penalties.

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

17 (1) Undertaking any task under the influence of
18 cannabis, when doing so would constitute negligence,
19 professional malpractice, or professional misconduct;

20 (2) Possessing cannabis:

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

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

1 (C) in any correctional facility;

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

4 (E) in a vehicle not open to the public unless the
5 medical cannabis is in a reasonably secured, sealed
6 container and reasonably inaccessible while the
7 vehicle is moving; or

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

11 (3) Using cannabis:

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

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

17 (C) in any correctional facility;

18 (D) in any motor vehicle;

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

22 (F) except as provided under Section 22-33 of the
23 School Code and Section 31 of this Act, in any public
24 place. "Public place" as used in this subsection means
25 any place where an individual could reasonably be
26 expected to be observed by others. A "public place"

1 includes all parts of buildings owned in whole or in
2 part, or leased, by the State or a local unit of
3 government. A "public place" does not include a
4 private residence unless the private residence is used
5 to provide licensed child care, foster care, or other
6 similar social service care on the premises. For
7 purposes of this subsection, a "public place" does not
8 include a health care facility. For purposes of this
9 Section, a "health care facility" includes, but is not
10 limited to, hospitals, nursing homes, hospice care
11 centers, and long-term care facilities;

12 (G) except as provided under Section 22-33 of the
13 School Code and Section 31 of this Act, knowingly in
14 close physical proximity to anyone under the age of 18
15 years of age;

16 (4) Smoking medical cannabis in any public place where
17 an individual could reasonably be expected to be observed
18 by others, in a health care facility, or any other place
19 where smoking is prohibited under the Smoke Free Illinois
20 Act;

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

25 (6) Using or possessing cannabis if that person does
26 not have a debilitating medical condition and is not a

1 registered qualifying patient or caregiver;

2 (7) Allowing any person who is not allowed to use
3 cannabis under this Act to use cannabis that a cardholder
4 is allowed to possess under this Act;

5 (8) Transferring cannabis to any person contrary to
6 the provisions of this Act;

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

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

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

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

24 (d) Notwithstanding any other criminal penalties related
25 to the unlawful possession of cannabis, any person who makes a
26 misrepresentation of a medical condition to a certifying

1 health care professional or fraudulently provides material
2 misinformation to a certifying health care professional in
3 order to obtain a written certification is guilty of a petty
4 offense punishable by a fine of up to \$1,000.

5 (e) Any registered qualifying patient, provisional
6 patient, Opioid Alternative Patient Program Participant, or
7 designated cardholder or registered caregiver who sells
8 cannabis shall have his or her registry identification card
9 revoked and is subject to other penalties for the unauthorized
10 sale of cannabis.

11 (f) Any registered qualifying patient, provisional
12 patient, or Opioid Alternative Patient Program participant who
13 commits a violation of Section 11-502.1 of the Illinois
14 Vehicle Code or refuses a properly requested test related to
15 operating a motor vehicle while under the influence of
16 cannabis shall have his or her registry identification card
17 revoked.

18 (g) No registered qualifying patient, provisional patient,
19 ~~or~~ designated caregiver, or Opioid Alternative Patient Program
20 participant shall knowingly obtain, seek to obtain, or
21 possess, individually or collectively, an amount of usable
22 cannabis from a registered medical cannabis dispensing
23 organization that would cause him or her to exceed the
24 authorized adequate medical supply under subsection (a) of
25 Section 10.

26 (h) Nothing in this Act shall prevent a private business

1 from restricting or prohibiting the medical use of cannabis on
2 its property.

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

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

8 (410 ILCS 130/35)

9 Sec. 35. Certifying health care professional requirements.

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

13 (1) The certifying health care professional shall be
14 currently licensed under the Medical Practice Act of 1987
15 to practice medicine in all its branches, the Nurse
16 Practice Act, or the Physician Assistant Practice Act of
17 1987, shall be in good standing, and must hold a
18 controlled substances license under Article III of the
19 Illinois Controlled Substances Act.

20 (2) A certifying health care professional certifying a
21 patient's condition shall comply with generally accepted
22 standards of medical practice, the provisions of the Act
23 under which he or she is licensed and all applicable
24 rules.

25 (3) The physical examination required by this Act may

1 ~~not~~ be conducted ~~performed~~ by remote means, including
2 telemedicine, provided that an Illinois-based medical
3 clinic is established and accessible to patients, ensuring
4 the provision of adequate medical care.

5 (4) The certifying health care professional shall
6 maintain a record-keeping system for all patients for whom
7 the certifying health care professional has certified the
8 patient's medical condition. These records shall be
9 accessible to and subject to review by the Department of
10 Public Health and the Department of Financial and
11 Professional Regulation upon request.

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

13 (1) accept, solicit, or offer any form of remuneration
14 from or to a qualifying patient, provisional patient,
15 designated primary caregiver, Opioid Alternative Patient
16 Program participant, cultivation center, or dispensing
17 organization, including each principal officer, board
18 member, agent, and employee, to certify a patient, other
19 than accepting payment from a patient for the fee
20 associated with the required examination, except for the
21 limited purpose of performing a medical cannabis-related
22 research study;

23 (1.5) accept, solicit, or offer any form of
24 remuneration from or to a medical cannabis cultivation
25 center or dispensary organization for the purposes of
26 referring a patient to a specific dispensary organization;

1 (1.10) engage in any activity that is prohibited under
2 Section 22.2 of the Medical Practice Act of 1987,
3 regardless of whether the certifying health care
4 professional is a physician, advanced practice registered
5 nurse, or physician assistant;

6 (2) offer a discount of any other item of value to a
7 qualifying patient, provisional patient, designated
8 caregiver, or Opioid Alternative Patient Program
9 participant who uses or agrees to use a particular
10 designated primary caregiver or dispensing organization to
11 obtain medical cannabis;

12 (3) conduct a personal certifying ~~physical~~ examination
13 of a patient for purposes of diagnosing a debilitating
14 medical condition at a location where medical cannabis is
15 sold or distributed or at the address of a principal
16 officer, agent, or employee or a medical cannabis
17 organization;

18 (4) hold a direct or indirect economic interest in a
19 cultivation center or dispensing organization if he or she
20 recommends the use of medical cannabis to qualified
21 patients or is in a partnership or other fee or
22 profit-sharing relationship with a certifying health care
23 professional who recommends medical cannabis, except for
24 the limited purpose of performing a medical
25 cannabis-related research study;

26 (5) serve on the board of directors or as an employee

1 of a cultivation center or dispensing organization;

2 (6) refer patients to a cultivation center, a
3 dispensing organization, or a registered designated
4 caregiver; or

5 (7) advertise in a cultivation center or a dispensing
6 organization.

7 (c) The Department of Public Health may with reasonable
8 cause refer a certifying health care professional, who has
9 certified a debilitating medical condition of a patient, to
10 the Illinois Department of Financial and Professional
11 Regulation for potential violations of this Section.

12 (d) Any violation of this Section or any other provision
13 of this Act or rules adopted under this Act is a violation of
14 the certifying health care professional's licensure act.

15 (e) A certifying health care professional who certifies a
16 debilitating medical condition for a qualifying patient or
17 Opioid Alternative Patient Program may notify the Department
18 of Public Health in writing: (1) if the certifying health care
19 professional has reason to believe either that the registered
20 qualifying patient has ceased to suffer from a debilitating
21 medical condition; (2) that the bona fide health care
22 professional-patient relationship has terminated; or (3) that
23 continued use of medical cannabis would result in
24 contraindication with the patient's other medication. The
25 registered qualifying patient's or Opioid Alternative Patient
26 Program registry identification card shall be revoked by the

1 Department of Public Health after receiving the certifying
2 health care professional's notification.

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

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

8 (410 ILCS 130/57)

9 Sec. 57. Designated Caregivers and provisional patients
10 ~~Qualifying patients.~~

11 (a) Qualifying patients or provisional patients that are
12 under the age of 18 years shall not be prohibited from
13 appointing up to 3 designated caregivers who meet the
14 definition of "designated caregiver" under Section 10 so long
15 as at least one designated caregiver is a biological parent or
16 legal guardian.

17 (b) Qualifying patients and provisional patients that are
18 18 years of age or older shall not be prohibited from
19 appointing up to 3 designated caregivers who meet the
20 definition of "designated caregiver" under Section 10.

21 (c) Beginning July 1, 2026, designated caregivers,
22 qualifying patients, provisional patients, or Opioid
23 Alternative Patient Program participants registered under this
24 Act may purchase an adequate medical supply at any dispensing
25 organization licensed by the Department of Financial and

1 Professional Regulation under the Cannabis Regulation and Tax
2 Act.

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

4 (410 ILCS 130/60)

5 Sec. 60. Issuance of registry identification cards.

6 (a) Except as provided in subsection (b), the Department
7 of Public Health shall:

8 (1) verify the information contained in an application
9 or renewal for a registry identification card submitted
10 under this Act, and approve or deny an application or
11 renewal, within 90 days of receiving a completed
12 application or renewal application and all supporting
13 documentation specified in Section 55;

14 (2) issue registry identification cards to a
15 qualifying patient and his or her designated caregiver, if
16 any, within 15 business days of approving the application
17 or renewal; and

18 ~~(3) enter the registry identification number of the~~
19 ~~registered dispensing organization the patient designates~~
20 ~~into the verification system; and~~

21 (3) ~~(4)~~ allow for an electronic application process,
22 and provide a confirmation by electronic or other methods
23 that an application has been submitted.

24 Notwithstanding any other provision of this Act, the
25 Department of Public Health shall adopt rules for qualifying

1 patients and applicants with life-long debilitating medical
2 conditions, who may be charged annual renewal fees. The
3 Department of Public Health shall not require patients and
4 applicants with life-long debilitating medical conditions to
5 apply to renew registry identification cards.

6 (b) The Department of Public Health may not issue a
7 registry identification card to a qualifying patient who is
8 under 18 years of age, unless that patient suffers from
9 seizures, including those characteristic of epilepsy, or as
10 provided by administrative rule. The Department of Public
11 Health shall adopt rules for the issuance of a registry
12 identification card for qualifying patients who are under 18
13 years of age and suffering from seizures, including those
14 characteristic of epilepsy. The Department of Public Health
15 may adopt rules to allow other individuals under 18 years of
16 age to become registered qualifying patients under this Act
17 with the consent of a parent or legal guardian. Registered
18 qualifying patients under 18 years of age shall be prohibited
19 from consuming forms of cannabis other than medical cannabis
20 infused products and purchasing any usable cannabis.

21 (c) A veteran who has received treatment at a VA hospital
22 is deemed to have a bona fide health care professional-patient
23 relationship with a VA certifying health care professional if
24 the patient has been seen for his or her debilitating medical
25 condition at the VA hospital in accordance with VA hospital
26 protocols. All reasonable inferences regarding the existence

1 of a bona fide health care professional-patient relationship
2 shall be drawn in favor of an applicant who is a veteran and
3 has undergone treatment at a VA hospital.

4 (c-10) An individual who submits an application as someone
5 who is terminally ill shall have all fees waived. The
6 Department of Public Health shall within 30 days after this
7 amendatory Act of the 99th General Assembly adopt emergency
8 rules to expedite approval for terminally ill individuals.
9 These rules shall include, but not be limited to, rules that
10 provide that applications by individuals with terminal
11 illnesses shall be approved or denied within 14 days of their
12 submission.

13 (d) No later than 6 months after the effective date of this
14 amendatory Act of the 101st General Assembly, the Secretary of
15 State shall remove all existing notations on driving records
16 that the person is a registered qualifying patient or his or
17 her caregiver under this Act.

18 (e) Upon the approval of the registration and issuance of
19 a registry card under this Section, the Department of Public
20 Health shall electronically forward the registered qualifying
21 patient's identification card information to the Prescription
22 Monitoring Program established under the Illinois Controlled
23 Substances Act and certify that the individual is permitted to
24 engage in the medical use of cannabis. For the purposes of
25 patient care, the Prescription Monitoring Program shall make a
26 notation on the person's prescription record stating that the

1 person is a registered qualifying patient or Opioid
2 Alternative Patient Program participant who is entitled to the
3 lawful medical use of cannabis. If the person no longer holds a
4 valid registry card, the Department of Public Health shall
5 notify the Prescription Monitoring Program and Department of
6 Human Services to remove the notation from the person's
7 record. The Department of Human Services and the Prescription
8 Monitoring Program shall establish a system by which the
9 information may be shared electronically. This confidential
10 list may not be combined or linked in any manner with any other
11 list or database except as provided in this Section.

12 (f) (Blank).

13 (Source: P.A. 100-1114, eff. 8-28-18; 101-363, eff. 8-9-19;
14 101-593, eff. 12-4-19.)

15 (410 ILCS 130/62)

16 Sec. 62. Opioid Alternative Patient ~~Pilot~~ Program.

17 (a) The Department of Public Health shall establish the
18 Opioid Alternative Patient ~~Pilot~~ Program. Licensed dispensing
19 organizations shall allow persons with a written certification
20 from a certifying health care professional under Section 36 to
21 purchase medical cannabis upon enrollment in the Opioid
22 Alternative Patient ~~Pilot~~ Program. The Department of Public
23 Health shall adopt rules or establish procedures allowing
24 qualified veterans to participate in the Opioid Alternative
25 Patient ~~Pilot~~ Program. For a person to receive medical

1 cannabis under this Section, the person must present the
2 written certification along with a valid driver's license or
3 state identification card to the licensed dispensing
4 organization specified in his or her application. The
5 dispensing organization shall verify the person's status as an
6 Opioid Alternative Patient ~~Pilot~~ Program participant through
7 the Department of Public Health's online verification system.

8 (b) The Opioid Alternative Patient ~~Pilot~~ Program shall be
9 limited to participation by Illinois residents age 21 and
10 older.

11 (c) The Department of Financial and Professional
12 Regulation shall specify that all licensed dispensing
13 organizations participating in the Opioid Alternative Patient
14 ~~Pilot~~ Program use the Illinois Cannabis Tracking System. The
15 Department of Public Health shall establish and maintain the
16 Illinois Cannabis Tracking System. The Illinois Cannabis
17 Tracking System shall be used to collect information about all
18 persons participating in the Opioid Alternative Patient ~~Pilot~~
19 Program and shall be used to track the sale of medical cannabis
20 for verification purposes.

21 Each dispensing organization shall retain a copy of the
22 Opioid Alternative Patient ~~Pilot~~ Program certification and
23 other identifying information as required by the Department of
24 Financial and Professional Regulation, the Department of
25 Public Health, and the Illinois State Police in the Illinois
26 Cannabis Tracking System.

1 The Illinois Cannabis Tracking System shall be accessible
2 to the Department of Financial and Professional Regulation,
3 Department of Public Health, Department of Agriculture, and
4 the Illinois State Police.

5 The Department of Financial and Professional Regulation in
6 collaboration with the Department of Public Health shall
7 specify the data requirements for the Opioid Alternative
8 Patient Pilot Program by licensed dispensing organizations;
9 including, but not limited to, the participant's full legal
10 name, address, and date of birth, date on which the Opioid
11 Alternative Patient Pilot Program certification was issued,
12 length of the participation in the Program, including the
13 start and end date to purchase medical cannabis, name of the
14 issuing physician, copy of the participant's current driver's
15 license or State identification card, and phone number.

16 The Illinois Cannabis Tracking System shall provide
17 verification of a person's participation in the Opioid
18 Alternative Patient Pilot Program for law enforcement at any
19 time and on any day.

20 (d) The certification for Opioid Alternative Patient Pilot
21 Program participant must be issued by a certifying health care
22 professional who is licensed to practice in Illinois under the
23 Medical Practice Act of 1987, the Nurse Practice Act, or the
24 Physician Assistant Practice Act of 1987 and who is in good
25 standing and holds a controlled substances license under
26 Article III of the Illinois Controlled Substances Act.

1 The certification for an Opioid Alternative Patient ~~Pilot~~
2 Program participant shall be written within 90 days before the
3 participant submits his or her certification to the dispensing
4 organization.

5 The written certification uploaded to the Illinois
6 Cannabis Tracking System shall be accessible to the Department
7 of Public Health.

8 (e) Upon verification of the individual's valid
9 certification and enrollment in the Illinois Cannabis Tracking
10 System, the dispensing organization may dispense the medical
11 cannabis, in amounts not exceeding 10 ~~2.5~~ ounces of medical
12 cannabis per 14-day period to the participant at the
13 participant's specified dispensary for no more than 90 days.

14 An Opioid Alternative Patient ~~Pilot~~ Program participant
15 shall not be registered as a medical cannabis cardholder. The
16 dispensing organization shall verify that the person is not an
17 active registered qualifying patient prior to enrollment in
18 the Opioid Alternative Patient ~~Pilot~~ Program and each time
19 medical cannabis is dispensed.

20 Upon receipt of a written certification under the Opioid
21 Alternative Patient ~~Pilot~~ Program, the Department of Public
22 Health shall electronically forward the patient's
23 identification information to the Prescription Monitoring
24 Program established under the Illinois Controlled Substances
25 Act and certify that the individual is permitted to engage in
26 the medical use of cannabis. For the purposes of patient care,

1 the Prescription Monitoring Program shall make a notation on
2 the person's prescription record stating that the person has a
3 written certification under the Opioid Alternative Patient
4 ~~Pilot~~ Program and is a patient who is entitled to the lawful
5 medical use of cannabis. If the person is no longer authorized
6 to engage in the medical use of cannabis, the Department of
7 Public Health shall notify the Prescription Monitoring Program
8 and Department of Human Services to remove the notation from
9 the person's record. The Department of Human Services and the
10 Prescription Monitoring Program shall establish a system by
11 which the information may be shared electronically. This
12 confidential list may not be combined or linked in any manner
13 with any other list or database except as provided in this
14 Section.

15 (f) An Opioid Alternative Patient ~~Pilot~~ Program
16 participant shall not be considered a qualifying patient with
17 a debilitating medical condition under this Act and shall be
18 provided access to medical cannabis solely for the duration of
19 the participant's certification. Nothing in this Section shall
20 be construed to limit or prohibit an Opioid Alternative
21 Patient ~~Pilot~~ Program participant who has a debilitating
22 medical condition from applying to the Compassionate Use of
23 Medical Cannabis Program.

24 (g) A person with a provisional registration under Section
25 55 shall not be considered an Opioid Alternative Patient ~~Pilot~~
26 Program participant.

1 (h) (Blank). ~~The Department of Financial and Professional~~
2 ~~Regulation and the Department of Public Health shall submit~~
3 ~~emergency rulemaking to implement the changes made by this~~
4 ~~amendatory Act of the 100th General Assembly by December 1,~~
5 ~~2018. The Department of Financial and Professional Regulation,~~
6 ~~the Department of Agriculture, the Department of Human~~
7 ~~Services, the Department of Public Health, and the Illinois~~
8 ~~State Police shall utilize emergency purchase authority for 12~~
9 ~~months after the effective date of this amendatory Act of the~~
10 ~~100th General Assembly for the purpose of implementing the~~
11 ~~changes made by this amendatory Act of the 100th General~~
12 ~~Assembly.~~

13 (i) Dispensing organizations are not authorized to
14 dispense medical cannabis to Opioid Alternative Patient Pilot
15 Program participants until administrative rules are approved
16 by the Joint Committee on Administrative Rules and go into
17 effect.

18 (j) (Blank). ~~The provisions of this Section are~~
19 ~~inoperative on and after July 1, 2025.~~

20 (Source: P.A. 101-363, eff. 8-9-19; 102-16, eff. 6-17-21.)

21 (410 ILCS 130/70)

22 Sec. 70. Registry identification cards.

23 (a) A registered qualifying patient, Opioid Alternative
24 Patient Program Participant, provisional patient, or
25 designated caregiver must keep their registry identification

1 card in his or her possession at all times when engaging in the
2 medical use of cannabis.

3 (b) Registry identification cards shall contain the
4 following:

5 (1) the name of the cardholder;

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

8 (3) the date of issuance and expiration date of the
9 registry identification card;

10 (4) a random alphanumeric identification number that
11 is unique to the cardholder;

12 (5) if the cardholder is a designated caregiver, the
13 random alphanumeric identification number of the
14 registered qualifying patient the designated caregiver is
15 receiving the registry identification card to assist; and

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

18 (c) To maintain a valid registration identification card,
19 a registered qualifying patient and designated caregiver must
20 annually resubmit, at least 45 days prior to the expiration
21 date stated on the registry identification card, a completed
22 renewal application, renewal fee, and accompanying
23 documentation as described in Department of Public Health
24 rules. The Department of Public Health shall send a
25 notification to a registered qualifying patient or registered
26 designated caregiver 90 days prior to the expiration of the

1 registered qualifying patient's or registered designated
2 caregiver's identification card. If the Department of Public
3 Health fails to grant or deny a renewal application received
4 in accordance with this Section, then the renewal is deemed
5 granted and the registered qualifying patient or registered
6 designated caregiver may continue to use the expired
7 identification card until the Department of Public Health
8 denies the renewal or issues a new identification card.

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

11 (e) The Department of Public Health may electronically
12 store in the card any or all of the information listed in
13 subsection (b), along with the address and date of birth of the
14 cardholder ~~and the qualifying patient's designated dispensary~~
15 ~~organization~~, to allow it to be read by law enforcement
16 agents.

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

18 (410 ILCS 130/75)

19 Sec. 75. Notifications to Department of Public Health and
20 responses; civil penalty.

21 (a) The following notifications and Department of Public
22 Health responses are required:

23 (1) A registered qualifying patient or Opioid
24 Alternative Patient Program Participant shall notify the
25 Department of Public Health of any change in his or her

1 name or address, or if the registered qualifying patient
2 ceases to have his or her debilitating medical condition,
3 within 10 days of the change.

4 (2) A registered designated caregiver shall notify the
5 Department of Public Health of any change in his or her
6 name or address, or if the designated caregiver becomes
7 aware the registered qualifying patient passed away,
8 within 10 days of the change.

9 (3) Before a registered qualifying patient changes his
10 or her designated caregiver, the qualifying patient must
11 notify the Department of Public Health.

12 (4) (Blank) ~~If a cardholder loses his or her registry~~
13 ~~identification card, he or she shall notify the Department~~
14 ~~within 10 days of becoming aware the card has been lost.~~

15 (b) When a cardholder notifies the Department of Public
16 Health of items listed in subsection (a), but remains eligible
17 under this Act, the Department of Public Health shall issue
18 the cardholder a new registry identification card with a new
19 random alphanumeric identification number within 15 business
20 days of receiving the updated information and a fee as
21 specified in Department of Public Health rules. If the person
22 notifying the Department of Public Health is a registered
23 qualifying patient, the Department shall also issue his or her
24 registered designated caregiver, if any, a new registry
25 identification card within 15 business days of receiving the
26 updated information.

1 (c) If a registered qualifying patient ceases to be a
2 registered qualifying patient, Opioid Alternative Patient
3 Program participant, or changes his or her registered
4 designated caregiver, the Department of Public Health shall
5 promptly notify the designated caregiver. The registered
6 designated caregiver's protections under this Act as to that
7 qualifying patient shall expire 15 days after notification by
8 the Department.

9 (d) A cardholder who fails to make a notification to the
10 Department of Public Health that is required by this Section
11 is subject to a civil infraction, punishable by a penalty of no
12 more than \$150.

13 (e) (Blank). ~~A registered qualifying patient shall notify~~
14 ~~the Department of Public Health of any change to his or her~~
15 ~~designated registered dispensing organization. The Department~~
16 ~~of Public Health shall provide for immediate changes of a~~
17 ~~registered qualifying patient's designated registered~~
18 ~~dispensing organization. Registered dispensing organizations~~
19 ~~must comply with all requirements of this Act.~~

20 (f) If the registered qualifying patient's certifying
21 health care professional notifies the Department in writing
22 that either the registered qualifying patient or Opioid
23 Alternative Patient Program participant has ceased to suffer
24 from a debilitating medical condition, that the bona fide
25 health care professional-patient relationship has terminated,
26 or that continued use of medical cannabis would result in

1 contraindication with the patient's other medication, the card
2 shall become null and void. However, the registered qualifying
3 patient shall have 15 days to destroy his or her remaining
4 medical cannabis and related paraphernalia.

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

6 (410 ILCS 130/85)

7 Sec. 85. Issuance and denial of medical cannabis
8 cultivation permit.

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

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

18 (c) The Department of Agriculture shall determine a
19 registration fee by rule.

20 (d) A cultivation center may only operate if it has been
21 issued a valid registration from the Department of
22 Agriculture. When applying for a cultivation center
23 registration, the applicant shall submit the following in
24 accordance with Department of Agriculture rules:

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

1 (2) the proposed physical address of the cultivation
2 center and description of the enclosed, locked facility as
3 it applies to cultivation centers where medical cannabis
4 will be grown, harvested, manufactured, packaged, or
5 otherwise prepared for distribution to a dispensing
6 organization;

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

11 (4) any instance in which a business that any of the
12 prospective board members of the cultivation center had
13 managed or served on the board of the business and was
14 convicted, fined, censured, or had a registration or
15 license suspended or revoked in any administrative or
16 judicial proceeding;

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

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

1 (7) experience with agricultural cultivation
2 techniques and industry standards;

3 (8) any academic degrees, certifications, or relevant
4 experience with related businesses;

5 (9) the identity of every person, association, trust,
6 or corporation having any direct or indirect pecuniary
7 interest in the cultivation center operation with respect
8 to which the registration is sought. If the disclosed
9 entity is a trust, the application shall disclose the
10 names and addresses of the beneficiaries; if a
11 corporation, the names and addresses of all stockholders
12 and directors; if a partnership, the names and addresses
13 of all partners, both general and limited;

14 (10) verification from the Illinois State Police that
15 all background checks of the principal officer, board
16 members, and registered agents have been conducted ~~and~~
17 ~~those individuals have not been convicted of an excluded~~
18 ~~offense;~~

19 (11) provide a copy of the current local zoning
20 ordinance to the Department of Agriculture and verify that
21 proposed cultivation center is in compliance with the
22 local zoning rules issued in accordance with Section 140;

23 (12) an application fee set by the Department of
24 Agriculture by rule; and

25 (13) any other information required by Department of
26 Agriculture rules, including, but not limited to a

1 cultivation center applicant's experience with the
2 cultivation of agricultural or horticultural products,
3 operating an agriculturally related business, or operating
4 a horticultural business.

5 (e) An application for a cultivation center permit must be
6 denied if any of the following conditions are met:

7 (1) the applicant failed to submit the materials
8 required by this Section, including if the applicant's
9 plans do not satisfy the security, oversight, inventory,
10 or recordkeeping rules issued by the Department of
11 Agriculture;

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

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

17 (4) one or more of the prospective principal officers
18 or board members has served as a principal officer or
19 board member for a registered dispensing organization or
20 cultivation center that has had its registration revoked;
21 or

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

24 (6) (blank); ~~a principal officer or board member of~~
25 ~~the cultivation center has been convicted of a felony~~
26 ~~under the laws of this State, any other state, or the~~

1 ~~United States;~~

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

6 (8) the person has submitted an application for a
7 certificate under this Act which contains false
8 information.

9 (f) Beginning July 1, 2026, the Department shall cease to
10 issue or renew any medical cannabis cultivation permit.
11 Entities that hold dual medical cannabis cultivation permits
12 and Adult use cultivation center licenses may continue all
13 operations with a valid cultivation center license issued
14 under the Cannabis Regulation and Tax Act. The Department may
15 set up a process to transition medical cannabis cultivation
16 permits into cultivation center licenses that includes issuing
17 refunds or proration of renewal fees.

18 (g) This Section is repealed on January 1, 2027.

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

20 (410 ILCS 130/90)

21 Sec. 90. Renewal of cultivation center registrations.

22 (a) Registrations shall be renewed annually. The
23 registered cultivation center shall receive written notice 90
24 days prior to the expiration of its current registration that
25 the registration will expire. The Department of Agriculture

1 shall grant a renewal application within 45 days of its
2 submission if the following conditions are satisfied:

3 (1) the registered cultivation center submits a
4 renewal application and the required renewal fee
5 established by the Department of Agriculture by rule; and

6 (2) the Department of Agriculture has not suspended
7 the registration of the cultivation center or suspended or
8 revoked the registration for violation of this Act or
9 rules adopted under this Act.

10 (b) Beginning July 1, 2026, all cultivation center permits
11 issued under Section 85 shall be renewed in accordance with
12 Section 20-45 of the Cannabis Regulation and Tax Act and shall
13 be subject to the requirements and prohibitions of the
14 Cannabis Regulation and Tax Act.

15 (c) This Section is repealed on January 1, 2027.

16 (Source: P.A. 98-122, eff. 1-1-14.)

17 (410 ILCS 130/95)

18 Sec. 95. Background checks.

19 (a) The Department of Agriculture through the Illinois
20 State Police shall conduct a background check of the
21 prospective cultivation center agents. The Illinois State
22 Police shall charge a fee for conducting the criminal history
23 record check, which shall be deposited in the State Police
24 Services Fund and shall not exceed the actual cost of the
25 record check. In order to carry out this provision, each

1 person applying as a cultivation center agent shall submit a
2 full set of fingerprints to the Illinois State Police for the
3 purpose of obtaining a State and federal criminal records
4 check. These fingerprints shall be checked against the
5 fingerprint records now and hereafter, to the extent allowed
6 by law, filed in the Illinois State Police and Federal Bureau
7 of Investigation criminal history records databases. The
8 Illinois State Police shall furnish, following positive
9 identification, all Illinois conviction information to the
10 Department of Agriculture.

11 (b) When applying for the initial permit, the background
12 checks for the principal officer, board members, and
13 registered agents shall be completed prior to submitting the
14 application to the Department of Agriculture.

15 (c) This Section is repealed on January 1, 2027.

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

17 (410 ILCS 130/100)

18 Sec. 100. Cultivation center agent identification card.

19 (a) The Department of Agriculture shall:

20 (1) verify the information contained in an application
21 or renewal for a cultivation center identification card
22 submitted under this Act, and approve or deny an
23 application or renewal, within 30 days of receiving a
24 completed application or renewal application and all
25 supporting documentation required by rule;

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

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

6 (4) allow for an electronic application process, and
7 provide a confirmation by electronic or other methods that
8 an application has been submitted.

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

13 (c) The cultivation center agent identification cards
14 shall contain the following:

15 (1) the name of the cardholder;

16 (2) the date of issuance and expiration date of
17 cultivation center agent identification cards;

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

21 (4) a photograph of the cardholder.

22 (d) The cultivation center agent identification cards
23 shall be immediately returned to the cultivation center upon
24 termination of employment.

25 (e) Any card lost by a cultivation center agent shall be
26 reported to the Illinois State Police and the Department of

1 Agriculture immediately upon discovery of the loss.

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

5 (g) An agent applicant may begin employment at a
6 cultivation center while the agent applicant's identification
7 card application is pending. Upon approval, the Department
8 shall issue the agent's identification card to the agent. If
9 denied, the cultivation center and the agent applicant shall
10 be notified and the agent applicant must cease all activity at
11 the cultivation center immediately.

12 (h) Beginning July 1, 2026, all cultivation center
13 identification cards and renewals shall be renewed in
14 accordance with Section 20-45 of the Cannabis Regulation and
15 Tax Act.

16 (i) This Section is repealed on January 1, 2027.

17 (Source: P.A. 102-98, eff. 7-15-21; 102-538, eff. 8-20-21;
18 102-813, eff. 5-13-22.)

19 (410 ILCS 130/105)

20 Sec. 105. Requirements; prohibitions; penalties for
21 cultivation centers.

22 (a) The operating documents of a registered cultivation
23 center shall include procedures for the oversight of the
24 cultivation center, a cannabis plant monitoring system
25 including a physical inventory recorded weekly, a cannabis

1 container system including a physical inventory recorded
2 weekly, accurate record keeping, and a staffing plan.

3 (b) A registered cultivation center shall implement a
4 security plan reviewed by the Illinois State Police and
5 including but not limited to: facility access controls,
6 perimeter intrusion detection systems, personnel
7 identification systems, 24-hour surveillance system to monitor
8 the interior and exterior of the registered cultivation center
9 facility and accessible to authorized law enforcement and the
10 Department of Agriculture in real-time.

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

16 (d) All cultivation of cannabis for distribution to a
17 registered dispensing organization must take place in an
18 enclosed, locked facility as it applies to cultivation centers
19 at the physical address provided to the Department of
20 Agriculture during the registration process. The cultivation
21 center location shall only be accessed by the cultivation
22 center agents working for the registered cultivation center,
23 Department of Agriculture staff performing inspections,
24 Department of Public Health staff performing inspections, law
25 enforcement or other emergency personnel, and contractors
26 working on jobs unrelated to medical cannabis, such as

1 installing or maintaining security devices or performing
2 electrical wiring.

3 (e) A cultivation center may not sell or distribute any
4 cannabis to any individual or entity other than another
5 cultivation center, a dispensing organization registered under
6 this Act, or a laboratory licensed by the Department of
7 Agriculture.

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

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

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

15 (i) Registered cultivation centers are subject to random
16 inspections by the Department of Agriculture and the
17 Department of Public Health.

18 (j) A cultivation center agent shall notify local law
19 enforcement, the Illinois State Police, and the Department of
20 Agriculture within 24 hours of the discovery of any loss or
21 theft. Notification shall be made by phone or in-person, or by
22 written or electronic communication.

23 (k) A cultivation center shall comply with all State and
24 federal rules and regulations regarding the use of pesticides.

25 (l) This Section is repealed on January 1, 2027.

26 (Source: P.A. 101-363, eff. 8-9-19; 102-538, eff. 8-20-21.)

1 (410 ILCS 130/110)

2 Sec. 110. Suspension; revocation; other penalties for
3 cultivation centers and agents. Notwithstanding any other
4 criminal penalties related to the unlawful possession of
5 cannabis, the Department of Agriculture may revoke, suspend,
6 place on probation, reprimand, issue cease and desist orders,
7 refuse to issue or renew a registration, or take any other
8 disciplinary or non-disciplinary action as the Department of
9 Agriculture may deem proper with regard to a registered
10 cultivation center or cultivation center agent, including
11 imposing fines not to exceed \$50,000 for each violation, for
12 any violations of this Act and rules adopted under this Act.
13 The procedures for disciplining a registered cultivation
14 center or cultivation center agent and for administrative
15 hearings shall be determined by rule. All final administrative
16 decisions of the Department of Agriculture are subject to
17 judicial review under the Administrative Review Law and its
18 rules. The term "administrative decision" is defined as in
19 Section 3-101 of the Code of Civil Procedure. This Section is
20 repealed on January 1, 2027.

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

22 (410 ILCS 130/115)

23 Sec. 115. Registration of dispensing organizations.

24 (a) The Department of Financial and Professional

1 Regulation may issue up to 60 dispensing organization
2 registrations for operation. The Department of Financial and
3 Professional Regulation may not issue less than the 60
4 registrations if there are qualified applicants who have
5 applied with the Department of Financial and Professional
6 Regulation. The organizations shall be geographically
7 dispersed throughout the State to allow all registered
8 qualifying patients reasonable proximity and access to a
9 dispensing organization.

10 (a-5) The Department of Financial and Professional
11 Regulation may ~~shall~~ adopt rules to create a registration
12 process for Social Equity Justice Involved Applicants and
13 Qualifying Applicants, a streamlined application, and a Social
14 Equity Justice Involved Medical Lottery under Section 115.5 to
15 issue the remaining available 5 dispensing organization
16 registrations for operation. For purposes of this Section:

17 "Disproportionately Impacted Area" means a census tract or
18 comparable geographic area that satisfies the following
19 criteria as determined by the Department of Commerce and
20 Economic Opportunity, that:

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

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

24 (B) 75% or more of the children in the area
25 participate in the federal free lunch program
26 according to reported statistics from the State Board

1 of Education; or

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

5 (D) the area has an average unemployment rate, as
6 determined by the Illinois Department of Employment
7 Security, that is more than 120% of the national
8 unemployment average, as determined by the United
9 States Department of Labor, for a period of at least 2
10 consecutive calendar years preceding the date of the
11 application; and

12 (2) has high rates of arrest, conviction, and
13 incarceration related to sale, possession, use,
14 cultivation, manufacture, or transport of cannabis.

15 "Qualifying Applicant" means an applicant that: (i)
16 submitted an application pursuant to Section 15-30 of the
17 Cannabis Regulation and Tax Act that received at least 85% of
18 250 application points available under Section 15-30 of the
19 Cannabis Regulation and Tax Act as the applicant's final
20 score; (ii) received points at the conclusion of the scoring
21 process for meeting the definition of a "Social Equity
22 Applicant" as set forth under the Cannabis Regulation and Tax
23 Act; and (iii) is an applicant that did not receive a
24 Conditional Adult Use Dispensing Organization License through
25 a Qualifying Applicant Lottery pursuant to Section 15-35 of
26 the Cannabis Regulation and Tax Act or any Tied Applicant

1 Lottery conducted under the Cannabis Regulation and Tax Act.

2 "Social Equity Justice Involved Applicant" means an
3 applicant that is an Illinois resident and one of the
4 following:

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

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

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

16 (b) A dispensing organization may only operate if it has
17 been issued a registration from the Department of Financial
18 and Professional Regulation. The Department of Financial and
19 Professional Regulation shall adopt rules establishing the
20 procedures for applicants for dispensing organizations.

21 (c) When applying for a dispensing organization
22 registration, the applicant shall submit, at a minimum, the
23 following in accordance with Department of Financial and
24 Professional Regulation rules:

25 (1) a non-refundable application fee established by
26 rule;

1 (2) the proposed legal name of the dispensing
2 organization;

3 (3) the proposed physical address of the dispensing
4 organization;

5 (4) the name, address, and date of birth of each
6 principal officer and board member of the dispensing
7 organization, provided that all those individuals shall be
8 at least 21 years of age;

9 (5) (blank);

10 (6) (blank); and

11 (7) (blank).

12 (d) The Department of Financial and Professional
13 Regulation shall conduct a background check of the prospective
14 dispensing organization agents in order to carry out this
15 Section. The Department of State Police shall charge a fee for
16 conducting the criminal history record check, which shall be
17 deposited in the State Police Services Fund and shall not
18 exceed the actual cost of the record check. Each person
19 applying as a dispensing organization agent shall submit a
20 full set of fingerprints to the Department of State Police for
21 the purpose of obtaining a State and federal criminal records
22 check. These fingerprints shall be checked against the
23 fingerprint records now and hereafter, to the extent allowed
24 by law, filed in the Department of State Police and Federal
25 Bureau of Investigation criminal history records databases.
26 The Department of State Police shall furnish, following

1 positive identification, all Illinois conviction information
2 to the Department of Financial and Professional Regulation.

3 (e) A dispensing organization must pay a registration fee
4 set by the Department of Financial and Professional
5 Regulation.

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

9 (1) the applicant failed to submit the materials
10 required by this Section, including if the applicant's
11 plans do not satisfy the security, oversight, or
12 recordkeeping rules issued by the Department of Financial
13 and Professional Regulation;

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

16 (3) the applicant does not meet the requirements of
17 Section 130;

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

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

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

1 (g) This Section is repealed on January 1, 2027.

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

3 (410 ILCS 130/120)

4 Sec. 120. Dispensing organization agent identification
5 card.

6 (a) The Department of Financial and Professional
7 Regulation shall:

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

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

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

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

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

25 (c) The dispensing organization agent identification cards

1 shall contain the following:

2 (1) the name of the cardholder;

3 (2) the date of issuance and expiration date of the
4 dispensing organization agent identification cards;

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

8 (4) a photograph of the cardholder.

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

12 (e) Any card lost by a dispensing organization agent shall
13 be reported to the Illinois State Police and the Department of
14 Financial and Professional Regulation immediately upon
15 discovery of the loss.

16 (f) Agent renewal on and after July 1, 2026 shall be in
17 accordance with Section 15-40 of the Cannabis Regulation Tax
18 Act ~~An applicant shall be denied a dispensing organization~~
19 ~~agent identification card if he or she has been convicted of an~~
20 ~~excluded offense.~~

21 (g) This Section is repealed on January 1, 2027.

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

23 (410 ILCS 130/125)

24 Sec. 125. Medical cannabis dispensing organization
25 certification renewal.

1 (a) The registered dispensing organization shall receive
2 written notice 90 days prior to the expiration of its current
3 registration that the registration will expire. The Department
4 of Financial and Professional Regulation shall grant a renewal
5 application within 45 days of its submission if the following
6 conditions are satisfied:

7 (1) the registered dispensing organization submits a
8 renewal application and the required renewal fee
9 established by the Department of Financial and
10 Professional Regulation rules; and

11 (2) the Department of Financial and Professional
12 Regulation has not suspended the registered dispensing
13 organization or suspended or revoked the registration for
14 violation of this Act or rules adopted under this Act.

15 (b) If a dispensing organization fails to renew its
16 registration prior to expiration, the dispensing organization
17 shall cease operations until registration is renewed.

18 (c) If a dispensing organization agent fails to renew his
19 or her registration prior to its expiration, he or she shall
20 cease to work or volunteer at a dispensing organization until
21 his or her registration is renewed.

22 (d) Any dispensing organization that continues to operate
23 or dispensing agent that continues to work or volunteer at a
24 dispensing organization that fails to renew its registration
25 shall be subject to penalty as provided in Section 130.

26 (e) A dispensing organization licensed under this Act

1 shall renew its license in accordance with Section 15-45 of
2 the Cannabis Regulation Tax Act on and after July 1, 2026.

3 (f) This Section is repealed on January 1, 2027.

4 (Source: P.A. 98-122, eff. 1-1-14.)

5 (410 ILCS 130/130)

6 Sec. 130. Requirements; prohibitions; penalties;
7 dispensing organizations.

8 (a) The Department of Financial and Professional
9 Regulation shall implement the provisions of this Section by
10 rule.

11 (b) A dispensing organization shall maintain operating
12 documents which shall include procedures for the oversight of
13 the registered dispensing organization and procedures to
14 ensure accurate recordkeeping.

15 (c) A dispensing organization shall implement appropriate
16 security measures, as provided by rule, to deter and prevent
17 the theft of cannabis and unauthorized entrance into areas
18 containing cannabis.

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

1 any dispensing organizations registered on or after July 1,
2 2019.

3 (e) A dispensing organization is prohibited from acquiring
4 cannabis from anyone other than a cultivation center, craft
5 grower, infuser organization ~~processing organization~~, another
6 dispensing organization, or transporting organization licensed
7 or registered under this Act or the Cannabis Regulation and
8 Tax Act. A dispensing organization is prohibited from
9 obtaining cannabis from outside the State of Illinois.

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

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

23 (h) A dispensing organization may not dispense more than
24 10 ~~2.5~~ ounces of cannabis to a registered qualifying patient,
25 directly or via a designated caregiver, in any 14-day period
26 unless the qualifying patient has a Department of Public

1 Health-approved quantity waiver. Any Department of Public
2 Health-approved quantity waiver process must be made available
3 to qualified veterans.

4 (i) Except as provided in subsection (i-5), before medical
5 cannabis may be dispensed to a designated caregiver or a
6 registered qualifying patient, a dispensing organization agent
7 must determine that the individual is a current cardholder in
8 the verification system and must verify each of the following:

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

11 (2) that the person presenting the card is the person
12 identified on the registry identification card presented
13 to the dispensing organization agent;

14 (3) (blank); and

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

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

24 (1) that the written certification presented to the
25 registered dispensing organization is valid and an
26 original document;

1 (2) that the person presenting the written
2 certification is the person identified on the written
3 certification; and

4 (3) that the participant has not exceeded his or her
5 adequate supply.

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

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

20 (l) A dispensing organization may not permit any person to
21 consume cannabis on the property of a medical cannabis
22 organization.

23 (m) A dispensing organization may not share office space
24 with or refer patients to a certifying health care
25 professional.

26 (n) Notwithstanding any other criminal penalties related

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

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

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

26 (q) The Department of Financial and Professional

1 Regulation may issue nondisciplinary citations for minor
2 violations which may be accompanied by a civil penalty not to
3 exceed \$10,000 per violation. The penalty shall be a civil
4 penalty or other condition as established by rule. The
5 citation shall be issued to the licensee and shall contain the
6 licensee's name, address, and license number, a brief factual
7 statement, the Sections of the law or rule allegedly violated,
8 and the civil penalty, if any, imposed. The citation must
9 clearly state that the licensee may choose, in lieu of
10 accepting the citation, to request a hearing. If the licensee
11 does not dispute the matter in the citation with the
12 Department of Financial and Professional Regulation within 30
13 days after the citation is served, then the citation shall
14 become final and shall not be subject to appeal.

15 (r) This Section is repealed on January 1, 2027.

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

17 (410 ILCS 130/140)

18 Sec. 140. Local ordinances. A unit of local government may
19 enact reasonable zoning ordinances or resolutions, not in
20 conflict with this Act or with Department of Agriculture or
21 Department of Financial and Professional Regulation rules,
22 regulating registered medical cannabis cultivation center or
23 medical cannabis dispensing organizations. No unit of local
24 government, including a home rule unit, or school district may
25 regulate registered medical cannabis organizations other than

1 as provided in this Act and may not unreasonably prohibit the
2 cultivation, dispensing, and use of medical cannabis
3 authorized by this Act. This Section is a denial and
4 limitation under subsection (i) of Section 6 of Article VII of
5 the Illinois Constitution on the concurrent exercise by home
6 rule units of powers and functions exercised by the State.

7 This Section is repealed on January 1, 2027.

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

9 (410 ILCS 130/145)

10 Sec. 145. Confidentiality.

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

1 Department of Financial and Professional Regulation, Office of
2 Executive Inspector General, and Illinois State Police,
3 excluding any existing or non-existing Illinois or national
4 criminal history record information as defined in subsection
5 (d), may be disclosed to each other upon request:

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

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

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

20 (4) Any dispensing information required to be kept
21 under Section 135, Section 150, or Department of Public
22 Health, Department of Agriculture, or Department of
23 Financial and Professional Regulation rules shall identify
24 cardholders and registered cultivation centers by their
25 registry identification numbers and medical cannabis
26 dispensing organizations by their registration number and

1 not contain names or other personally identifying
2 information.

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

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

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

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

21 (A) issued a written certification without a bona
22 fide health care professional-patient relationship
23 under this Act;

24 (B) issued a written certification to a person who
25 was not under the certifying health care
26 professional's care for the debilitating medical

1 condition; or

2 (C) failed to abide by the acceptable and
3 prevailing standard of care when evaluating a
4 patient's medical condition.

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

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

18 (5) Each Department may verify registry identification
19 cards under Section 150.

20 (6) The submission of the report to the General
21 Assembly under Section 160.

22 (b-5) Each Department responsible for licensure under this
23 Act shall publish on the Department's website a list of the
24 ownership information of cannabis business establishment
25 licensees under the Department's jurisdiction. The list shall
26 include, but shall not be limited to, the name of the person or

1 entity holding each cannabis business establishment license
2 and the address at which the entity is operating under this
3 Act. This list shall be published and updated monthly.

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

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

21 (e) Notwithstanding any other provision of this Section,
22 the Department of Financial and Professional Regulation and
23 the Department of Agriculture may share with the Department of
24 Commerce and Economic Opportunity any licensee information
25 necessary to support the administration of social equity
26 programming.

1 (Source: P.A. 101-363, eff. 8-9-19; 102-98, eff. 7-15-21;
2 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

3 (410 ILCS 130/150)

4 Sec. 150. Registry identification and registration
5 certificate verification.

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

13 (b) Within 180 days of the effective date of this Act, the
14 Department of Public Health, Department of Financial and
15 Professional Regulation, and Department of Agriculture shall
16 together establish a computerized database or verification
17 system. The database or verification system must allow law
18 enforcement personnel and medical cannabis dispensary
19 organization agents to determine whether or not the
20 identification number corresponds with a current, valid
21 registry identification card. The system shall only disclose
22 whether the identification card is valid, whether the
23 cardholder is a registered qualifying patient, an Opioid
24 Alternative Patient Program participant, provisional patient,
25 or ~~a registered~~ designated caregiver, ~~the registry~~

1 ~~identification number of the registered medical cannabis~~
2 ~~dispensing organization designated to serve the registered~~
3 ~~qualifying patient who holds the card,~~ and the registry
4 identification number of the patient who is assisted by a
5 registered designated caregiver who holds the card. The
6 Department of Public Health, the Department of Agriculture,
7 the Illinois State Police, and the Department of Financial and
8 Professional Regulation shall not share or disclose any
9 existing or non-existing Illinois or national criminal history
10 record information. Notwithstanding any other requirements
11 established by this subsection, the Department of Public
12 Health shall issue registry cards to qualifying patients and
13 Opioid Alternative Patient Program participants, the
14 Department of Financial and Professional Regulation may issue
15 registration cards to medical cannabis dispensing
16 organizations for the period during which the database is
17 being established, and the Department of Agriculture may issue
18 registration cards to medical cannabis cultivation
19 organizations for the period during which the database is
20 being established.

21 (c) For the purposes of this Section, "any existing or
22 non-existing Illinois or national criminal history record
23 information" means any Illinois or national criminal history
24 record information, including but not limited to the lack of
25 or non-existence of these records.

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

1 (410 ILCS 130/180)

2 Sec. 180. Destruction of medical cannabis.

3 (a) All cannabis byproduct, scrap, and harvested cannabis
4 not intended for distribution to a medical cannabis
5 organization must be destroyed and disposed of pursuant to
6 State law. Documentation of destruction and disposal shall be
7 retained at the cultivation center for a period of not less
8 than 5 years.

9 (b) A cultivation center shall prior to the destruction,
10 notify the Department of Agriculture and the Illinois State
11 Police.

12 (c) The cultivation center shall keep record of the date
13 of destruction and how much was destroyed.

14 (d) A dispensary organization shall destroy all cannabis,
15 including cannabis-infused products, that are not sold to
16 registered qualifying patients. Documentation of destruction
17 and disposal shall be retained at the dispensary organization
18 for a period of not less than 5 years.

19 (e) A dispensary organization shall prior to the
20 destruction, notify the Department of Financial and
21 Professional Regulation and the Illinois State Police.

22 (f) This Section is repealed on January 1, 2027.

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

24 (410 ILCS 130/200)

1 Sec. 200. Tax imposed.

2 (a) Beginning on January 1, 2014 and through December 31,
3 2025 ~~the effective date of this Act,~~ a tax is imposed upon the
4 privilege of cultivating medical cannabis at a rate of 7% of
5 the sales price per ounce. Beginning January 1, 2026, a tax is
6 imposed on the privilege of cultivating medical cannabis at
7 the rate of 7% of the gross receipts from the first sale of
8 medical cannabis by a cultivator. The sale of any product that
9 contains any amount of medical cannabis or any derivative
10 thereof is subject to the tax under this Section on the full
11 selling price of the product. The Department may determine the
12 selling price of the medical cannabis when the seller and
13 purchaser are affiliated persons or when the sale and purchase
14 of medical cannabis is not an arm's length transaction, and a
15 value is not established for the medical cannabis. The value
16 determined by the Department shall be commensurate with the
17 actual price received for products of like quality, character,
18 and use in the area. If there are no sales of medical cannabis
19 of like quality, character, and use in the area, then the
20 Department shall establish a reasonable value based on sales
21 of products of like quality, character, and use in the other
22 areas of the State, taking into consideration any other
23 relevant factors. Beginning July 1, 2026, the privilege of
24 cultivating cannabis shall be subject to the tax imposed under
25 Section 60-10 of the Cannabis Regulation and Tax Act. Through
26 June 30, 2026 ~~The~~ proceeds from this tax shall be deposited

1 into the Compassionate Use of Medical Cannabis Fund created
2 under the Compassionate Use of Medical Cannabis Program Act.
3 This tax shall be paid by a cultivation center and is not the
4 responsibility of a dispensing organization or a qualifying
5 patient.

6 (b) The tax imposed under this Act shall be in addition to
7 all other occupation or privilege taxes imposed by the State
8 of Illinois or by any municipal corporation or political
9 subdivision thereof.

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

11 (410 ILCS 130/205)

12 Sec. 205. Department enforcement.

13 (a) Every person subject to the tax under this Law shall
14 apply to the Department (upon a form prescribed and furnished
15 by the Department) for a certificate of registration under
16 this Law. Application for a certificate of registration shall
17 be made to the Department upon forms furnished by the
18 Department. The certificate of registration which is issued by
19 the Department to a retailer under the Retailers' Occupation
20 Tax Act shall permit the taxpayer to engage in a business which
21 is taxable under this Law without registering separately with
22 the Department. Beginning July 1, 2026, a person licensed as a
23 cultivation center or dispensing organization under the
24 Cannabis Regulation and Tax Act shall be deemed to be
25 sufficiently licensed under this Law by virtue of his or her

1 being properly licensed under the Cannabis Regulation and Tax
2 Act.

3 (b) The Department shall have full power to administer and
4 enforce this Law, to collect all taxes and penalties due
5 hereunder, to dispose of taxes and penalties so collected in
6 the manner hereinafter provided, and to determine all rights
7 to credit memoranda, arising on account of the erroneous
8 payment of tax or penalty hereunder. In the administration of,
9 and compliance with, this Law, the Department and persons who
10 are subject to this Law shall have the same rights, remedies,
11 privileges, immunities, powers and duties, and be subject to
12 the same conditions, restrictions, limitations, penalties and
13 definitions of terms, and employ the same modes of procedure,
14 as are prescribed in Sections 1, 1a, 2 through 2-65 (in respect
15 to all provisions therein other than the State rate of tax),
16 2a, 2b, 2c, 3 (except provisions relating to transaction
17 returns and quarter monthly payments, and except for
18 provisions that are inconsistent with this Law), 4, 5, 5a, 5b,
19 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 7, 8, 9, 10, 11,
20 11a, 12 and 13 of the Retailers' Occupation Tax Act and Section
21 3-7 of the Uniform Penalty and Interest Act as fully as if
22 those provisions were set forth herein.

23 (Source: P.A. 98-122, eff. 1-1-14.)

24 (410 ILCS 130/210)

25 Sec. 210. Returns.

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

7 (1) The name of the taxpayer;

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

11 (3) The amount of tax due;

12 (4) The signature of the taxpayer; and

13 (5) Such other reasonable information as the
14 Department may require.

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

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

21 (b) Beginning on the effective date of this amendatory Act
22 of the 101st General Assembly, Section 60-20 ~~65-20~~ of the
23 Cannabis Regulation and Tax Act shall apply to returns filed
24 and taxes paid under this Act to the same extent as if those
25 provisions were set forth in full in this Section.

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

1 (410 ILCS 130/80 rep.)

2 (410 ILCS 130/115.5 rep.)

3 (410 ILCS 130/135 rep.)

4 (410 ILCS 130/162 rep.)

5 Section 45. The Compassionate Use of Medical Cannabis
6 Program Act is amended by repealing Sections 80, 115.5, 135,
7 and 162.

8 Section 50. The Cannabis Regulation and Tax Act is amended
9 by changing Sections 1-10, 7-10, 7-15, 7-20, 10-10, 10-15,
10 15-10, 15-15, 15-20, 15-25, 15-35, 15-35.10, 15-36, 15-40,
11 15-45, 15-65, 15-70, 15-75, 15-85, 15-100, 15-135, 15-145,
12 25-35, 30-10, 30-30, 30-35, 30-45, 35-25, 35-30, 35-40, 40-25,
13 40-30, 45-5, 50-5, 55-5, 55-10, 55-30, 55-65, 55-85, 60-5,
14 60-10, 65-5, 65-10, 65-30, 65-38, 65-42, and the heading of
15 Article 20 and Sections 20-10, 20-15, 20-20, 20-21, 20-30,
16 20-35 and 20-45 and by adding Sections 15-13, 15-17, 15-23,
17 15-24, and 40-31 as follows:

18 (410 ILCS 705/1-10)

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

20 "Adequate medical supply" means:

21 (1) 10 ounces of usable cannabis during a period of 14
22 days and that is derived solely from an intrastate source.

23 (2) Subject to the rules of the Department of Public

1 Health, a patient may apply for a waiver where a
2 certifying health care professional provides a substantial
3 medical basis in a signed, written statement asserting
4 that, based on the patient's medical history, in the
5 certifying health care professional's professional
6 judgment, 10 ounces is an insufficient adequate medical
7 supply for a 14-day period to properly alleviate the
8 patient's debilitating medical condition or symptoms
9 associated with the debilitating medical condition.

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

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

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

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

26 "Advertise" means to engage in promotional activities

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

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

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

20 "By lot" means a randomized method of choosing between 2
21 or more Eligible Tied Applicants or 2 or more Qualifying
22 Applicants.

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

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

16 "Cannabis business establishment" means a cultivation
17 center, craft grower, ~~processing organization,~~ infuser
18 organization, dispensing organization, or transporting
19 organization.

20 "Cannabis concentrate" means a product derived from
21 cannabis that is produced by extracting cannabinoids,
22 including tetrahydrocannabinol (THC), from the plant through
23 the use of propylene glycol, glycerin, butter, olive oil, or
24 other typical cooking fats; water, ice, or dry ice; or butane,
25 propane, CO₂, ethanol, or isopropanol and with the intended
26 use of smoking or making a cannabis-infused product. The use

1 of any other solvent is expressly prohibited unless and until
2 it is approved by the Department of Agriculture.

3 "Cannabis container" means a sealed or resealable,
4 traceable, container, or package used for the purpose of
5 containment of cannabis or cannabis-infused product during
6 transportation.

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

15 "Cannabis-infused product" means a beverage, food, oil,
16 ointment, tincture, topical formulation, or another product
17 containing cannabis or cannabis concentrate that is not
18 intended to be smoked.

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

25 "Cannabis plant monitoring system" or "plant monitoring
26 system" means a system that includes, but is not limited to,

1 testing and data collection established and maintained by the
2 cultivation center, craft grower, or infuser ~~processing~~
3 organization and that is available to the Department of
4 Revenue, the Department of Agriculture, the Department of
5 Financial and Professional Regulation, and the Illinois State
6 Police for the purposes of documenting each cannabis plant and
7 monitoring plant development throughout the life cycle of a
8 cannabis plant cultivated for the intended use by a customer
9 from seed planting to final packaging.

10 "Cannabis testing facility" means an entity licensed
11 ~~registered~~ by the Department of Agriculture to test cannabis
12 for potency and contaminants. Licensed cannabis testing
13 facilities are authorized under this Act to transport cannabis
14 from licensed cannabis business establishments to the licensed
15 cannabis testing facility and are exempt from the transporting
16 organization license requirements.

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

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

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

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

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

1 14,000 ~~5,000~~ square feet of canopy space on its premises for
2 plants in the flowering state. ~~The Department of Agriculture~~
3 ~~may authorize an increase or decrease of flowering stage~~
4 ~~cultivation space in increments of 3,000 square feet by rule~~
5 ~~based on market need, craft grower capacity, and the~~
6 ~~licensee's history of compliance or noncompliance, with a~~
7 ~~maximum space of 14,000 square feet for cultivating plants in~~
8 ~~the flowering stage,~~ which must be cultivated in all stages of
9 growth in an enclosed and secure area. A craft grower may share
10 premises with an infuser ~~a processing~~ organization or a
11 dispensing organization, or both, provided each licensee
12 stores currency and cannabis or cannabis-infused products in a
13 separate secured vault to which the other licensee does not
14 have access or all licensees sharing a vault share more than
15 50% of the same ownership.

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

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

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

1 business establishments. As used in this Act, "cultivation
2 center" includes any cultivation center which prior to July 1,
3 2026, was a cultivation center as defined in the Compassionate
4 Use of Medical Cannabis Program Act.

5 "Cultivation center agent" means a principal officer,
6 board member, employee, or other agent of a cultivation center
7 who is 21 years of age or older.

8 "Cultivation Center Agent Identification Card" means a
9 document issued by the Department of Agriculture that
10 identifies a person as a cultivation center agent.

11 "Currency" means currency and coins ~~coin~~ of the United
12 States.

13 "Designated caregiver" means a person who is at least 21
14 years of age, has agreed to assist with a patient's medical use
15 of cannabis, and assists no more than one registered
16 qualifying patient with the patient's medical use of cannabis,
17 except the parent or legal guardian of a registered qualifying
18 patient may assist each of their children who are registered
19 qualifying patients.

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

23 "Dispensary Applicant" means the Proposed Dispensing
24 Organization Name as stated on an application for a
25 Conditional Adult Use Dispensing Organization License.

26 "Dispensing organization" or "dispensary" means a facility

1 operated by an organization or business that is licensed by
2 the Department of Financial and Professional Regulation to
3 acquire cannabis from a cultivation center, craft grower, or
4 infuser ~~processing~~ organization licensed by the Department of
5 Agriculture, or another dispensary licensed by the Department
6 of Financial and Professional Regulation, for the purpose of
7 selling or dispensing cannabis, cannabis-infused products,
8 cannabis seeds, paraphernalia, or related supplies under this
9 Act to purchasers or to qualified ~~registered medical cannabis~~
10 patients, designated and caregivers, Opioid Alternative
11 Patient Program participants, and provisional patients. As
12 used in this Act, "dispensing organization" includes any
13 dispensary which, prior to July 1, 2026, was a ~~a~~ registered
14 medical cannabis organization as defined in the Compassionate
15 Use of Medical Cannabis Program Act or its successor Act or
16 that ~~has~~ obtained an Early Approval Adult Use Dispensing
17 Organization License or Early Approval Adult Use Dispensing
18 Organization License at a Secondary Site under this Act.

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

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

26 "Disproportionately Impacted Area" means a census tract or

1 comparable geographic area that satisfies the following
2 criteria as determined by the Department of Commerce and
3 Economic Opportunity, that:

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

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

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

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

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

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

24 "Early Approval Adult Use Cultivation Center License"
25 means a license that permits a medical cannabis cultivation
26 center licensed under the Compassionate Use of Medical

1 Cannabis Program Act as of the effective date of this Act to
2 begin cultivating, infusing, packaging, transporting (unless
3 otherwise provided in this Act), processing, and selling
4 cannabis or cannabis-infused product to cannabis business
5 establishments for resale to purchasers as permitted by this
6 Act as of January 1, 2020.

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

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

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

25 "Enclosed, locked facility" means a room, greenhouse,
26 building, or other enclosed area equipped with locks or other

1 security devices that permit access only by cannabis business
2 establishment agents working for the licensed cannabis
3 business establishment or acting pursuant to this Act to
4 cultivate, process, store, or distribute cannabis.

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

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

17 (2) a structure, such as a shed or greenhouse, that
18 lies on the same plot of land as a residential building
19 that (i) includes sleeping quarters and indoor plumbing
20 and (ii) is used as a primary residence by the person
21 cultivating 5 or fewer cannabis plants that are more than
22 5 inches tall, such as a shed or greenhouse. The structure
23 must remain locked when it is unoccupied by people.

24 "Financial institution" has the same meaning as "financial
25 organization" as defined in Section 1501 of the Illinois
26 Income Tax Act, and also includes the holding companies,

1 subsidiaries, and affiliates of such financial organizations.

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

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

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

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 "Infuser organization agent" means a principal officer,
19 board member, employee, or other agent of an infuser
20 organization.

21 "Infuser organization agent identification card" means a
22 document issued by the Department of Agriculture that
23 identifies a person as an infuser organization agent.

24 "Kief" means the resinous crystal-like trichomes that are
25 found on cannabis and that are accumulated, resulting in a
26 higher concentration of cannabinoids, untreated by heat or

1 pressure, or extracted using a solvent.

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

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

1 dispensing organization, or, if sales to registered qualifying
2 patients, caregivers, provisional patients, and Opioid
3 Alternative Patient ~~Pilot~~ Program participants licensed
4 pursuant to the Compassionate Use of Medical Cannabis Program
5 Act are also permitted at the dispensary, registered
6 qualifying patients, caregivers, provisional patients, and
7 Opioid Alternative Patient ~~Pilot~~ Program participants.

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

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

18 "Opioid Alternative Patient Program participant" means an
19 individual who has received a valid written certification to
20 participate in the Opioid Alternative Patient Program for a
21 medical condition for which an opioid has been or could be
22 prescribed by a certifying health care professional based on
23 generally accepted standards of care.

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

1 from within an adjacent property.

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

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

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

19 "Principal officer" includes a cannabis business
20 establishment applicant or licensed cannabis business
21 establishment's board member, owner with more than 10% ~~1%~~
22 interest of the total cannabis business establishment or more
23 than 5% interest of the total cannabis business establishment
24 of a publicly traded company, president, vice president,
25 secretary, treasurer, partner, officer, member, manager
26 member, or person with a profit sharing, financial interest,

1 or revenue sharing arrangement. The definition includes a
2 person with authority to control the cannabis business
3 establishment, a person who assumes responsibility for the
4 debts of the cannabis business establishment and who is
5 further defined in this Act.

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

13 "Provisional patient" means a qualifying patient who has
14 received a provisional registration from the Department of
15 Public Health.

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

20 ~~"Processing organization" or "processor" means a facility~~
21 ~~operated by an organization or business that is licensed by~~
22 ~~the Department of Agriculture to either extract constituent~~
23 ~~chemicals or compounds to produce cannabis concentrate or~~
24 ~~incorporate cannabis or cannabis concentrate into a product~~
25 ~~formulation to produce a cannabis product.~~

26 ~~"Processing organization agent" means a principal officer,~~

1 ~~board member, employee, or agent of a processing organization.~~

2 ~~"Processing organization agent identification card" means~~
3 ~~a document issued by the Department of Agriculture that~~
4 ~~identifies a person as a processing organization agent.~~

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

9 "Qualifying Applicant" means an applicant that submitted
10 an application pursuant to Section 15-30 that received at
11 least 85% of 250 application points available under Section
12 15-30 as the applicant's final score and meets the definition
13 of "Social Equity Applicant" as set forth under this Section.

14 "Qualifying patient" or "qualified patient" means a person
15 who has been diagnosed by a certifying health care
16 professional as having a debilitating medical condition as
17 defined under the Compassionate Use of Medical Cannabis
18 Program Act.

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 license or conditional
2 license under this Act to operate a cannabis business
3 establishment.

4 "Resided" means an individual's primary residence was
5 located within the relevant geographic area as established by
6 2 of the following:

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

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

11 (3) school records;

12 (4) a voter registration card;

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

16 (6) a paycheck stub;

17 (7) a utility bill;

18 (8) tax records; or

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

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

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

25 (1) an applicant with at least 51% ownership and
26 control by one or more individuals who have resided for at

1 least 5 of the preceding 10 years in a Disproportionately
2 Impacted Area;

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

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

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

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

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

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

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

23 "Social Equity Lottery Licensee" means a holder of an
24 adult use cannabis dispensary license awarded through a
25 lottery held under subsection (c) of Section 15-35.20 of this
26 Act.

1 "Tied Applicant" means an application submitted by a
2 Dispensary Applicant pursuant to Section 15-30 that received
3 the same number of application points under Section 15-30 as
4 the Dispensary Applicant's final score as one or more
5 top-scoring applications in the same BLS Region and would have
6 been awarded a license but for the one or more other
7 top-scoring applications that received the same number of
8 application points. Each application for which a Dispensary
9 Applicant was required to pay a required application fee for
10 the application period ending January 2, 2020 shall be
11 considered an application of a separate Tied Applicant.

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

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

23 "Transporter transfer site" means a physical facility
24 approved by the Department of Agriculture to be operated by a
25 transporting organization where the transporting organization
26 may transfer product from one vehicle to another. The

1 Department may allow for onsite storage of cannabis product by
2 rule.

3 "Transporting organization" or "transporter" means an
4 organization or business that is licensed by the Department of
5 Agriculture to transport cannabis or cannabis-infused product
6 on behalf of a cannabis business establishment or a community
7 college licensed under the Community College Cannabis
8 Vocational Training Pilot Program.

9 "Transporting organization agent" means a principal
10 officer, board member, employee, or agent of a transporting
11 organization.

12 "Transporting organization agent identification card"
13 means a document issued by the Department of Agriculture that
14 identifies a person as a transporting organization agent.

15 "Unit of local government" means any county, city,
16 village, or incorporated town.

17 "Vegetative stage" means the stage of cultivation in which
18 a cannabis plant is propagated to produce additional cannabis
19 plants or reach a sufficient size for production. This
20 includes seedlings, clones, mothers, and other immature
21 cannabis plants as follows:

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

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

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

7 (410 ILCS 705/7-10)

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

9 (a) There is created in the State treasury a special fund,
10 which shall be held separate and apart from all other State
11 moneys, to be known as the Cannabis Business Development Fund.
12 The Cannabis Business Development Fund shall be exclusively
13 used for the following purposes:

14 (1) to provide low-interest rate loans to Qualified
15 Social Equity Applicants and Social Equity Lottery
16 Licensees to pay for ordinary and necessary expenses to
17 start and operate a cannabis business establishment
18 permitted by this Act;

19 (2) to provide grants to Qualified Social Equity
20 Applicants and Social Equity Lottery Licensees to pay for
21 ordinary and necessary expenses to start and operate a
22 cannabis business establishment permitted by this Act;

23 (3) to compensate the Department of Commerce and
24 Economic Opportunity for any costs related to the
25 provision of low-interest loans and grants to Qualified

1 Social Equity Applicants and Social Equity Lottery
2 Licensees;

3 (4) to pay for outreach that may be provided or
4 targeted to attract and support Social Equity Applicants
5 and Qualified Social Equity Applicants and Social Equity
6 Lottery Licensees;

7 (5) to provide financial assistance to support lending
8 to, or private investment in, Qualified Social Equity
9 Applicants and Social Equity Lottery Licensees, or to
10 facilitate access to the facilities needed to commence
11 operations as a cannabis business establishment (blank);

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

18 (6.5) to enter into financial intermediary agreements
19 to facilitate lending to or investment in Qualified Social
20 Equity Applicants, Social Equity Lottery Licensees, or
21 their subsidiaries or affiliates, to ensure the
22 availability of facilities necessary to operate a cannabis
23 business establishment;

24 (7) (blank); and

25 (8) to assist with job training and technical
26 assistance for residents in Disproportionately Impacted

1 Areas.

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

8 (c) (Blank).

9 (c-5) In addition to any other transfers that may be
10 provided for by law, on July 1, 2026 and each July 1 thereafter
11 ~~2023, or as soon thereafter as practical,~~ the State
12 Comptroller shall direct and the State Treasurer shall
13 transfer the sum of \$40,000,000 from the Compassionate Use of
14 Medical Cannabis Fund to the Cannabis Business Development
15 Fund.

16 (d) Notwithstanding any other law to the contrary, the
17 Cannabis Business Development Fund is not subject to sweeps,
18 administrative charge-backs, or any other fiscal or budgetary
19 maneuver that would in any way transfer any amounts from the
20 Cannabis Business Development Fund into any other fund of the
21 State.

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

23 (410 ILCS 705/7-15)

24 Sec. 7-15. Loans, financial assistance, and grants to
25 Qualified Social Equity Applicants and Social Equity Lottery

1 Licensees.

2 (a) The Department of Commerce and Economic Opportunity
3 shall establish grant, ~~and~~ loan, and financial assistance
4 programs, subject to appropriations from the Cannabis Business
5 Development Fund, for the purposes of providing financial
6 assistance, loans, grants, and technical assistance to
7 Qualified Social Equity Applicants and Social Equity Lottery
8 Licensees.

9 (b) The Department of Commerce and Economic Opportunity
10 has the power to:

11 (1) provide Cannabis Social Equity loans, financial
12 assistance, and grants from appropriations from the
13 Cannabis Business Development Fund to assist Qualified
14 Social Equity Applicants and Social Equity Lottery
15 Licensees in gaining entry to, and successfully operating
16 in, the State's regulated cannabis marketplace;

17 (2) enter into agreements that set forth terms and
18 conditions of the financial assistance, accept funds or
19 grants, and engage in cooperation with private entities
20 and agencies of State or local government to carry out the
21 purposes of this Section;

22 (3) fix, determine, charge, and collect any premiums,
23 fees, charges, costs and expenses, including application
24 fees, commitment fees, program fees, financing charges, or
25 publication fees in connection with its activities under
26 this Section;

1 (4) coordinate assistance under the financial
2 assistance ~~these loan~~ programs with activities of the
3 Illinois Department of Financial and Professional
4 Regulation, the Illinois Department of Agriculture, and
5 other agencies as needed to maximize the effectiveness and
6 efficiency of this Act;

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

9 (6) take whatever actions are necessary or appropriate
10 to protect the State's interest in the event of
11 bankruptcy, default, foreclosure, or noncompliance with
12 the terms and conditions of financial assistance provided
13 under this Section, including the ability to recapture
14 funds if the recipient is found to be noncompliant with
15 the terms and conditions of the financial assistance
16 agreement;

17 (6.5) enter into financial intermediary agreements to
18 facilitate lending to or investment in Qualified Social
19 Equity Applicants, Social Equity Lottery Licensees, or
20 their subsidiaries or affiliates, to ensure the
21 availability of facilities necessary to operate a cannabis
22 business establishment;

23 (7) establish application, notification, contract, and
24 other forms, procedures, or rules deemed necessary and
25 appropriate; and

26 (8) utilize vendors or contract work to carry out the

1 purposes of this Act.

2 (c) Loans made under this Section:

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

6 (2) shall be in such principal amount and form and
7 contain such terms and provisions with respect to
8 security, insurance, reporting, delinquency charges,
9 default remedies, forgiveness, and other matters as the
10 Department shall determine appropriate to protect the
11 public interest and to be consistent with the purposes of
12 this Section. The terms and provisions may be less than
13 required for similar loans not covered by this Section;
14 and-

15 (3) may be distributed by lot if the Department
16 determines that the amount of funding available is
17 insufficient to provide an adequate amount of funding for
18 all of the applicants eligible to receive a loan. The
19 Department may determine the number of loans available
20 based on the amount of funding available and communicate
21 the number of loans available on the loan application. The
22 Department may use competitive criteria to establish which
23 applicants are eligible to receive a grant, loan, or
24 financial assistance.

25 (d) Grants made under this Section shall be awarded on a
26 competitive and annual basis under the Grant Accountability

1 and Transparency Act. Grants made under this Section shall
2 further and promote the goals of this Act, including promotion
3 of Social Equity Applicants, Qualified Social Equity
4 Applicants, or Social Equity Lottery Licensees, job training
5 and workforce development, and technical assistance to Social
6 Equity Applicants and Social Equity Lottery Licensees. To the
7 extent registration with the federal System for Award
8 Management requires a grant applicant to certify compliance
9 with all federal laws, the grant applicants under this Section
10 shall not be required to register for a unique entity
11 identifier through the federal System for Award Management to
12 be qualified to receive a grant so long as federal law
13 prohibits the cultivation and sale of cannabis.

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

18 (e) Beginning January 1, 2021 and each year thereafter,
19 the Department shall annually report to the Governor and the
20 General Assembly on the outcomes and effectiveness of this
21 Section that shall include the following:

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

24 (2) the amount in financial assistance awarded in the
25 aggregate, in addition to the amount of loans made that
26 are outstanding and the amount of grants awarded;

1 (3) the location of the project engaged in by the
2 person or business; and

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

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

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

11 (410 ILCS 705/7-20)

12 Sec. 7-20. Fee waivers.

13 (a) For Social Equity Applicants, the Department of
14 Financial and Professional Regulation and the Department of
15 Agriculture shall waive 50% of any nonrefundable license
16 application fees, any nonrefundable fees associated with
17 purchasing a license to operate a cannabis business
18 establishment, and any surety bond or other financial
19 requirements, provided a Social Equity Applicant meets the
20 following qualifications at the time the payment is due:

21 (1) the applicant, including all individuals and
22 entities with 10% or greater ownership and all parent
23 companies, subsidiaries, and affiliates, has less than a
24 total of \$750,000 of gross income in the previous calendar
25 year; and

1 (2) the applicant, including all individuals and
2 entities with 10% or greater ownership and all parent
3 companies, subsidiaries, and affiliates, has no more than
4 2 other licenses for cannabis business establishments in
5 the State of Illinois.

6 (b) The Department of Financial and Professional
7 Regulation and the Department of Agriculture may require
8 Social Equity Applicants to attest that they meet the
9 requirements for a fee waiver as provided in subsection (a)
10 and to provide evidence of annual total income in the previous
11 calendar year.

12 (c) If the Department of Financial and Professional
13 Regulation or the Department of Agriculture determines that an
14 applicant who applied as a Social Equity Applicant is not
15 eligible for such status, the applicant shall be provided an
16 additional 10 days to provide alternative evidence that he or
17 she qualifies as a Social Equity Applicant. Alternatively, the
18 applicant may pay the remainder of the waived fee and be
19 considered as a non-Social Equity Applicant. If the applicant
20 cannot do either, then the Departments may keep the initial
21 application fee and the application shall not be graded.

22 (d) The Department of Agriculture may provide hardship
23 waivers for craft grower and infuser license and renewal fees
24 due to the Department after July 1, 2026 pursuant to the
25 provisions below:

26 (1) The craft grower or infuser organization attests

1 that the craft grower or infuser organization or applicant
2 for renewal, including all individuals and entities with
3 10% or greater ownership and all parent companies,
4 subsidiaries, and affiliates, have no more than 2 other
5 licenses for cannabis business establishments in the
6 State.

7 (2) For craft grower and infuser organizations that
8 have a total of \$50,000 or less of reported gross income
9 for the prior fiscal year, the Department may waive the
10 full license or renewal fee. The craft grower or infuser
11 organization shall verify its income to the Department.

12 (3) For craft grower and infuser organizations that
13 have a gross income of between \$50,001 and \$750,000, the
14 Department may waive 50% of the full license or renewal
15 fee. The craft grower or infuser organization shall verify
16 its income to the Department.

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

18 (410 ILCS 705/10-10)

19 Sec. 10-10. Possession limit.

20 (a) Except if otherwise authorized by this Act, for a
21 person who is 21 years of age or older and a resident of this
22 State, the possession limit is as follows:

23 (1) 120 ~~30~~ grams of cannabis flower;

24 (2) no more than 2,000 ~~500~~ milligrams of THC contained
25 in cannabis-infused product;

1 (3) 20 ~~5~~ grams of cannabis concentrate; and

2 (4) for registered qualifying patients, any cannabis
3 produced by cannabis plants grown under subsection (b) of
4 Section 10-5, provided any amount of cannabis produced in
5 excess of 120 ~~30~~ grams of raw cannabis or its equivalent
6 must remain secured within the residence or residential
7 property in which it was grown.

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

10 (1) 120 ~~15~~ grams of cannabis flower;

11 (2) 20 ~~2.5~~ grams of cannabis concentrate; and

12 (3) 2,000 ~~250~~ milligrams of THC contained in a
13 cannabis-infused product.

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

16 (d) No person shall knowingly obtain, seek to obtain, or
17 possess an amount of cannabis from a dispensing organization
18 or craft grower that would cause him or her to exceed the
19 possession limit under this Section, excluding ~~including~~
20 cannabis that is cultivated by a person under this Act or
21 obtained as a qualified registered medical patient,
22 provisional patient, designated caregiver, or Opioid
23 Alternative Patient Program participant.

24 (d-1) No qualified registered patient, provisional
25 patient, designated caregiver, or Opioid Alternative Patient
26 Program participant shall knowingly obtain, seek to obtain, or

1 possess, individually or collectively, an amount that would
2 cause the individual to exceed their adequate medical supply
3 under the Compassionate Use of Medical Cannabis Program Act.

4 (e) Cannabis and cannabis-derived substances regulated
5 under the Industrial Hemp Act are not covered by this Act.

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

7 (410 ILCS 705/10-15)

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

9 (a) Nothing in this Act is intended to permit the transfer
10 of cannabis, with or without remuneration, to a person under
11 21 years of age, or to allow a person under 21 years of age to
12 purchase, possess, use, process, transport, grow, or consume
13 cannabis except where authorized by this Act, the
14 Compassionate Use of Medical Cannabis Program Act or ~~by~~ the
15 Community College Cannabis Vocational Pilot Program.

16 (b) Notwithstanding any other provisions of law
17 authorizing ~~the~~ possession of ~~medical~~ cannabis or
18 cannabis-infused products by a qualified registered medical
19 patient, provisional patient, designated caregiver, or Opioid
20 Alternative Patient Program participant, nothing in this Act
21 authorizes a person who is under 21 years of age to possess
22 cannabis. A person under 21 years of age with cannabis in his
23 or her possession is guilty of a civil law violation as
24 outlined in paragraph (a) of Section 4 of the Cannabis Control
25 Act.

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

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

1 lessee.

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

3 (410 ILCS 705/15-10)

4 Sec. 15-10. Medical cannabis dispensing organization
5 exemption. This Article does not apply to medical cannabis
6 dispensing organizations registered under the Compassionate
7 Use of Medical Cannabis ~~Pilot~~ Program Act, except where
8 otherwise specified. This Section is repealed on July 1, 2026.

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

10 (410 ILCS 705/15-13 new)

11 Sec. 15-13. Adult Use and medical cannabis dispensing
12 organization license merger; medical patient prioritization.

13 (a) Beginning July 1, 2026, all medical cannabis
14 dispensing organizations registered under the Compassionate
15 Use of Medical Cannabis Program Act and that have received an
16 Early Approval Adult Use Dispensing Organization License shall
17 be deemed to be an adult use dispensing organization licensed
18 pursuant to Section 15-36 of this Act. In addition to selling
19 cannabis and cannabis-infused products to persons 21 years of
20 age or older, beginning July 1, 2026, but no later than October
21 1, 2026, all dispensing organizations licensed pursuant to
22 Section 15-36 of this Act shall also offer services to
23 registered qualifying patients, provisional patients,
24 designated caregivers, and Opioid Alternative Patient Program

1 participants.

2 (b) Beginning July 1, 2026, all dispensing organization
3 agents registered under the Compassionate Use of Medical
4 Cannabis Program Act shall be deemed to be a dispensing
5 organization agent as that term is defined in this Act. All
6 dispensing organization agents registered under the
7 Compassionate Use of Medical Cannabis Program Act shall have
8 the same rights, privileges, duties, and responsibilities of
9 dispensing organization agents licensed under this Act. All
10 dispensing organization agents shall be subject to this Act
11 and any administrative rules adopted under this Act.

12 (c) On and after July 1, 2026, any dispensing organization
13 previously registered as an Early Approval Adult Use
14 Dispensing Organization License or an Early Approval Adult Use
15 Dispensing Organization at a secondary site shall renew
16 pursuant to Section 15-45 of this Act. The Department shall
17 prorate any dispensing organization previously registered as
18 an Early Approval Adult Use Dispensing Organization License or
19 an Early Approval Adult Use Dispensing Organization at a
20 secondary site's first renewal fee due under Section 15-45.

21 (d) By October 1, 2026, all dispensing organizations shall
22 pay a one-time fee of \$10,000 to be deposited into the
23 Compassionate Use of Medical Cannabis Fund. After this
24 one-time fee, all dispensing organizations shall renew
25 pursuant to the provisions of Section 15-45. The Department
26 may approve payment plans that extend beyond October 1, 2026

1 for the fee paid under this subsection if the first payment
2 under the payment plan is remitted by October 1, 2026.

3 (e) All dispensing organizations must maintain an adequate
4 supply of cannabis and cannabis-infused products for purchase
5 by qualifying patients, designated caregivers, provisional
6 patients, and Opioid Alternative Patient Program participants.
7 For the purposes of this subsection, the Department may
8 promulgate administrative rules establishing what constitutes
9 an adequate supply and how dispensing organizations may cure
10 any adequate supply shortages.

11 (f) If there is a shortage of cannabis or cannabis-infused
12 products, a dispensing organization shall prioritize serving
13 qualifying patients, designated caregivers, provisional
14 patients, and Opioid Alternative Patient Program participants
15 before serving purchasers.

16 (g) Beginning July 1, 2026, cannabis and cannabis-infused
17 products purchased from a dispensing organization by a
18 qualified patient, provisional patient, designated caregiver,
19 or Opioid Alternative Patient Program participant are not
20 subject to tax under Section 65-10 of this Act.

21 (410 ILCS 705/15-15)

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

24 (a) Any medical cannabis dispensing organization holding a
25 valid registration under the Compassionate Use of Medical

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

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

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

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

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

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

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

1 (6) The name, address, social security number, and
2 date of birth of each principal officer and board member
3 of the dispensing organization, each of whom must be at
4 least 21 years of age;

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

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

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

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

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

26 (D) Participate as a host in a cannabis business

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

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

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

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

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

- 25 (1) its existing location is within the boundaries of
26 a unit of local government that prohibits the sale of

1 adult use cannabis; or

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

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

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

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

25 (e) If the Department receives an application that fails
26 to provide the required elements contained in subsection (b),

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

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

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

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

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

21 (g) A registered medical cannabis dispensing organization
22 that obtains an Early Approval Adult Use Dispensing
23 Organization License may begin selling cannabis,
24 cannabis-infused products, paraphernalia, and related items to
25 purchasers under the rules of this Act no sooner than January
26 1, 2020.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (q) On and after July 1, 2026, all dispensaries which were
15 previously issued an Early Approval Adult Use Dispensing
16 Organization License pursuant to this Section shall be deemed
17 to be a dispensary pursuant to Section 15-36 of this Act.

18 (r) This Section is repealed on January 1, 2027.

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

21 (410 ILCS 705/15-17 new)

22 Sec. 15-17. Early Approval Adult Use Dispensing
23 Organization License merger with Adult Use Dispensing
24 Organization License.

25 (a) On and after July 1, 2026, all dispensing

1 organizations previously registered as an Early Approval Adult
2 Use Dispensing Organization License shall be a dispensing
3 organization or a dispensary under this Act and shall be an
4 Adult Use Dispensing Organization License holder under Section
5 15-36 of this Act.

6 (b) The BLS Region in which the dispensing organization
7 licensee's Early Approval Adult Use Dispensing Organization
8 License was originally issued shall be considered the
9 licensee's BLS Region. The dispensing organization shall
10 remain in that BLS Region even if the license or licensee
11 changes its ownership, is sold, is relocated under Section
12 15-24 of this Act, or receives authorization under subsection
13 (e-5) of Section 15-25.

14 (410 ILCS 705/15-20)

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

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

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

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

17 (b) (Blank).

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

25 (1) a payment of a nonrefundable application fee of
26 \$30,000;

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

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

6 (4) the legal name of the medical cannabis dispensing
7 organization;

8 (5) the physical address of the medical cannabis
9 dispensing organization and the proposed physical address
10 of the secondary site;

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

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

20 (8) a statement that the dispensing organization
21 agrees to respond to the Department's supplemental
22 requests for information;

23 (9) for the building or land to be used as the proposed
24 dispensary:

25 (A) if the property is not owned by the applicant,
26 a written statement from the property owner and

1 landlord, if any, certifying consent that the
2 applicant may operate a dispensary on the premises; or

3 (B) if the property is owned by the applicant,
4 confirmation of ownership;

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

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

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

10 (B) a description of the process of dispensing
11 cannabis;

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

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

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

23 (C) the process to ensure that access to the
24 restricted access areas is restricted to, registered
25 agents, service professionals, transporting
26 organization agents, Department inspectors, and

1 security personnel;

2 (13) a proposed inventory control plan that complies
3 with this Section;

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

8 (15) a nonrefundable Cannabis Business Development Fee
9 equal to \$200,000, to be deposited into the Cannabis
10 Business Development Fund; and

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

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

19 (1) make a contribution of 3% of total sales from June
20 1, 2018 to June 1, 2019, or \$100,000, whichever is less, to
21 the Cannabis Business Development Fund. This is in
22 addition to the fee required by paragraph (16) of
23 subsection (c) of this Section;

24 (2) make a grant of 3% of total sales from June 1, 2018
25 to June 1, 2019, or \$100,000, whichever is less, to a
26 cannabis industry training or education program at an

1 Illinois community college as defined in the Public
2 Community College Act;

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

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

1 Dispensing Organization License at a secondary site
2 expires, it may opt to meet the requirement of this
3 subsection by completing another item from this subsection
4 before the expiration of its Early Approval Adult Use
5 Dispensing Organization License at a secondary site to
6 avoid a penalty; or

7 (5) participate in a sponsorship program for at least
8 2 years approved by the Department of Commerce and
9 Economic Opportunity in which an Early Approval Adult Use
10 Dispensing Organization License at a secondary site holder
11 agrees to provide an interest-free loan of at least
12 \$200,000 to a Social Equity Applicant. The sponsor shall
13 not take an ownership stake of greater than 10% in any
14 business receiving sponsorship services to comply with
15 this subsection.

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

20 (f) Applicants must submit all required information,
21 including the requirements in subsection (c) of this Section,
22 to the Department. Failure by an applicant to submit all
23 required information may result in the application being
24 disqualified. Principal officers shall not be required to
25 submit to the fingerprint and background check requirements of
26 Section 5-20.

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

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

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

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

24 (k) If an applicant passes the inspection under this
25 Section, the Department shall issue the Early Approval Adult
26 Use Dispensing Organization License at a secondary site within

1 10 business days unless:

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

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

12 (l) Once the Department has issued a license, the
13 dispensing organization shall notify the Department of the
14 proposed opening date.

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

21 (n) If there is a shortage of cannabis or cannabis-infused
22 products, a dispensing organization holding both a dispensing
23 organization license under the Compassionate Use of Medical
24 Cannabis Program Act and this Article shall prioritize serving
25 qualifying patients and caregivers before serving purchasers.

26 (o) An Early Approval Adult Use Dispensing Organization

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

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

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

22 (3) the dispensing organization has completed a Social
23 Equity Inclusion Plan provided by paragraph (1), (2), or
24 (3) of subsection (d) of this Section or has made
25 substantial progress toward completing a Social Equity
26 Inclusion Plan provided by paragraph (4) or (5) of

1 subsection (d) of this Section.

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

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

19 (r) A dispensing organization agent who holds a valid
20 dispensing organization agent identification card issued under
21 the Compassionate Use of Medical Cannabis Program Act and is
22 an officer, director, manager, or employee of the dispensing
23 organization licensed under this Section may engage in all
24 activities authorized by this Article to be performed by a
25 dispensing organization agent.

26 (s) If the Department suspends, permanently revokes, or

1 otherwise disciplines the Early Approval Adult Use Dispensing
2 Organization License of a dispensing organization that also
3 holds a medical cannabis dispensing organization license
4 issued under the Compassionate Use of Medical Cannabis Program
5 Act, the Department may consider the suspension, permanent
6 revocation, or other discipline as grounds to take
7 disciplinary action against the medical cannabis dispensing
8 organization.

9 (t) All fees collected pursuant to this Section shall be
10 deposited into the Cannabis Regulation Fund, unless otherwise
11 specified.

12 (u) On and after July 1, 2026, all dispensaries that were
13 previously issued an Early Approval Adult Use Dispensing
14 Organization at a secondary site license pursuant to this
15 Section shall be deemed to be a dispensary pursuant to Section
16 15-36 of this Act.

17 (v) This Section is repealed on January 1, 2027.

18 (Source: P.A. 104-417, eff. 8-15-25.)

19 (410 ILCS 705/15-23 new)

20 Sec. 15-23. Early Approval Adult Use Dispensing
21 Organization at a secondary site license merger with Adult Use
22 Dispensing Organization license.

23 (a) On and after July 1, 2026, all dispensing
24 organizations previously registered as an Early Approval Adult
25 Use Dispensing Organization at a secondary site license shall

1 be a dispensing organization or a dispensary under this Act
2 and shall be an Adult Use Dispensing Organization License
3 holder under Section 15-36 of this Act.

4 (b) The BLS Region in which the dispensing organization
5 licensee's Early Approval Adult Use Dispensing Organization at
6 a secondary site license was originally issued shall be
7 considered the licensee's BLS Region. The dispensing
8 organization shall remain in that BLS Region even if the
9 license or licensee changes its ownership, is sold, is
10 relocated under Section 15-24 of this Act, or receives
11 authorization under subsection (e-5) of Section 15-25.

12 (410 ILCS 705/15-24 new)

13 Sec. 15-24. Adult Use Dispensing Organization Licensee
14 relocation.

15 (a) An Adult Use Dispensing Organization licensee may
16 apply to relocate within the Licensee's specific BLS Region
17 consistent with this Section. A request to relocate under this
18 Section is subject to approval by the Department. An Adult Use
19 Dispensing Organization's application to relocate its license
20 under this Section shall be considered to be approved 30 days
21 following the submission of a complete application to
22 relocate, unless the request is sooner approved or denied in
23 writing by the Department. If an application to relocate is
24 denied, the Department shall provide, in writing, the specific
25 reason for denial. An Adult Use Dispensing Organization may

1 request to relocate under this Section only if:

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

5 (2) the Adult Use Dispensing Organization has obtained
6 the zoning approval of a new location by the municipality
7 it currently operates in if the new location is within
8 that same municipality, or if outside the boundaries of a
9 municipality in an unincorporated area of the county, the
10 zoning approval of a new location by the county where it
11 currently operates in if the new location is within the
12 same county, to move to a different location within that
13 unit of local government; or

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

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

23 (410 ILCS 705/15-25)

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

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

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

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

- 12 (1) Bloomington: 1
- 13 (2) Cape Girardeau: 1
- 14 (3) Carbondale-Marion: 1
- 15 (4) Champaign-Urbana: 1
- 16 (5) Chicago-Naperville-Elgin: 47
- 17 (6) Danville: 1
- 18 (7) Davenport-Moline-Rock Island: 1
- 19 (8) Decatur: 1
- 20 (9) Kankakee: 1
- 21 (10) Peoria: 3
- 22 (11) Rockford: 2
- 23 (12) St. Louis: 4
- 24 (13) Springfield: 1
- 25 (14) Northwest Illinois nonmetropolitan: 3
- 26 (15) West Central Illinois nonmetropolitan: 3

1 (16) East Central Illinois nonmetropolitan: 2

2 (17) South Illinois nonmetropolitan: 2

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

7 (1) Payment of a nonrefundable application fee of
8 \$5,000 for each license for which the applicant is
9 applying, which shall be deposited into the Cannabis
10 Regulation Fund;

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

13 (3) The legal name of the proposed dispensing
14 organization;

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

18 (5) From each principal officer, a statement
19 indicating whether that person:

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

23 (B) has held an ownership interest in a dispensing
24 organization or its equivalent in another state or
25 territory of the United States that had the dispensing
26 organization registration or license suspended,

1 revoked, placed on probationary status, or subjected
2 to other disciplinary action;

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

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

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

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

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

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

17 (B) A description of the process of dispensing
18 cannabis;

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

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

25 (B) The process to ensure that access to the
26 restricted access areas is restricted to, registered

1 agents, service professionals, transporting
2 organization agents, Department inspectors, and
3 security personnel;

4 (12) A proposed inventory control plan that complies
5 with this Section;

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

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

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

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

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

1 suspended or revoked in any administrative or judicial
2 proceeding;

3 (18) A plan for community engagement;

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

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

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

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

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

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

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

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

24 (27) The number of licenses it is applying for in each
25 BLS Region;

26 (28) A diversity plan that includes a narrative of at

1 least 2,500 words that establishes a goal of diversity in
2 ownership, management, employment, and contracting to
3 ensure that diverse participants and groups are afforded
4 equality of opportunity;

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

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

15 (e) An applicant who receives a Conditional Adult Use
16 Dispensing Organization License under this Section has 180
17 days from the date of award to identify a physical location for
18 the dispensing organization retail storefront. The applicant
19 shall provide evidence that the location is not within 1,500
20 feet of an existing dispensing organization, unless the
21 applicant is a Social Equity Applicant or Social Equity
22 Justice Involved Applicant located or seeking to locate within
23 1,500 feet of a dispensing organization licensed under Section
24 15-15 or Section 15-20. However, the Department may approve
25 locations to be within 1,500 feet of each other if both have
26 received local government zoning approval for sites within

1 1,500 feet of each other and the conditional licenses were
2 issued pursuant to a lottery conducted under 68 Ill. Adm. Code
3 1291.50, subsection (c) of Section 15-35.20, Section 15-35, or
4 Section 15-35.10. If an applicant is unable to find a suitable
5 physical address in the opinion of the Department within 180
6 days of the issuance of the Conditional Adult Use Dispensing
7 Organization License, the Department may extend the period for
8 finding a physical address an additional 540 days if the
9 Conditional Adult Use Dispensing Organization License holder
10 demonstrates concrete attempts to secure a location and a
11 hardship. If the Department denies the extension or the
12 Conditional Adult Use Dispensing Organization License holder
13 is unable to either find a location within 720 days of being
14 awarded a conditional license and become operational within
15 180 days thereafter or become operational within 720 days of
16 being awarded a conditional license, the Department may,
17 considering the totality of the circumstances, rescind the
18 conditional license. If the conditional license holder does
19 not become operational within 365 days after having found a
20 location, the Department may mandate a date by which the
21 conditional license holder shall become operational prior to
22 the Department rescinding the conditional license. If the
23 Department rescinds ~~shall rescind~~ the conditional license it
24 may ~~and~~ award it to the next highest scoring applicant in the
25 BLS Region for which the license was assigned, provided the
26 applicant receiving the license: (i) confirms a continued

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

12 (e-5) If, within 720 days of being awarded a Conditional
13 Adult Use Dispensing Organization License, a dispensing
14 organization is unable to find a location within the BLS
15 Region in which it was awarded a Conditional Adult Use
16 Dispensing Organization License because no jurisdiction within
17 the BLS Region allows for the operation of an Adult Use
18 Dispensing Organization, the Department of Financial and
19 Professional Regulation may authorize the Conditional Adult
20 Use Dispensing Organization License holder to transfer its
21 license to a BLS Region specified by the Department.

22 (f) A dispensing organization that is awarded a
23 Conditional Adult Use Dispensing Organization License pursuant
24 to the criteria in Section 15-30 shall not purchase, possess,
25 sell, or dispense cannabis or cannabis-infused products until
26 the person has received an Adult Use Dispensing Organization

1 License issued by the Department pursuant to Section 15-36 of
2 this Act.

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

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

21 (410 ILCS 705/15-35)

22 Sec. 15-35. Qualifying Applicant Lottery for Conditional
23 Adult Use Dispensing Organization Licenses.

24 (a) In addition to any of the licenses issued under
25 Section 15-15, Section 15-20, Section 15-25, Section 15-30.20,

1 or Section 15-35.10 of this Act, within 10 business days after
2 the resulting final scores for all scored applications
3 pursuant to Sections 15-25 and 15-30 are released, the
4 Department shall issue up to 55 Conditional Adult Use
5 Dispensing Organization Licenses by lot, pursuant to the
6 application process adopted under this Section. In order to be
7 eligible to be awarded a Conditional Adult Use Dispensing
8 Organization License by lot under this Section, a Dispensary
9 Applicant must be a Qualifying Applicant.

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

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

1 (16) East Central Illinois nonmetropolitan: 1.

2 (17) South Illinois nonmetropolitan: 1.

3 (a-5) Prior to issuing licenses under subsection (a), the
4 Department may adopt rules through emergency rulemaking in
5 accordance with subsection (kk) of Section 5-45 of the
6 Illinois Administrative Procedure Act. The General Assembly
7 finds that the adoption of rules to regulate cannabis use is
8 deemed an emergency and necessary for the public interest,
9 safety, and welfare.

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

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

15 (2) Within each BLS Region, the first Qualifying
16 Applicant drawn will have the first right to an available
17 license. The second Qualifying Applicant drawn will have
18 the second right to an available license. The same pattern
19 will continue for each subsequent Qualifying Applicant
20 drawn.

21 (3) The process for distributing available licenses
22 under this Section shall be recorded by the Department in
23 a format selected by the Department.

24 (4) A Dispensary Applicant is prohibited from becoming
25 a Qualifying Applicant if a principal officer resigns
26 after the resulting final scores for all scored

1 applications pursuant to Sections 15-25 and 15-30 are
2 released.

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

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

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

19 (8) If, upon being selected for an available license
20 established under this Section, a Qualifying Applicant has
21 a principal officer who is a principal officer in more
22 than 10 Early Approval Adult Use Dispensing Organization
23 Licenses, Conditional Adult Use Dispensing Organization
24 Licenses, Adult Use Dispensing Organization Licenses, or
25 any combination thereof, the licensees and the Qualifying
26 Applicant listing that principal officer must choose which

1 license to abandon pursuant to subsection (d) of Section
2 15-36 and notify the Department in writing within 5
3 business days. If the Qualifying Applicant or licensees do
4 not notify the Department as required, the Department
5 shall refuse to issue the Qualifying Applicant all
6 available licenses established under this Section obtained
7 by lot in all BLS Regions.

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

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

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

1 address an additional 540 days if the Conditional Adult Use
2 Dispensing Organization License holder demonstrates a concrete
3 attempt to secure a location and a hardship. If the Department
4 denies the extension or the Conditional Adult Use Dispensing
5 Organization License holder is unable to either find a
6 location within 720 days of being awarded a conditional
7 license and become operational within 180 days thereafter or
8 become operational within 720 days of being awarded a
9 Conditional Adult Use Dispensing Organization License, the
10 Department may, considering the totality of the circumstances,
11 rescind the conditional license. If the conditional license
12 holder does not become operational within 365 days after
13 having found a location, the Department may mandate a date by
14 which the conditional license holder shall become operational
15 prior to the Department rescinding the conditional license. If
16 ~~under this Section,~~ the Department rescinds ~~shall rescind~~ the
17 Conditional Adult Use Dispensing Organization License it may
18 issue and award it pursuant to subsection (b), provided the
19 applicant receiving the Conditional Adult Use Dispensing
20 Organization License: (i) confirms a continued interest in
21 operating a dispensing organization; (ii) can provide evidence
22 that the applicant continues to meet all requirements for
23 holding a Conditional Adult Use Dispensing Organization
24 License set forth in this Act; and (iii) has not otherwise
25 become ineligible to be awarded a Conditional Adult Use
26 Dispensing Organization License. If the new awardee is unable

1 to accept the Conditional Adult Use Dispensing Organization
2 License, the Department may issue ~~shall award~~ the Conditional
3 Adult Use Dispensing Organization License pursuant to
4 subsection (b). The new awardee shall be subject to the same
5 required deadlines as provided in this subsection. However,
6 the Department may approve locations to be within 1,500 feet
7 of each other if both have received local government zoning
8 approval for sites within 1,500 feet of each other and the
9 conditional licenses were issued pursuant to a lottery
10 conducted under 68 Ill. Adm. Code 1291.50, subsection (c) of
11 Section 15-35.20, Section 15-35, or Section 15-35.10.

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

22 (e) A dispensing organization that is awarded a
23 Conditional Adult Use Dispensing Organization License under
24 this Section shall not purchase, possess, sell, or dispense
25 cannabis or cannabis-infused products until the dispensing
26 organization has received an Adult Use Dispensing Organization

1 License issued by the Department pursuant to Section 15-36.

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

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

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

25 (1) An applicant who is unqualified to perform the
26 duties required of the applicant.

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

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

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

22 (i) The Department shall deny issuance of a license under
23 this Section if any principal officer, board member, or person
24 having a financial or voting interest of 5% or greater in the
25 licensee is delinquent in filing any required tax return or
26 paying any amount owed to the State of Illinois.

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

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

26 (l) If an applicant has not begun operating as a

1 dispensing organization within one year after the issuance of
2 the Conditional Adult Use Dispensing Organization License
3 under this Section, the Department may permanently revoke the
4 Conditional Adult Use Dispensing Organization License and
5 award it to the next highest scoring applicant in the BLS
6 Region if a suitable applicant indicates a continued interest
7 in the Conditional Adult Use Dispensing Organization License
8 or may begin a new selection process to award a Conditional
9 Adult Use Dispensing Organization License.

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

11 (410 ILCS 705/15-35.10)

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

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

25 The licenses issued under this Section shall be awarded in

1 each BLS Region in the following amounts:

2 (1) Bloomington: 1.

3 (2) Cape Girardeau: 1.

4 (3) Carbondale-Marion: 1.

5 (4) Champaign-Urbana: 1.

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

7 (6) Danville: 1.

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

9 (8) Decatur: 1.

10 (9) Kankakee: 1.

11 (10) Peoria: 2.

12 (11) Rockford: 1.

13 (12) St. Louis: 3.

14 (13) Springfield: 1.

15 (14) Northwest Illinois nonmetropolitan: 1.

16 (15) West Central Illinois nonmetropolitan: 1.

17 (16) East Central Illinois nonmetropolitan: 1.

18 (17) South Illinois nonmetropolitan: 1.

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

26 (b) The Department shall distribute the available licenses

1 established under this Section subject to the following:

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

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

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

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

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

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

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

13 (8) If, upon being selected for an available license
14 established under this Section, a Qualifying Social Equity
15 Justice Involved Applicant has a principal officer who is
16 a principal officer in more than 10 Early Approval Adult
17 Use Dispensing Organization Licenses, Conditional Adult
18 Use Dispensing Organization Licenses, Adult Use Dispensing
19 Organization Licenses, or any combination thereof, the
20 licensees and the Qualifying Social Equity Justice
21 Involved Applicant listing that principal officer must
22 choose which license to abandon pursuant to subsection (d)
23 of Section 15-36 and notify the Department in writing
24 within 5 business days on forms prescribed by the
25 Department. If the Dispensary Applicant or licensees do
26 not notify the Department as required, the Department

1 shall refuse to issue the Qualifying Social Equity Justice
2 Involved Applicant all available licenses established
3 under this Section obtained by lot in all BLS Regions.

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

8 Any and all rights conferred or obtained under this
9 subsection shall be limited to the provisions of this
10 subsection.

11 (c) An applicant who receives a Conditional Adult Use
12 Dispensing Organization License under this Section has 180
13 days from the date of the award to identify a physical location
14 for the dispensing organization's retail storefront. The
15 applicant shall provide evidence that the location is not
16 within 1,500 feet of an existing dispensing organization,
17 unless the applicant is a Social Equity Applicant or Social
18 Equity Justice Involved Applicant located or seeking to locate
19 within 1,500 feet of a dispensing organization licensed under
20 Section 15-15 or Section 15-20. If an applicant is unable to
21 find a suitable physical address in the opinion of the
22 Department within 180 days from the issuance of the
23 Conditional Adult Use Dispensing Organization License, the
24 Department may extend the period for finding a physical
25 address an additional 540 days if the Conditional Adult Use
26 Dispensing Organization License holder demonstrates a concrete

1 attempt to secure a location and a hardship. If the Department
2 denies the extension or the Conditional Adult Use Dispensing
3 Organization License holder is unable to either find a
4 location within 720 days of being awarded a conditional
5 license and become operational within 180 days thereafter or
6 become operational within 720 days of being awarded a
7 Conditional Adult Use Dispensing Organization License, the
8 Department may, considering the totality of the circumstances,
9 rescind the conditional license. If the conditional license
10 holder does not become operational within 365 days after
11 having found a location, the Department may mandate a date by
12 which the conditional license holder shall become operational
13 prior to the Department rescinding the conditional license. If
14 ~~under this Section,~~ the Department rescinds ~~shall rescind~~ the
15 Conditional Adult Use Dispensing Organization License it may
16 issue and award it pursuant to subsection (b) and notify the
17 new awardee at the email address provided in the awardee's
18 application, provided the applicant receiving the Conditional
19 Adult Use Dispensing Organization License: (i) confirms a
20 continued interest in operating a dispensing organization;
21 (ii) can provide evidence that the applicant continues to meet
22 all requirements for holding a Conditional Adult Use
23 Dispensing Organization License set forth in this Act; and
24 (iii) has not otherwise become ineligible to be awarded a
25 Conditional Adult Use Dispensing Organization License. If the
26 new awardee is unable to accept the Conditional Adult Use

1 Dispensing Organization License, the Department may issue
2 ~~shall award~~ the Conditional Adult Use Dispensing Organization
3 License pursuant to subsection (b). The new awardee shall be
4 subject to the same required deadlines as provided in this
5 subsection. However, the Department may approve locations to
6 be within 1,500 feet of each other if both have received local
7 government zoning approval for sites within 1,500 feet of each
8 other and the conditional licenses were issued pursuant to a
9 lottery conducted under 68 Ill. Adm. Code 1291.50, subsection
10 (c) of Section 15-35.20, Section 15-35, or Section 15-35.10.

11 (d) If, within 720 ~~180~~ days of being awarded a Conditional
12 Adult Use Dispensing Organization License, a dispensing
13 organization is unable to find a location within the BLS
14 Region in which it was awarded a Conditional Adult Use
15 Dispensing Organization License under this Section because no
16 jurisdiction within the BLS Region allows for the operation of
17 an Adult Use Dispensing Organization, the Department may
18 authorize the Conditional Adult Use Dispensing Organization
19 License holder to transfer its Conditional Adult Use
20 Dispensing Organization License to a BLS Region specified by
21 the Department.

22 (e) A dispensing organization that is awarded a
23 Conditional Adult Use Dispensing Organization License under
24 this Section shall not purchase, possess, sell, or dispense
25 cannabis or cannabis-infused products until the dispensing
26 organization has received an Adult Use Dispensing Organization

1 License issued by the Department pursuant to Section 15-36.

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

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

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

25 (1) An applicant who is unqualified to perform the
26 duties required of the applicant.

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

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

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

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

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

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

26 (l) If an applicant has not begun operating as a

1 dispensing organization within one year after the issuance of
2 the Conditional Adult Use Dispensing Organization License
3 under this Section, the Department may permanently revoke the
4 Conditional Adult Use Dispensing Organization License and
5 award it to the next highest scoring applicant in the BLS
6 Region if a suitable applicant indicates a continued interest
7 in the Conditional Adult Use Dispensing Organization License
8 or may begin a new selection process to award a Conditional
9 Adult Use Dispensing Organization License.

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

11 (410 ILCS 705/15-36)

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

13 (a) A person is only eligible to receive or hold an Adult
14 Use Dispensing Organization License if the person has been
15 issued ~~awarded~~ a Conditional Adult Use Dispensing Organization
16 License pursuant to this Act or its administrative rules, was
17 issued an Early Approval Adult Use Dispensing Organization
18 License, an Early Approval Adult Use Dispensing Organization
19 License at a Secondary Site, or was a registered medical
20 dispensing organization as defined under the Compassionate Use
21 of Medical Cannabis Act ~~or has renewed its license pursuant to~~
22 ~~subsection (k) of Section 15-15 or subsection (p) of Section~~
23 ~~15-20.~~

24 (a-5) Beginning July 1, 2026, all dispensing organizations
25 registered under the Compassionate Use of Medical Cannabis

1 Program Act and Sections 15-15 and 15-20 of this Act shall be a
2 dispensing organization or a dispensary as those terms are
3 defined in this Act and shall be an Adult Use Dispensing
4 Organization License holder under this Section. Beginning July
5 1, 2026, all dispensing organizations registered under the
6 Compassionate Use of Medical Cannabis Program Act and Sections
7 15-15 and 15-20 of this Act shall have the same rights,
8 privileges, duties, and responsibilities of dispensing
9 organizations licensed pursuant to this Section and shall be
10 subject to any administrative rules adopted under this Act.

11 (a-10) In addition to selling cannabis and
12 cannabis-infused products to persons 21 years of age or older,
13 beginning July 1, 2026, but no later than October 1, 2026, all
14 dispensing organizations licensed pursuant to this Act shall
15 also offer cannabis and cannabis-infused products for sale to
16 registered qualifying patients, provisional patients,
17 designated caregivers, and Opioid Alternative Patient Program
18 participants.

19 (a-15) By October 1, 2026, all dispensing organizations
20 licensed under Section 15-36 shall pay the fee under
21 subsection (d) of Section 15-13 of this Act or shall have
22 entered into an approved payment plan with the Department to
23 pay the fee.

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

26 (1) the Department has inspected the dispensary site

1 and proposed operations and verified that they are in
2 compliance with this Act and local zoning laws;

3 (2) the Conditional Adult Use Dispensing Organization
4 License holder has paid a license fee of \$70,000 ~~\$60,000~~
5 or a prorated amount accounting for the difference of time
6 between when the Adult Use Dispensing Organization License
7 is issued and March 31 of the next even-numbered year;
8 \$60,000 (or the proportional prorated amount paid) of the
9 fee shall be remitted into the Cannabis Regulation Fund,
10 and \$10,000 (or the proportional prorated amount paid) of
11 the fee shall be remitted into the Compassionate Use of
12 Medical Cannabis Fund; and

13 (3) the Conditional Adult Use Dispensing Organization
14 License holder has met all the requirements in this Act
15 and rules.

16 (c) No person or entity shall hold any legal, equitable,
17 ownership, or beneficial interest, directly or indirectly, of
18 more than 10 dispensing organizations licensed under this
19 Article. Further, no person or entity that is:

20 (1) employed by, is an agent of, or participates in
21 the management of a dispensing organization or registered
22 medical cannabis dispensing organization;

23 (2) a principal officer of a dispensing organization
24 or registered medical cannabis dispensing organization; or

25 (3) an entity controlled by or affiliated with a
26 principal officer of a dispensing organization or

1 registered medical cannabis dispensing organization;
2 shall hold any legal, equitable, ownership, or beneficial
3 interest, directly or indirectly, in a dispensing organization
4 that would result in such person or entity owning or
5 participating in the management of more than 10 Early Approval
6 Adult Use Dispensing Organization Licenses, Early Approval
7 Adult Use Dispensing Organization Licenses at a secondary
8 site, Conditional Adult Use Dispensing Organization Licenses,
9 or Adult Use Dispensing Organization Licenses. For the purpose
10 of this subsection, participating in management may include,
11 without limitation, controlling decisions regarding staffing,
12 pricing, purchasing, marketing, store design, hiring, and
13 website design.

14 (d) The Department shall deny an application if granting
15 that application would result in a person or entity obtaining
16 direct or indirect financial interest in more than 10 Early
17 Approval Adult Use Dispensing Organization Licenses,
18 Conditional Adult Use Dispensing Organization Licenses, Adult
19 Use Dispensing Organization Licenses, or any combination
20 thereof. If a person or entity is awarded a Conditional Adult
21 Use Dispensing Organization License that would cause the
22 person or entity to be in violation of this subsection, he,
23 she, or it shall choose which license application it wants to
24 abandon and such licenses shall become available to the next
25 qualified applicant in the region in which the abandoned
26 license was awarded.

1 (Source: P.A. 104-417, eff. 8-15-25.)

2 (410 ILCS 705/15-40)

3 Sec. 15-40. Dispensing organization agent identification
4 card; agent training.

5 (a) The Department shall:

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

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

16 (3) (blank) ~~enter the registry identification number~~
17 ~~of the dispensing organization where the agent works;~~

18 (4) within one year from the effective date of this
19 Act, allow for an electronic application process and
20 provide a confirmation by electronic or other methods that
21 an application has been submitted; and

22 (5) collect a \$100 nonrefundable fee from the
23 applicant to be deposited into the Cannabis Regulation
24 Fund.

25 (b) A dispensing organization agent must keep his or her

1 identification card visible at all times when in the
2 dispensary.

3 (c) The dispensing organization agent identification cards
4 shall contain the following:

5 (1) the name of the cardholder;

6 (2) the date of issuance and expiration date of the
7 dispensing organization agent identification cards;

8 (3) a random 10-digit alphanumeric identification
9 number containing at least 4 numbers and at least 4
10 letters that is unique to the cardholder; and

11 (4) a photograph of the cardholder.

12 (d) (Blank) ~~The dispensing organization agent~~
13 ~~identification cards shall be immediately returned to the~~
14 ~~dispensing organization upon termination of employment.~~

15 (e) The Department shall not issue an agent identification
16 card if the applicant is delinquent in filing any required tax
17 returns or paying any amounts owed to the State of Illinois.

18 (f) Any card lost by a dispensing organization agent shall
19 be reported to the Illinois State Police and the Department
20 immediately upon discovery of the loss.

21 (g) An applicant shall be denied a dispensing organization
22 agent identification card renewal if he or she fails to
23 complete the training provided for in this Section.

24 (h) A dispensing organization agent shall only be required
25 to hold one card and said card shall not be specific to any
26 individual dispensing organization, it shall be specific to

1 the individual and allow for freedom of movement between
2 various dispensing organizations ~~for the same employer~~
3 ~~regardless of what type of dispensing organization license the~~
4 ~~employer holds.~~

5 (i) Cannabis retail sales training requirements.

6 (1) Within 90 days of September 1, 2019, or 90 days of
7 employment, whichever is later, all owners, managers,
8 employees, and agents involved in the handling or sale of
9 cannabis or cannabis-infused product employed by an adult
10 use dispensing organization or medical cannabis dispensing
11 organization as defined in Section 10 of the Compassionate
12 Use of Medical Cannabis Program Act shall attend and
13 successfully complete a Responsible Vendor Program.

14 (2) Each owner, manager, employee, and agent of an
15 adult use dispensing organization or medical cannabis
16 dispensing organization shall successfully complete the
17 program annually.

18 (3) Responsible Vendor Program Training modules shall
19 include at least 2 hours of instruction time approved by
20 the Department including:

21 (i) Health and safety concerns of cannabis use,
22 including the responsible use of cannabis, its
23 physical effects, onset of physiological effects,
24 recognizing signs of impairment, and appropriate
25 responses in the event of overconsumption.

26 (ii) Training on laws and regulations on driving

1 while under the influence and operating a watercraft
2 or snowmobile while under the influence.

3 (iii) Sales to minors prohibition. Training shall
4 cover all relevant Illinois laws and rules.

5 (iv) Quantity limitations on sales to purchasers.
6 Training shall cover all relevant Illinois laws and
7 rules.

8 (v) Acceptable forms of identification. Training
9 shall include:

10 (I) How to check identification; and

11 (II) Common mistakes made in verification;

12 (vi) Safe storage of cannabis;

13 (vii) Compliance with all inventory tracking
14 system regulations;

15 (viii) Waste handling, management, and disposal;

16 (ix) Health and safety standards;

17 (x) Maintenance of records;

18 (xi) Security and surveillance requirements;

19 (xii) Permitting inspections by State and local
20 licensing and enforcement authorities;

21 (xiii) Privacy issues, including, but not limited
22 to, the safe storage and handling of confidential
23 information such as qualifying patient information;

24 (xiv) Packaging and labeling requirement for sales
25 to purchasers; ~~and~~

26 (xv) Prioritizing the needs of a qualifying

1 patient, provisional patient, designated caregiver, or
2 Opioid Alternative Patient Program participant; and
3 (xvi) Other areas as determined by rule.

4 (j) Blank.

5 (k) Upon the successful completion of the Responsible
6 Vendor Program, the provider shall deliver proof of completion
7 either through mail or electronic communication to the
8 dispensing organization, which shall retain a copy of the
9 certificate.

10 (l) The license of a dispensing organization or medical
11 cannabis dispensing organization whose owners, managers,
12 employees, or agents fail to comply with this Section may be
13 suspended or permanently revoked under Section 15-145 or may
14 face other disciplinary action.

15 (m) The regulation of dispensing organization and medical
16 cannabis dispensing employer and employee training is an
17 exclusive function of the State, and regulation by a unit of
18 local government, including a home rule unit, is prohibited.
19 This subsection (m) is a denial and limitation of home rule
20 powers and functions under subsection (h) of Section 6 of
21 Article VII of the Illinois Constitution.

22 (n) Persons seeking Department approval to offer the
23 training required by paragraph (3) of subsection (i) may apply
24 for such approval between August 1 and August 15 of each
25 odd-numbered year in a manner prescribed by the Department.

26 (o) Persons seeking Department approval to offer the

1 training required by paragraph (3) of subsection (i) shall
2 submit a nonrefundable application fee of \$2,000 to be
3 deposited into the Cannabis Regulation Fund or a fee as may be
4 set by rule. Any changes made to the training module shall be
5 approved by the Department.

6 (p) The Department shall not unreasonably deny approval of
7 a training module that meets all the requirements of paragraph
8 (3) of subsection (i). A denial of approval shall include a
9 detailed description of the reasons for the denial.

10 (q) Any person approved to provide the training required
11 by paragraph (3) of subsection (i) shall submit an application
12 for re-approval between August 1 and August 15 of each
13 odd-numbered year and include a nonrefundable application fee
14 of \$2,000 to be deposited into the Cannabis Regulation Fund or
15 a fee as may be set by rule.

16 (r) All persons applying to become or renewing their
17 registrations to be agents, including agents-in-charge and
18 principal officers, shall disclose any disciplinary action
19 taken against them that may have occurred in Illinois, another
20 state, or another country in relation to their employment at a
21 cannabis business establishment or at any cannabis cultivation
22 center, ~~processor,~~ infuser, dispensary, or other cannabis
23 business establishment.

24 (s) An agent applicant may begin employment at a
25 dispensing organization while the agent applicant's
26 identification card application is pending. Upon approval, the

1 Department shall issue the agent's identification card to the
2 agent. If denied, the dispensing organization and the agent
3 applicant shall be notified and the agent applicant must cease
4 all activity at the dispensing organization immediately.

5 (t) The Department and the Department of Agriculture may
6 develop and implement an integrated system to issue an agent
7 identification card which identifies a dispensary agent
8 licensed by the Department as well as any cultivator, craft
9 grower, transporter, community college program or infuser
10 license or registration the agent may simultaneously hold.

11 (u) Beginning July 1, 2026, all dispensing organization
12 agents registered under the Compassionate Use of Medical
13 Cannabis Program Act shall, subject to the agent being in good
14 standing with all licensing requirements, be deemed to be an
15 agent under this Act. The Department shall issue all agents
16 previously registered as an agent under the Compassionate Use
17 of Medical Cannabis Program Act a new license number at the
18 time of their first renewal on or after July 1, 2026.

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 705/15-45)

23 Sec. 15-45. Renewal.

24 (a) Adult Use Dispensing Organization Licenses shall
25 expire on March 31 of even-numbered years.

1 (b) Agent identification cards shall expire one year from
2 the date they are issued.

3 (c) Licensees and dispensing agents shall submit a renewal
4 application as provided by the Department and pay the required
5 renewal fee. The Department shall require an agent, employee,
6 contracting, and subcontracting diversity report and an
7 environmental impact report with its renewal application. No
8 license or agent identification card shall be renewed if it is
9 currently under revocation or suspension for violation of this
10 Article or any rules that may be adopted under this Article or
11 the licensee, principal officer, board member, person having a
12 financial or voting interest of 5% or greater in the licensee,
13 or agent is delinquent in filing any required tax returns or
14 paying any amounts owed to the State of Illinois.

15 (d) Renewal fees are:

16 (1) For a dispensing organization, \$60,000, to be
17 deposited into the Cannabis Regulation Fund; and \$10,000
18 to be deposited into Compassionate Use of Medical Cannabis
19 Fund.

20 (2) For an agent identification card, \$100, to be
21 deposited into the Cannabis Regulation Fund.

22 (e) If a dispensing organization fails to renew its
23 license before expiration, the dispensing organization shall
24 cease operations until the license is renewed.

25 (f) If a dispensing organization agent fails to renew his
26 or her registration before its expiration, he or she shall

1 cease to perform duties authorized by this Article at a
2 dispensing organization until his or her registration is
3 renewed.

4 (g) Any dispensing organization that continues to operate
5 or dispensing agent that continues to perform duties
6 authorized by this Article at a dispensing organization that
7 fails to renew its license is subject to penalty as provided in
8 this Article, or any rules that may be adopted pursuant to this
9 Article.

10 (h) The Department shall not renew a license if the
11 applicant is delinquent in filing any required tax returns or
12 paying any amounts owed to the State of Illinois. The
13 Department shall not renew a dispensing agent identification
14 card if the applicant is delinquent in filing any required tax
15 returns or paying any amounts owed to the State of Illinois.

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

17 (410 ILCS 705/15-65)

18 Sec. 15-65. Administration.

19 (a) A dispensing organization shall establish, maintain,
20 and comply with written policies and procedures as submitted
21 in the Business, Financial and Operating plan as required in
22 this Article or by rules established by the Department, and
23 approved by the Department, for the security, storage,
24 inventory, and distribution of cannabis. These policies and
25 procedures shall include methods for identifying, recording,

1 and reporting diversion, theft, or loss, and for correcting
2 errors and inaccuracies in inventories. At a minimum,
3 dispensing organizations shall ensure the written policies and
4 procedures provide for the following:

5 (1) Mandatory and voluntary recalls of cannabis
6 products. The policies shall be adequate to deal with
7 recalls due to any action initiated at the request of the
8 Department and any voluntary action by the dispensing
9 organization to remove defective or potentially defective
10 cannabis from the market or any action undertaken to
11 promote public health and safety, including:

12 (i) A mechanism reasonably calculated to contact
13 purchasers who have, or likely have, obtained the
14 product from the dispensary, including information on
15 the policy for return of the recalled product;

16 (ii) A mechanism to identify and contact the ~~adult~~
17 ~~use~~ cultivation center, craft grower, or infuser that
18 manufactured the cannabis;

19 (iii) Policies for communicating with the
20 Department, the Department of Agriculture, and the
21 Department of Public Health within 24 hours of
22 discovering defective or potentially defective
23 cannabis; and

24 (iv) Policies for destruction of any recalled
25 cannabis product;

26 (2) Responses to local, State, or national

1 emergencies, including natural disasters, that affect the
2 security or operation of a dispensary;

3 (3) Segregation and destruction of outdated, damaged,
4 deteriorated, misbranded, or adulterated cannabis. This
5 procedure shall provide for written documentation of the
6 cannabis disposition;

7 (4) Ensure the oldest stock of a cannabis product is
8 distributed first. The procedure may permit deviation from
9 this requirement, if such deviation is temporary and
10 appropriate;

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

1 (6) Maintenance of business records consistent with
2 industry standards, including bylaws, consents, manual or
3 computerized records of assets and liabilities, audits,
4 monetary transactions, journals, ledgers, and supporting
5 documents, including agreements, checks, invoices,
6 receipts, and vouchers. Records shall be maintained in a
7 manner consistent with this Act and shall be retained for
8 5 years;

9 (7) Inventory control, including:

10 (i) Tracking purchases and denials of sale;

11 (ii) Disposal of unusable or damaged cannabis as
12 required by this Act and rules; and

13 (8) Purchaser education and support, including:

14 (i) Whether possession of cannabis is illegal
15 under federal law;

16 (ii) Current educational information issued by the
17 Department of Public Health about the health risks
18 associated with the use or abuse of cannabis;

19 (iii) Information about possible side effects;

20 (iv) Prohibition on smoking cannabis in public
21 places; and

22 (v) Offering any other appropriate purchaser
23 education or support materials.

24 (b) Blank.

25 (c) A dispensing organization shall maintain copies of the
26 policies and procedures on the dispensary premises and provide

1 copies to the Department upon request. The dispensing
2 organization shall review the dispensing organization policies
3 and procedures at least once every 12 months from the issue
4 date of the license and update as needed due to changes in
5 industry standards or as requested by the Department.

6 (d) A dispensing organization shall ensure that each
7 principal officer and each dispensing organization agent has a
8 current agent identification card in the agent's immediate
9 possession when the agent is at the dispensary.

10 (e) A dispensing organization shall provide prompt written
11 notice to the Department, including the date of the event,
12 when a dispensing organization agent no longer is employed by
13 the dispensing organization.

14 (f) A dispensing organization shall promptly document and
15 report any loss or theft of cannabis from the dispensary to the
16 Illinois State Police and the Department. It is the duty of any
17 dispensing organization agent who becomes aware of the loss or
18 theft to report it as provided in this Article.

19 (g) A dispensing organization shall post the following
20 information in a conspicuous location in an area of the
21 dispensary accessible to consumers:

22 (1) The dispensing organization's license;

23 (2) The hours of operation.

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

25 (1) All dispensing organizations must display a
26 placard that states the following: "Cannabis consumption

1 can impair cognition and driving, is for adult use only,
2 may be habit forming, and should not be used by pregnant or
3 breastfeeding women.".

4 (2) Any dispensing organization that sells edible
5 cannabis-infused products must display a placard that
6 states the following:

7 (A) "Edible cannabis-infused products were
8 produced in a kitchen that may also process common
9 food allergens."; and

10 (B) "The effects of cannabis products can vary
11 from person to person, and it can take as long as two
12 hours to feel the effects of some cannabis-infused
13 products. Carefully review the portion size
14 information and warnings contained on the product
15 packaging before consuming.".

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

26 (i) A dispensing organization shall prominently post

1 notices inside the dispensing organization that state
2 activities that are strictly prohibited and punishable by law,
3 including, but not limited to:

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

7 (2) distribution to persons under the age of 21 is
8 prohibited;

9 (3) transportation of cannabis or cannabis products
10 across state lines is prohibited.

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

13 (410 ILCS 705/15-70)

14 Sec. 15-70. Operational requirements; prohibitions.

15 (a) A dispensing organization shall operate in accordance
16 with the representations made in its application and license
17 materials. It shall be in compliance with this Act and rules.

18 (b) Beginning July 1, 2026, but no later than October 1,
19 2026, all dispensaries shall have a patient prioritization
20 plan demonstrating that the dispensary is prioritizing
21 qualifying patients, provisional patients, designated
22 caregivers, and Opioid Alternative Patient Program
23 participants. Prioritization may include, but is not limited
24 to, the following: a dedicated service line for patients or
25 caregivers; a dedicated time of the day for patients or

1 caregivers, so long as the dispensary remains open at all
2 other hours of operation to serve patients and caregivers; and
3 a dedicated register for patients or caregivers ~~A dispensing~~
4 ~~organization must include the legal name of the dispensary on~~
5 ~~the packaging of any cannabis product it sells.~~

6 (c) All cannabis, cannabis-infused products, and cannabis
7 seeds must be obtained from an Illinois registered adult use
8 cultivation center, craft grower, infuser, or another
9 dispensary.

10 (c-5) A dispensing organization may sell cannabis and
11 cannabis-infused products purchased from any cultivation
12 center, craft grower, infuser, or other dispensary to persons
13 over 21 years of age and to qualifying patients, designated
14 caregivers, provisional patients, and Opioid Alternative
15 Patient Program participants.

16 (d) Dispensing organizations are prohibited from selling
17 any product containing alcohol except tinctures, which must be
18 limited to containers that are no larger than 100 milliliters.

19 (e) A dispensing organization shall inspect and count
20 product received from a transporting organization, adult use
21 cultivation center, craft grower, infuser organization, or
22 other dispensing organization before dispensing it.

23 (f) A dispensing organization may only accept cannabis
24 deliveries into a restricted access area. Deliveries may not
25 be accepted through the public or limited access areas unless
26 otherwise approved by the Department.

1 (g) A dispensing organization shall maintain compliance
2 with State and local building, fire, and zoning requirements
3 or regulations.

4 (h) A dispensing organization shall submit a list to the
5 Department of the names of all service professionals that will
6 work at the dispensary. The list shall include a description
7 of the type of business or service provided. Changes to the
8 service professional list shall be promptly provided. No
9 service professional shall work in the dispensary until the
10 name is provided to the Department on the service professional
11 list.

12 (i) A dispensing organization's license allows for a
13 dispensary to be operated only at a single location.

14 (j) No dispensaries shall operate between 2 a.m. and ~~A~~
15 ~~dispensary may operate between 6 a.m. and 10 p.m.~~ local time.

16 (k) A dispensing organization must keep all lighting
17 outside and inside the dispensary in good working order and
18 wattage sufficient for security cameras.

19 (l) A dispensing organization must keep all air treatment
20 systems that will be installed to reduce odors in good working
21 order.

22 (m) A dispensing organization may ~~must~~ contract with a
23 private security contractor that is licensed under Section
24 10-5 of the Private Detective, Private Alarm, Private
25 Security, Fingerprint Vendor, and Locksmith Act of 2004 to
26 provide on-site security at all hours of the dispensary's

1 operation.

2 (n) A dispensing organization shall ensure that any
3 building or equipment used by a dispensing organization for
4 the storage or sale of cannabis is maintained in a clean and
5 sanitary condition.

6 (o) The dispensary shall be free from infestation by
7 insects, rodents, or pests.

8 (p) A dispensing organization shall not:

9 (1) Produce or manufacture cannabis;

10 (2) Accept a cannabis product from a ~~an adult use~~
11 cultivation center, craft grower, infuser, dispensing
12 organization, or transporting organization unless it is
13 pre-packaged and labeled in accordance with this Act and
14 any rules that may be adopted pursuant to this Act;

15 (3) Obtain cannabis or cannabis-infused products from
16 outside the State of Illinois;

17 (4) Sell cannabis or cannabis-infused products to a
18 purchaser unless the purchaser has been verified to be 21
19 years of age or older, or beginning July 1, 2026, the
20 person is verified to be a qualifying patient, provisional
21 patient, designated caregiver, or Opioid Alternative
22 Patient Program participant ~~the dispensing organization is~~
23 ~~licensed under the Compassionate Use of Medical Cannabis~~
24 ~~Program Act, and the individual is registered under the~~
25 ~~Compassionate Use of Medical Cannabis Program or the~~
26 ~~purchaser has been verified to be 21 years of age or older;~~

1 (5) Enter into an exclusive agreement with any adult
2 use cultivation center, craft grower, or infuser.
3 Dispensaries shall provide consumers an assortment of
4 products from various cannabis business establishment
5 licensees such that the inventory available for sale at
6 any dispensary from any single cultivation center, craft
7 grower, ~~processor,~~ transporter, or infuser entity shall
8 not be more than 40% of the total inventory available for
9 sale. For the purpose of this subsection, a cultivation
10 center, craft grower, ~~processor,~~ or infuser shall be
11 considered part of the same entity if the licensees share
12 at least one principal officer. The Department may request
13 that a dispensary diversify its products as needed or
14 otherwise discipline a dispensing organization for
15 violating this requirement;

16 (6) Refuse to conduct business with an adult use
17 cultivation center, craft grower, transporting
18 organization, or infuser that has the ability to properly
19 deliver the product and is permitted by the Department of
20 Agriculture, on the same terms as other adult use
21 cultivation centers, craft growers, infusers, or
22 transporters with whom it is dealing;

23 (7) (Blank); ~~Operate drive-through windows;~~

24 (8) Allow for the dispensing of cannabis or
25 cannabis-infused products in vending machines;

26 (9) Transport cannabis to residences or transport

1 cannabis to other locations where purchasers may be for
2 delivery, except for the limited circumstances provided in
3 paragraph (5.5) of subsection (c) of Section 15-100;

4 (10) Enter into agreements to allow persons who are
5 not dispensing organization agents to deliver cannabis or
6 to transport cannabis to purchasers;

7 (11) Operate a dispensary if its video surveillance
8 equipment is inoperative;

9 (12) Operate a dispensary if the point-of-sale
10 equipment is inoperative;

11 (13) Operate a dispensary if the State's cannabis
12 electronic verification system is inoperative;

13 (14) Have fewer than 2 people working at the
14 dispensary at any time while the dispensary is open;

15 (15) Be located within 1,500 feet of the property line
16 of a pre-existing dispensing organization, unless the
17 applicant is a Social Equity Applicant or Social Equity
18 Justice Involved Applicant located or seeking to locate
19 within 1,500 feet of a dispensing organization licensed
20 under Section 15-15 or Section 15-20;

21 (16) Sell clones or any other live plant material;

22 (17) Sell cannabis, cannabis concentrate, or
23 cannabis-infused products in combination or bundled with
24 each other or any other items for one price, and each item
25 of cannabis, concentrate, or cannabis-infused product must
26 be separately identified by quantity and price on the

1 receipt;

2 (18) Have a certifying health care professional
3 on-site at the dispensary, make referrals to a certifying
4 health care professional, include links to a certifying
5 health care professional on the dispensary's website, or
6 otherwise direct patients to a certifying health care
7 professional;

8 (19) Beginning July 1, 2026, fail to
9 prioritize qualifying patients, provisional patients,
10 designated caregivers, and Opioid Alternative Patient
11 Program participants; or

12 (20) Violate any other requirements or
13 prohibitions set by Department rules.

14

15 (q) It is unlawful for any person having an Early Approval
16 Adult Use Dispensing Organization License, a Conditional Adult
17 Use Dispensing Organization License, an Adult Use Dispensing
18 Organization License, or a medical cannabis dispensing
19 organization license issued under the Compassionate Use of
20 Medical Cannabis Program Act or any officer, associate,
21 member, representative, or agent of such licensee to accept,
22 receive, or borrow money or anything else of value or accept or
23 receive credit (other than merchandising credit in the
24 ordinary course of business for a period not to exceed 30 days)
25 directly or indirectly from any adult use cultivation center,
26 craft grower, infuser, or transporting organization in

1 exchange for preferential placement on the dispensing
2 organization's shelves, display cases, or website. This
3 includes anything received or borrowed or from any
4 stockholders, officers, agents, or persons connected with ~~a an~~
5 ~~adult~~ use cultivation center, craft grower, infuser, or
6 transporting organization.

7 (r) It is unlawful for any person having 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 to enter into any contract with any
13 person licensed to cultivate, process, or transport cannabis
14 whereby such dispensing organization agrees not to sell any
15 cannabis cultivated, processed, transported, manufactured, or
16 distributed by any other cultivator, transporter, or infuser,
17 and any provision in any contract violative of this Section
18 shall render the whole of such contract void and no action
19 shall be brought thereon in any court.

20 (Source: P.A. 104-417, eff. 8-15-25.)

21 (410 ILCS 705/15-75)

22 Sec. 15-75. Inventory control system.

23 (a) A dispensing organization agent-in-charge shall have
24 primary oversight of the dispensing organization's cannabis
25 inventory verification system, and its point-of-sale system.

1 The inventory point-of-sale system shall be real-time,
2 web-based, and accessible by the Department at any time. The
3 point-of-sale system shall track, at a minimum the date of
4 sale, amount, price, and currency.

5 (b) A dispensing organization shall establish an account
6 with the State's verification system that documents:

7 (1) Each sales transaction at the time of sale and
8 each day's beginning inventory, acquisitions, sales,
9 disposal, and ending inventory.

10 (2) Acquisition of cannabis and cannabis-infused
11 products from a licensed ~~adult-use~~ cultivation center,
12 craft grower, infuser, or transporter, including:

13 (i) A description of the products, including the
14 quantity, strain, variety, and batch number of each
15 product received;

16 (ii) The name and registry identification number
17 of the licensed ~~adult-use~~ cultivation center, craft
18 grower, or infuser providing the cannabis and
19 cannabis-infused products;

20 (iii) The name and registry identification number
21 of the licensed ~~adult-use~~ cultivation center, craft
22 grower, infuser, or transporting agent delivering the
23 cannabis;

24 (iv) The name and registry identification number
25 of the dispensing organization agent receiving the
26 cannabis; and

1 (v) The date of acquisition.

2 (3) The disposal of cannabis, including:

3 (i) A description of the products, including the
4 quantity, strain, variety, batch number, and reason
5 for the cannabis being disposed;

6 (ii) The method of disposal; and

7 (iii) The date and time of disposal.

8 (c) Upon cannabis delivery, a dispensing organization
9 shall confirm the product's name, strain name, weight, and
10 identification number on the manifest matches the information
11 on the cannabis product label and package. The product name
12 listed and the weight listed in the State's verification
13 system shall match the product packaging.

14 (d) The agent-in-charge shall conduct daily inventory
15 reconciliation documenting and balancing cannabis inventory by
16 confirming the State's verification system matches the
17 dispensing organization's point-of-sale system and the amount
18 of physical product at the dispensary.

19 (1) A dispensing organization must receive Department
20 approval before completing an inventory adjustment. It
21 shall provide a detailed reason for the adjustment.
22 Inventory adjustment documentation shall be kept at the
23 dispensary for 2 years from the date performed.

24 (2) If the dispensing organization identifies an
25 imbalance in the amount of cannabis after the daily
26 inventory reconciliation due to mistake, the dispensing

1 organization shall determine how the imbalance occurred
2 and immediately upon discovery take and document
3 corrective action. If the dispensing organization cannot
4 identify the reason for the mistake within 2 calendar days
5 after first discovery, it shall inform the Department
6 immediately in writing of the imbalance and the corrective
7 action taken to date. The dispensing organization shall
8 work diligently to determine the reason for the mistake.

9 (3) If the dispensing organization identifies an
10 imbalance in the amount of cannabis after the daily
11 inventory reconciliation or through other means due to
12 theft, criminal activity, or suspected criminal activity,
13 the dispensing organization shall immediately determine
14 how the reduction occurred and take and document
15 corrective action. Within 24 hours after the first
16 discovery of the reduction due to theft, criminal
17 activity, or suspected criminal activity, the dispensing
18 organization shall inform the Department and the Illinois
19 State Police in writing.

20 (4) The dispensing organization shall file an annual
21 compilation report with the Department, including a
22 financial statement that shall include, but not be limited
23 to, an income statement, balance sheet, profit and loss
24 statement, statement of cash flow, wholesale cost and
25 sales, and any other documentation requested by the
26 Department in writing. The financial statement shall

1 include any other information the Department deems
2 necessary in order to effectively administer this Act and
3 all rules, orders, and final decisions promulgated under
4 this Act. Statements required by this Section shall be
5 filed with the Department within 60 days after the end of
6 the calendar year. The compilation report shall include a
7 letter authored by a licensed certified public accountant
8 that it has been reviewed and is accurate based on the
9 information provided. The dispensing organization,
10 financial statement, and accompanying documents are not
11 required to be audited unless specifically requested by
12 the Department.

13 (e) A dispensing organization shall:

14 (1) Maintain the documentation required in this
15 Section in a secure locked location at the dispensing
16 organization for 5 years from the date on the document;

17 (2) Provide any documentation required to be
18 maintained in this Section to the Department for review
19 upon request; and

20 (3) If maintaining a bank account, retain for a period
21 of 5 years a record of each deposit or withdrawal from the
22 account.

23 (f) If a dispensing organization chooses to have a return
24 policy for cannabis and cannabis products, the dispensing
25 organization shall seek prior approval from the Department.

26 (g) Beginning July 1, 2026, all dispensing organizations

1 shall maintain internal, confidential records that record a
2 registered qualifying patient, provisional patient, designated
3 caregiver, or Opioid Alternative Patient Program participant's
4 transactions for the patient's adequate medical supply and
5 whether it was dispensed directly to the patient or to the
6 designated caregiver. Each entry must include the amount and
7 the date and time the cannabis was dispensed. Additional
8 recordkeeping requirements may be set by rule.

9 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
10 102-538, eff. 8-20-21.)

11 (410 ILCS 705/15-85)

12 Sec. 15-85. Dispensing cannabis.

13 (a) Before a dispensing organization agent dispenses
14 cannabis to a purchaser, the agent shall:

15 (1) Verify the age of the purchaser by checking a
16 government-issued identification card by use of an
17 electronic reader or electronic scanning device to scan a
18 purchaser's government-issued identification, if
19 applicable, to determine the purchaser's age and the
20 validity of the identification;

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

1 identification;

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

4 (3-5) Verify the qualifying patient, provisional
5 patient, designated caregiver, or Opioid Alternative
6 Patient Program participant's registration card, if
7 purchasing as a patient or caregiver;

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

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

15 (ii) The dispensing organization's identification
16 number;

17 (iii) The amount, type (including strain, if
18 applicable) of cannabis or cannabis-infused product
19 dispensed;

20 (iv) The date and time the cannabis was dispensed.

21 (b) A dispensing organization shall refuse to sell
22 cannabis or cannabis-infused products to any person unless the
23 person produces a valid identification showing that the person
24 is 21 years of age or older or a qualifying patient,
25 provisional patient, designated caregivers, or Opioid
26 Alternative Patient Program participants registered under the

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

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

8 (1) Be valid and unexpired;

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

11 (d) A dispensing organization shall not dispense to a
12 registered qualifying patient, provisional patient, or a
13 designated caregiver, an amount exceeding the patient's
14 adequate medical supply unless the qualifying patient has a
15 Department of Public Health-approved quantity waiver.

16 (e) Notwithstanding any other provision of law, a
17 dispensing organization may offer pickup or drive-through
18 locations for cannabis or cannabis-infused products to
19 purchasers over 21 years of age, qualifying patients,
20 provisional patients, and designated caregivers in accordance
21 with Section 15-100 of this Act.

22 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
23 102-98, eff. 7-15-21.)

24 (410 ILCS 705/15-100)

25 Sec. 15-100. Security.

1 (a) A dispensing organization shall implement security
2 measures to deter and prevent entry into and theft of cannabis
3 or currency.

4 (b) A dispensing organization shall submit any changes to
5 the floor plan or security plan to the Department for
6 pre-approval. All cannabis shall be maintained and stored in a
7 restricted access area during construction.

8 (c) The dispensing organization shall implement security
9 measures to protect the premises, purchasers, and dispensing
10 organization agents including, but not limited to the
11 following:

12 (1) Establish a locked door or barrier between the
13 facility's entrance and the limited access area;

14 (2) Prevent individuals from remaining on the premises
15 if they are not engaging in activity permitted by this Act
16 or rules;

17 (3) Develop a policy that addresses the maximum
18 capacity and purchaser flow in the waiting rooms and
19 limited access areas;

20 (4) Dispose of cannabis in accordance with this Act
21 and rules;

22 (5) During hours of operation, store ~~and dispense~~ all
23 cannabis in ~~from~~ the restricted access area. ~~During~~
24 ~~operational hours, cannabis shall be stored~~ in an enclosed
25 locked room or cabinet and accessible only to specifically
26 authorized dispensing organization agents;

1 (5.5) During hours of operation, dispense all cannabis
2 from the restricted access area, including a drive-through
3 window, or from a pickup location in close proximity to
4 the restricted access area. Orders in the pickup or
5 drive-through location may only be placed by the purchaser
6 or patient in advance, and the dispensing organization
7 shall, prior to dispensing the cannabis, confirm that the
8 purchaser, registered qualifying patient, provisional
9 patient, designated caregiver, or Opioid Alternative
10 Patient Program participant is in compliance with Section
11 15-85 of this Act. As used in this paragraph, "pickup
12 location in close proximity" means an area contiguous to
13 the real property of the dispensary, such as a sidewalk or
14 parking lot;

15 (6) When the dispensary is closed, store all cannabis
16 and currency in a reinforced vault room in the restricted
17 access area and in a manner as to prevent diversion,
18 theft, or loss;

19 (7) Keep the reinforced vault room and any other
20 equipment or cannabis storage areas securely locked and
21 protected from unauthorized entry;

22 (8) Keep an electronic daily log of dispensing
23 organization agents with access to the reinforced vault
24 room and knowledge of the access code or combination;

25 (9) Keep all locks and security equipment in good
26 working order;

1 (10) Maintain an operational security and alarm system
2 at all times;

3 (11) Prohibit keys, if applicable, from being left in
4 the locks, or stored or placed in a location accessible to
5 persons other than specifically authorized personnel;

6 (12) Prohibit accessibility of security measures,
7 including combination numbers, passwords, or electronic or
8 biometric security systems to persons other than
9 specifically authorized dispensing organization agents;

10 (13) Ensure that the dispensary interior and exterior
11 premises are sufficiently lit to facilitate surveillance;

12 (14) Ensure that trees, bushes, and other foliage
13 outside of the dispensary premises do not allow for a
14 person or persons to conceal themselves from sight;

15 (15) Develop emergency policies and procedures for
16 securing all product and currency following any instance
17 of diversion, theft, or loss of cannabis, and conduct an
18 assessment to determine whether additional safeguards are
19 necessary; ~~and~~

20 (16) Develop sufficient additional safeguards in
21 response to any special security concerns, or as required
22 by the Department; and

23 (17) Maintain a security and safe storage plan for
24 qualifying patient information. The health care
25 professional-patient privilege as set forth by Section
26 8-802 of the Code of Civil Procedure shall apply between a

1 qualifying patient, provisional patient, Opioid
2 Alternative Patient Program participant, and a dispensing
3 organization and its agents with respect to communications
4 and records concerning patients' debilitating conditions.

5 (d) The Department may request or approve alternative
6 security provisions that it determines are an adequate
7 substitute for a security requirement specified in this
8 Article. Any additional protections may be considered by the
9 Department in evaluating overall security measures.

10 (e) A dispensing organization may share premises with a
11 craft grower or an infuser organization, or both, provided
12 each licensee stores currency and cannabis or cannabis-infused
13 products in a separate secured vault to which the other
14 licensee does not have access or all licensees sharing a vault
15 share more than 50% of the same ownership.

16 (f) A dispensing organization shall provide additional
17 security as needed and in a manner appropriate for the
18 community where it operates.

19 (g) Restricted access areas.

20 (1) All restricted access areas must be identified by
21 the posting of a sign that is a minimum of 12 inches by 12
22 inches and that states "Do Not Enter - Restricted Access
23 Area - Authorized Personnel Only" in lettering no smaller
24 than one inch in height.

25 (2) All restricted access areas shall be clearly
26 described in the floor plan of the premises, in the form

1 and manner determined by the Department, reflecting walls,
2 partitions, counters, and all areas of entry and exit. The
3 floor plan shall show all storage, disposal, and retail
4 sales areas.

5 (3) All restricted access areas must be secure, with
6 locking devices that prevent access from the limited
7 access areas.

8 (h) Security and alarm.

9 (1) A dispensing organization shall have an adequate
10 security plan and security system to prevent and detect
11 diversion, theft, or loss of cannabis, currency, or
12 unauthorized intrusion using commercial grade equipment
13 installed by an Illinois licensed private alarm contractor
14 or private alarm contractor agency that shall, at a
15 minimum, include:

16 (i) A perimeter alarm on all entry points and
17 glass break protection on perimeter windows;

18 (ii) Security shatterproof tinted film on exterior
19 windows;

20 (iii) A failure notification system that provides
21 an audible, text, or visual notification of any
22 failure in the surveillance system, including, but not
23 limited to, panic buttons, alarms, and video
24 monitoring system. The failure notification system
25 shall provide an alert to designated dispensing
26 organization agents within 5 minutes after the

1 failure, either by telephone or text message;

2 (iv) A duress alarm, panic button, and alarm, or
3 holdup alarm and after-hours intrusion detection alarm
4 that by design and purpose will directly or indirectly
5 notify, by the most efficient means, the Public Safety
6 Answering Point for the law enforcement agency having
7 primary jurisdiction;

8 (v) Security equipment to deter and prevent
9 unauthorized entrance into the dispensary, including
10 electronic door locks on the limited and restricted
11 access areas that include devices or a series of
12 devices to detect unauthorized intrusion that may
13 include a signal system interconnected with a radio
14 frequency method, cellular, private radio signals or
15 other mechanical or electronic device.

16 (2) All security system equipment and recordings shall
17 be maintained in good working order, in a secure location
18 so as to prevent theft, loss, destruction, or alterations.

19 (3) Access to surveillance monitoring recording
20 equipment shall be limited to persons who are essential to
21 surveillance operations, law enforcement authorities
22 acting within their jurisdiction, security system service
23 personnel, and the Department. A current list of
24 authorized dispensing organization agents and service
25 personnel that have access to the surveillance equipment
26 must be available to the Department upon request.

1 (4) All security equipment shall be inspected and
2 tested at regular intervals, not to exceed one month from
3 the previous inspection, and tested to ensure the systems
4 remain functional.

5 (5) The security system shall provide protection
6 against theft and diversion that is facilitated or hidden
7 by tampering with computers or electronic records.

8 (6) The dispensary shall ensure all access doors are
9 not solely controlled by an electronic access panel to
10 ensure that locks are not released during a power outage.

11 (i) To monitor the dispensary, the dispensing organization
12 shall incorporate continuous electronic video monitoring
13 including the following:

14 (1) All monitors must be 19 inches or greater;

15 (2) Unobstructed video surveillance of all enclosed
16 dispensary areas, unless prohibited by law, including all
17 points of entry and exit that shall be appropriate for the
18 normal lighting conditions of the area under surveillance.
19 The cameras shall be directed so all areas are captured,
20 including, but not limited to, safes, vaults, sales areas,
21 and areas where cannabis is stored, handled, dispensed, or
22 destroyed. Cameras shall be angled to allow for facial
23 recognition, the capture of clear and certain
24 identification of any person entering or exiting the
25 dispensary area and in lighting sufficient during all
26 times of night or day;

1 (3) Unobstructed video surveillance of outside areas,
2 the storefront, and the parking lot, that shall be
3 appropriate for the normal lighting conditions of the area
4 under surveillance. Cameras shall be angled so as to allow
5 for the capture of facial recognition, clear and certain
6 identification of any person entering or exiting the
7 dispensary and the immediate surrounding area, and license
8 plates of vehicles in the parking lot;

9 (4) 24-hour recordings from all video cameras
10 available for immediate viewing by the Department upon
11 request. Recordings shall not be destroyed or altered and
12 shall be retained for at least 60 ~~90~~ days. Recordings
13 shall be retained as long as necessary if the dispensing
14 organization is aware of the loss or theft of cannabis or a
15 pending criminal, civil, or administrative investigation
16 or legal proceeding for which the recording may contain
17 relevant information;

18 (5) The ability to immediately produce a clear, color
19 still photo from the surveillance video, either live or
20 recorded;

21 (6) A date and time stamp embedded on all video
22 surveillance recordings. The date and time shall be
23 synchronized and set correctly and shall not significantly
24 obscure the picture;

25 (7) The ability to remain operational during a power
26 outage and ensure all access doors are not solely

1 controlled by an electronic access panel to ensure that
2 locks are not released during a power outage;

3 (8) All video surveillance equipment shall allow for
4 the exporting of still images in an industry standard
5 image format, including .jpg, .bmp, and .gif. Exported
6 video shall have the ability to be archived in a
7 proprietary format that ensures authentication of the
8 video and guarantees that no alteration of the recorded
9 image has taken place. Exported video shall also have the
10 ability to be saved in an industry standard file format
11 that can be played on a standard computer operating
12 system. All recordings shall be erased or destroyed before
13 disposal;

14 (9) The video surveillance system shall be operational
15 during a power outage with a 4-hour minimum battery
16 backup;

17 (10) A video camera or cameras recording at each
18 point-of-sale location allowing for the identification of
19 the dispensing organization agent distributing the
20 cannabis and any purchaser. The camera or cameras shall
21 capture the sale, the individuals and the computer
22 monitors used for the sale;

23 (11) A failure notification system that provides an
24 audible and visual notification of any failure in the
25 electronic video monitoring system; and

26 (12) All electronic video surveillance monitoring must

1 record at least the equivalent of 8 frames per second and
2 be available as recordings to the Department and the
3 Illinois State Police 24 hours a day via a secure
4 web-based portal with reverse functionality.

5 (j) The requirements contained in this Act are minimum
6 requirements for operating a dispensing organization. The
7 Department may establish additional requirements by rule.

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

10 (410 ILCS 705/15-135)

11 Sec. 15-135. Investigations.

12 (a) Dispensing organizations are subject to random and
13 unannounced dispensary inspections and cannabis testing by the
14 Department, the Department of Agriculture, the Department of
15 Revenue, the Department of Public Health, the Illinois State
16 Police, local law enforcement, local health officials, or as
17 provided by rule. Inspections shall be conducted using
18 standardized inspection protocols, including uniform
19 inspection checklists and evaluation criteria applicable
20 statewide and current inspection checklists shall be made
21 available to licensees upon request. Inspections shall be
22 limited to the scope identified in the applicable inspection
23 checklist. A written report summarizing the inspection shall
24 be issued to the licensee within 30 calendar days; any
25 violation shall reference the specific statutory or regulatory

1 provision(s) violated. Licensees shall have the right to
2 appeal any violation within 30 days of receiving the written
3 findings.

4 (b) The Department and its authorized representatives may
5 enter any place, including a vehicle, in which cannabis is
6 held, stored, dispensed, sold, produced, delivered,
7 transported, manufactured, or disposed of and inspect, in a
8 reasonable manner, the place and all pertinent equipment,
9 containers and labeling, and all things including records,
10 files, financial data, sales data, shipping data, pricing
11 data, personnel data, research, papers, processes, controls,
12 and facility, and inventory any stock of cannabis and obtain
13 samples of any cannabis or cannabis-infused product, any
14 labels or containers for cannabis, or paraphernalia.

15 (c) The Department may conduct an investigation of an
16 applicant, application, dispensing organization, principal
17 officer, dispensary agent, third party vendor, or any other
18 party associated with a dispensing organization for an alleged
19 violation of this Act or rules or to determine qualifications
20 to be granted a registration by the Department.

21 (d) The Department may require an applicant or holder of
22 any license issued pursuant to this Article to produce
23 documents, records, or any other material pertinent to the
24 investigation of an application or alleged violations of this
25 Act or rules. Failure to provide the required material may be
26 grounds for denial or discipline.

1 (e) Every person charged with preparation, obtaining, or
2 keeping records, logs, reports, or other documents in
3 connection with this Act and rules and every person in charge,
4 or having custody, of those documents shall, upon request by
5 the Department, make the documents immediately available for
6 inspection and copying by the Department, the Department's
7 authorized representative, or others authorized by law to
8 review the documents.

9 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21;
10 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

11 (410 ILCS 705/15-145)

12 Sec. 15-145. Grounds for discipline.

13 (a) The Department may deny issuance, refuse to renew or
14 restore, or may reprimand, place on probation, suspend,
15 revoke, or take other disciplinary or nondisciplinary action
16 against any license or agent identification card or may impose
17 a fine for any of the following:

18 (1) Material misstatement in furnishing information to
19 the Department;

20 (2) Violations of this Act or rules;

21 (3) Obtaining an authorization or license by fraud or
22 misrepresentation;

23 (4) A pattern of conduct that demonstrates
24 incompetence or that the applicant has engaged in conduct
25 or actions that would constitute grounds for discipline

1 under this Act;

2 (5) Aiding or assisting another person in violating
3 any provision of this Act or rules;

4 (6) Failing to respond to a written request for
5 information by the Department within 30 days;

6 (7) Engaging in unprofessional, dishonorable, or
7 unethical conduct of a character likely to deceive,
8 defraud, or harm the public;

9 (8) Adverse action by another United States
10 jurisdiction or foreign nation;

11 (9) A finding by the Department that the licensee,
12 after having his or her license placed on suspended or
13 probationary status, has violated the terms of the
14 suspension or probation;

15 (10) Conviction, entry of a plea of guilty, nolo
16 contendere, or the equivalent in a State or federal court
17 of a principal officer or agent-in-charge of a felony
18 offense in accordance with Sections 2105-131, 2105-135,
19 and 2105-205 of the Department of Professional Regulation
20 Law of the Civil Administrative Code of Illinois;

21 (11) Excessive use of or addiction to alcohol,
22 narcotics, stimulants, or any other chemical agent or
23 drug;

24 (12) A finding by the Department of a discrepancy in a
25 Department audit of cannabis;

26 (13) A finding by the Department of a discrepancy in a

1 Department audit of capital or funds;

2 (14) A finding by the Department of acceptance of
3 cannabis from a source other than a cultivation center ~~an~~
4 ~~Adult Use Cultivation Center~~, craft grower, infuser, or
5 transporting organization licensed by the Department of
6 Agriculture, or a dispensing organization licensed by the
7 Department;

8 (15) An inability to operate using reasonable
9 judgment, skill, or safety due to physical or mental
10 illness or other impairment or disability, including,
11 without limitation, deterioration through the aging
12 process or loss of motor skills or mental incompetence;

13 (16) Failing to report to the Department within the
14 time frames established, or if not identified, 14 days, of
15 any adverse action taken against the dispensing
16 organization or an agent by a licensing jurisdiction in
17 any state or any territory of the United States or any
18 foreign jurisdiction, any governmental agency, any law
19 enforcement agency or any court defined in this Section;

20 (17) Any violation of the dispensing organization's
21 policies and procedures submitted to the Department
22 annually as a condition for licensure;

23 (18) Failure to inform the Department of any change of
24 address within 10 business days;

25 (19) Disclosing customer names, personal information,
26 or protected health information in violation of any State

1 or federal law;

2 (20) Operating a dispensary before obtaining a license
3 from the Department;

4 (21) Performing duties authorized by this Act prior to
5 receiving a license to perform such duties;

6 (22) Dispensing cannabis when prohibited by this Act
7 or rules;

8 (23) Any fact or condition that, if it had existed at
9 the time of the original application for the license,
10 would have warranted the denial of the license;

11 (24) Permitting a person without a valid agent
12 identification card to perform licensed activities under
13 this Act;

14 (25) Failure to assign an agent-in-charge as required
15 by this Article;

16 (26) Failure to provide the training required by
17 paragraph (3) of subsection (i) of Section 15-40 within
18 the provided timeframe;

19 (27) Personnel insufficient in number or unqualified
20 in training or experience to properly operate the
21 dispensary business;

22 (28) Any pattern of activity that causes a harmful
23 impact on the community; ~~and~~

24 (29) Failing to prevent diversion, theft, or loss of
25 cannabis; ~~and-~~

26 (30) Engaging in a pattern of nonpayment or late

1 payment for goods or services to a cannabis business
2 establishment.

3 (b) All fines and fees imposed under this Section shall be
4 paid within 60 days after the effective date of the order
5 imposing the fine or as otherwise specified in the order.

6 (c) A circuit court order establishing that an
7 agent-in-charge or principal officer holding an agent
8 identification card is subject to involuntary admission as
9 that term is defined in Section 1-119 or 1-119.1 of the Mental
10 Health and Developmental Disabilities Code shall operate as a
11 suspension of that card.

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

13 (410 ILCS 705/Art. 20 heading)

14 Article 20.

15 ~~Adult Use~~ Cultivation Centers

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

17 (410 ILCS 705/20-10)

18 Sec. 20-10. Early Approval of Adult Use Cultivation Center
19 License.

20 (a) Any medical cannabis cultivation center registered and
21 in good standing under the Compassionate Use of Medical
22 Cannabis Program Act as of the effective date of this Act may,
23 within 60 days of the effective date of this Act but no later
24 than 180 days from the effective date of this Act, apply to the

1 Department of Agriculture for an Early Approval Adult Use
2 Cultivation Center License to produce cannabis and
3 cannabis-infused products at its existing facilities as of the
4 effective date of this Act.

5 (b) A medical cannabis cultivation center seeking issuance
6 of an Early Approval Adult Use Cultivation Center License
7 shall submit an application on forms provided by the
8 Department of Agriculture. The application must meet or
9 include the following qualifications:

10 (1) Payment of a nonrefundable application fee of
11 \$100,000 to be deposited into the Cannabis Regulation
12 Fund;

13 (2) Proof of registration as a medical cannabis
14 cultivation center that is in good standing;

15 (3) Submission of the application by the same person
16 or entity that holds the medical cannabis cultivation
17 center registration;

18 (4) Certification that the applicant will comply with
19 the requirements of Section 20-30;

20 (5) The legal name of the cultivation center;

21 (6) The physical address of the cultivation center;

22 (7) The name, address, social security number, and
23 date of birth of each principal officer and board member
24 of the cultivation center; each of those individuals shall
25 be at least 21 years of age;

26 (8) A nonrefundable Cannabis Business Development Fee

1 equal to 5% of the cultivation center's total sales
2 between June 1, 2018 to June 1, 2019 or \$750,000,
3 whichever is less, but at not less than \$250,000, to be
4 deposited into the Cannabis Business Development Fund; and

5 (9) A commitment to completing one of the following
6 Social Equity Inclusion Plans provided for in this
7 subsection (b) before the expiration of the Early Approval
8 Adult Use Cultivation Center License:

9 (A) A contribution of 5% of the cultivation
10 center's total sales from June 1, 2018 to June 1, 2019,
11 or \$100,000, whichever is less, to one of the
12 following:

13 (i) the Cannabis Business Development Fund.

14 This is in addition to the fee required by item (8)
15 of this subsection (b);

16 (ii) a cannabis industry training or education
17 program at an Illinois community college as
18 defined in the Public Community College Act;

19 (iii) a program that provides job training
20 services to persons recently incarcerated or that
21 operates in a Disproportionately Impacted Area.

22 (B) Participate as a host in a cannabis business
23 incubator program for at least one year approved by
24 the Department of Commerce and Economic Opportunity,
25 and in which an Early Approval Adult Use Cultivation
26 Center License holder agrees to provide a loan of at

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

22 (c) An Early Approval Adult Use Cultivation Center License
23 is valid until March 31, 2021. A cultivation center that
24 obtains an Early Approval Adult Use Cultivation Center License
25 shall receive written or electronic notice 90 days before the
26 expiration of the license that the license will expire, and

1 inform the license holder that it may renew its Early Approval
2 Adult Use Cultivation Center License. The Department of
3 Agriculture shall grant a renewal of an Early Approval Adult
4 Use Cultivation Center License within 60 days of submission of
5 an application if:

6 (1) the cultivation center submits an application and
7 the required renewal fee of \$100,000 for an Early Approval
8 Adult Use Cultivation Center License;

9 (2) the Department of Agriculture has not suspended
10 the license of the cultivation center or suspended or
11 revoked the license for violating this Act or rules
12 adopted under this Act; and

13 (3) the cultivation center has completed a Social
14 Equity Inclusion Plan as required by item (9) of
15 subsection (b) of this Section.

16 (c-5) The Early Approval Adult Use Cultivation Center
17 License renewed pursuant to subsection (c) of this Section
18 shall expire March 31, 2022. The Early Approval Adult Use
19 Cultivation Center Licensee shall receive written or
20 electronic notice 90 days before the expiration of the license
21 that the license will expire, and inform the license holder
22 that it may apply for a ~~an Adult Use~~ Cultivation Center
23 License. The Department of Agriculture shall grant a
24 Cultivation Center ~~an Adult Use Dispensing Organization~~
25 License within 60 days of an application being deemed complete
26 if the applicant meets all of the criteria in Section 20-21.

1 (d) The license fee required by paragraph (1) of
2 subsection (c) of this Section shall be in addition to any
3 license fee required for the renewal of a registered medical
4 cannabis cultivation center license that expires during the
5 effective period of the Early Approval Adult Use Cultivation
6 Center License.

7 (e) Applicants must submit all required information,
8 including the requirements in subsection (b) of this Section,
9 to the Department of Agriculture. Failure by an applicant to
10 submit all required information may result in the application
11 being disqualified.

12 (f) If the Department of Agriculture receives an
13 application with missing information, the Department may issue
14 a deficiency notice to the applicant. The applicant shall have
15 10 calendar days from the date of the deficiency notice to
16 submit complete information. Applications that are still
17 incomplete after this opportunity to cure may be disqualified.

18 (g) If an applicant meets all the requirements of
19 subsection (b) of this Section, the Department of Agriculture
20 shall issue the Early Approval Adult Use Cultivation Center
21 License within 14 days of receiving the application unless:

22 (1) The licensee; principal officer, board member, or
23 person having a financial or voting interest of 5% or
24 greater in the licensee; or agent is delinquent in filing
25 any required tax returns or paying any amounts owed to the
26 State of Illinois;

1 (2) The Director of Agriculture determines there is
2 reason, based on an inordinate number of documented
3 compliance violations, the licensee is not entitled to an
4 Early Approval Adult Use Cultivation Center License; or

5 (3) The licensee fails to commit to the Social Equity
6 Inclusion Plan.

7 (h) A cultivation center may begin producing cannabis and
8 cannabis-infused products once the Early Approval Adult Use
9 Cultivation Center License is approved. A cultivation center
10 that obtains an Early Approval Adult Use Cultivation Center
11 License may begin selling cannabis and cannabis-infused
12 products on December 1, 2019.

13 (i) An Early Approval Adult Use Cultivation Center License
14 holder must continue to produce and provide an adequate supply
15 of cannabis and cannabis-infused products for purchase by
16 qualifying patients and caregivers. For the purposes of this
17 subsection, "adequate supply" means a monthly production level
18 that is comparable in type and quantity to those medical
19 cannabis products produced for patients and caregivers on an
20 average monthly basis for the 6 months before the effective
21 date of this Act.

22 (j) If there is a shortage of cannabis or cannabis-infused
23 products, a license holder shall prioritize patients
24 registered under the Compassionate Use of Medical Cannabis
25 Program Act over adult use purchasers.

26 (k) If an Early Approval Adult Use Cultivation Center

1 licensee fails to submit an application for a ~~an Adult Use~~
2 Cultivation Center License before the expiration of the Early
3 Approval Adult Use Cultivation Center License pursuant to
4 subsection (c-5) of this Section, the cultivation center shall
5 cease all ~~adult use~~ cultivation until it receives a ~~an Adult~~
6 ~~Use~~ Cultivation Center License.

7 (l) A cultivation center agent who holds a valid
8 cultivation center agent identification card issued under the
9 Compassionate Use of Medical Cannabis Program Act and is an
10 officer, director, manager, or employee of the cultivation
11 center licensed under this Section may engage in all
12 activities authorized by this Article to be performed by a
13 cultivation center agent.

14 (m) If the Department of Agriculture suspends or revokes
15 the Early Approval Adult Use Cultivation Center License of a
16 cultivation center that also holds a medical cannabis
17 cultivation center license issued under the Compassionate Use
18 of Medical Cannabis Program Act, the Department of Agriculture
19 may suspend or revoke the medical cannabis cultivation center
20 license concurrently with the Early Approval Adult Use
21 Cultivation Center License.

22 (n) All fees or fines collected from an Early Approval
23 Adult Use Cultivation Center License holder as a result of a
24 disciplinary action in the enforcement of this Act shall be
25 deposited into the Cannabis Regulation Fund.

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

1 (410 ILCS 705/20-15)

2 Sec. 20-15. Conditional ~~Adult Use~~ Cultivation Center
3 application.

4 (a) If the Department of Agriculture makes available
5 additional cultivation center licenses pursuant to Section
6 20-5, applicants for a Conditional ~~Adult Use~~ Cultivation
7 Center License shall electronically submit the following in
8 such form as the Department of Agriculture may direct:

9 (1) the nonrefundable application fee set by rule by
10 the Department of Agriculture, to be deposited into the
11 Cannabis Regulation Fund;

12 (2) the legal name of the cultivation center;

13 (3) the proposed physical address of the cultivation
14 center;

15 (4) the name, address, social security number, and
16 date of birth of each principal officer and board member
17 of the cultivation center; each principal officer and
18 board member shall be at least 21 years of age;

19 (5) the details of any administrative or judicial
20 proceeding in which any of the principal officers or board
21 members of the cultivation center (i) pled guilty, were
22 convicted, were fined, or had a registration or license
23 suspended or revoked, or (ii) managed or served on the
24 board of a business or non-profit organization that pled
25 guilty, was convicted, was fined, or had a registration or

1 license suspended or revoked;

2 (6) proposed operating bylaws that include procedures
3 for the oversight of the cultivation center, including the
4 development and implementation of a plant monitoring
5 system, accurate recordkeeping, staffing plan, and
6 security plan approved by the Illinois State Police that
7 are in accordance with the rules issued by the Department
8 of Agriculture under this Act. A physical inventory shall
9 be performed of all plants and cannabis on a weekly basis
10 by the cultivation center;

11 (7) verification from the Illinois State Police that
12 all background checks of the prospective principal
13 officers, board members, and agents of the cannabis
14 business establishment have been conducted;

15 (8) a copy of the current local zoning ordinance or
16 permit and verification that the proposed cultivation
17 center is in compliance with the local zoning rules and
18 distance limitations established by the local
19 jurisdiction;

20 (9) proposed employment practices, in which the
21 applicant must demonstrate a plan of action to inform,
22 hire, and educate minorities, women, veterans, and persons
23 with disabilities, engage in fair labor practices, and
24 provide worker protections;

25 (10) whether an applicant can demonstrate experience
26 in or business practices that promote economic empowerment

1 in Disproportionately Impacted Areas;

2 (11) experience with the cultivation of agricultural
3 or horticultural products, operating an agriculturally
4 related business, or operating a horticultural business;

5 (12) a description of the enclosed, locked facility
6 where cannabis will be grown, harvested, manufactured,
7 processed, packaged, or otherwise prepared for
8 distribution to a dispensing organization;

9 (13) a survey of the enclosed, locked facility,
10 including the space used for cultivation;

11 (14) cultivation, processing, inventory, and packaging
12 plans;

13 (15) a description of the applicant's experience with
14 agricultural cultivation techniques and industry
15 standards;

16 (16) a list of any academic degrees, certifications,
17 or relevant experience of all prospective principal
18 officers, board members, and agents of the related
19 business;

20 (17) the identity of every person having a financial
21 or voting interest of 5% or greater in the cultivation
22 center operation with respect to which the license is
23 sought, whether a trust, corporation, partnership, limited
24 liability company, or sole proprietorship, including the
25 name and address of each person;

26 (18) a plan describing how the cultivation center will

1 address each of the following:

2 (i) energy needs, including estimates of monthly
3 electricity and gas usage, to what extent it will
4 procure energy from a local utility or from on-site
5 generation, and if it has or will adopt a sustainable
6 energy use and energy conservation policy;

7 (ii) water needs, including estimated water draw
8 and if it has or will adopt a sustainable water use and
9 water conservation policy; and

10 (iii) waste management, including if it has or
11 will adopt a waste reduction policy;

12 (19) a diversity plan that includes a narrative of not
13 more than 2,500 words that establishes a goal of diversity
14 in ownership, management, employment, and contracting to
15 ensure that diverse participants and groups are afforded
16 equality of opportunity;

17 (20) any other information required by rule;

18 (21) a recycling plan:

19 (A) Purchaser packaging, including cartridges,
20 shall be accepted by the applicant and recycled.

21 (B) Any recyclable waste generated by the cannabis
22 cultivation facility shall be recycled per applicable
23 State and local laws, ordinances, and rules.

24 (C) Any cannabis waste, liquid waste, or hazardous
25 waste shall be disposed of in accordance with 8 Ill.
26 Adm. Code 1000.460, except, to the greatest extent

1 feasible, all cannabis plant waste will be rendered
2 unusable by grinding and incorporating the cannabis
3 plant waste with compostable mixed waste to be
4 disposed of in accordance with 8 Ill. Adm. Code
5 1000.460 (g) (1);

6 (22) commitment to comply with local waste provisions:
7 a cultivation facility must remain in compliance with
8 applicable State and federal environmental requirements,
9 including, but not limited to:

10 (A) storing, securing, and managing all
11 recyclables and waste, including organic waste
12 composed of or containing finished cannabis and
13 cannabis products, in accordance with applicable State
14 and local laws, ordinances, and rules; and

15 (B) disposing liquid waste containing cannabis or
16 byproducts of cannabis processing in compliance with
17 all applicable State and federal requirements,
18 including, but not limited to, the cannabis
19 cultivation facility's permits under Title X of the
20 Environmental Protection Act; and

21 (23) a commitment to a technology standard for
22 resource efficiency of the cultivation center facility.

23 (A) A cannabis cultivation facility commits to use
24 resources efficiently, including energy and water. For
25 the following, a cannabis cultivation facility commits
26 to meet or exceed the technology standard identified

1 in items (i), (ii), (iii), and (iv), which may be
2 modified by rule:

3 (i) lighting systems, including light bulbs;

4 (ii) HVAC system;

5 (iii) water application system to the crop;

6 and

7 (iv) filtration system for removing
8 contaminants from wastewater.

9 (B) Lighting. The Lighting Power Densities (LPD)
10 for cultivation space commits to not exceed an average
11 of 36 watts per gross square foot of active and growing
12 space canopy, or all installed lighting technology
13 shall meet a photosynthetic photon efficacy (PPE) of
14 no less than 2.2 micromoles per joule fixture and
15 shall be featured on the DesignLights Consortium (DLC)
16 Horticultural Specification Qualified Products List
17 (QPL). In the event that DLC requirement for minimum
18 efficacy exceeds 2.2 micromoles per joule fixture,
19 that PPE shall become the new standard.

20 (C) HVAC.

21 ~~The (i) For cannabis grow operations with less~~
22 ~~than 6,000 square feet of canopy, the licensee~~
23 commits that all HVAC units will be
24 high-efficiency ductless split HVAC units, or
25 other more energy efficient equipment.

26 ~~(ii) For cannabis grow operations with 6,000~~

1 ~~square feet of canopy or more, the licensee~~
2 ~~commits that all HVAC units will be variable~~
3 ~~refrigerant flow HVAC units, or other more energy~~
4 ~~efficient equipment.~~

5 (D) Water application.

6 (i) The cannabis cultivation facility commits
7 to use automated watering systems, including, but
8 not limited to, drip irrigation and flood tables,
9 to irrigate cannabis crop.

10 (ii) The cannabis cultivation facility commits
11 to measure runoff from watering events and report
12 this volume in its water usage plan, and that on
13 average, watering events shall have no more than
14 20% of runoff of water.

15 (E) Filtration. The cultivator commits that HVAC
16 condensate, dehumidification water, excess runoff, and
17 other wastewater produced by the cannabis cultivation
18 facility shall be captured and filtered to the best of
19 the facility's ability to achieve the quality needed
20 to be reused in subsequent watering rounds.

21 (F) Reporting energy use and efficiency as
22 required by rule.

23 (b) Applicants must submit all required information,
24 including the information required in Section 20-10, to the
25 Department of Agriculture. Failure by an applicant to submit
26 all required information may result in the application being

1 disqualified.

2 (c) If the Department of Agriculture receives an
3 application with missing information, the Department of
4 Agriculture may issue a deficiency notice to the applicant.
5 The applicant shall have 10 calendar days from the date of the
6 deficiency notice to resubmit the incomplete information.
7 Applications that are still incomplete after this opportunity
8 to cure will not be scored and will be disqualified.

9 (d) (Blank).

10 (e) A cultivation center that is awarded a Conditional
11 Adult Use Cultivation Center License pursuant to the criteria
12 in Section 20-20 shall not grow, purchase, possess, or sell
13 cannabis or cannabis-infused products until the person has
14 received an Adult Use Cultivation Center License issued by the
15 Department of Agriculture pursuant to Section 20-21 of this
16 Act.

17 (Source: P.A. 104-417, eff. 8-15-25.)

18 (410 ILCS 705/20-20)

19 Sec. 20-20. Conditional Cultivation Center ~~Adult Use~~
20 License scoring applications.

21 (a) The Department of Agriculture shall by rule develop a
22 system to score cultivation center applications to
23 administratively rank applications based on the clarity,
24 organization, and quality of the applicant's responses to
25 required information. Applicants shall be awarded points based

1 on the following categories:

2 (1) Suitability of the proposed facility;

3 (2) Suitability of employee training plan;

4 (3) Security and recordkeeping;

5 (4) Cultivation plan;

6 (5) Product safety and labeling plan;

7 (6) Business plan;

8 (7) The applicant's status as a Social Equity
9 Applicant, which shall constitute no less than 20% of
10 total available points;

11 (8) Labor and employment practices, which shall
12 constitute no less than 2% of total available points;

13 (9) Environmental plan as described in paragraphs
14 (18), (21), (22), and (23) of subsection (a) of Section
15 20-15;

16 (10) The applicant is 51% or more owned and controlled
17 by an individual or individuals who have been an Illinois
18 resident for the past 5 years as proved by tax records or 2
19 of the following:

20 (A) a signed lease agreement that includes the
21 applicant's name;

22 (B) a property deed that includes the applicant's
23 name;

24 (C) school records;

25 (D) a voter registration card;

26 (E) an Illinois driver's license, an Illinois

1 Identification Card, or an Illinois Person with a
2 Disability Identification Card;

3 (F) a paycheck stub;

4 (G) a utility bill; or

5 (H) any other proof of residency or other
6 information necessary to establish residence as
7 provided by rule;

8 (11) The applicant is 51% or more controlled and owned
9 by an individual or individuals who meet the
10 qualifications of a veteran as defined by Section 45-57 of
11 the Illinois Procurement Code;

12 (12) a diversity plan that includes a narrative of not
13 more than 2,500 words that establishes a goal of diversity
14 in ownership, management, employment, and contracting to
15 ensure that diverse participants and groups are afforded
16 equality of opportunity; and

17 (13) Any other criteria the Department of Agriculture
18 may set by rule for points.

19 (b) The Department may also award bonus points for the
20 applicant's plan to engage with the community. Bonus points
21 will only be awarded if the Department receives applications
22 that receive an equal score for a particular region.

23 (c) Should the applicant be awarded a cultivation center
24 license, the information and plans that an applicant provided
25 in its application, including any plans submitted for the
26 acquiring of bonus points, becomes a mandatory condition of

1 the permit. Any variation from or failure to perform such
2 plans may result in discipline, including the revocation or
3 nonrenewal of a license.

4 (d) Should the applicant be awarded a cultivation center
5 license, it shall pay a fee of \$100,000 prior to receiving the
6 license, to be deposited into the Cannabis Regulation Fund.
7 The Department of Agriculture may by rule adjust the fee in
8 this Section after January 1, 2021.

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

10 (410 ILCS 705/20-21)

11 Sec. 20-21. ~~Adult Use~~ Cultivation Center License.

12 (a) A person or entity is only eligible to receive a ~~an~~
13 ~~Adult Use~~ Cultivation Center License if the person or entity
14 has first been awarded a Conditional ~~Adult Use~~ Cultivation
15 Center License pursuant to this Act or the person or entity has
16 renewed its Early Approval Cultivation Center License pursuant
17 to subsection (c) of Section 20-10.

18 (b) The Department of Agriculture shall not issue a ~~an~~
19 ~~Adult Use~~ Cultivation Center License until:

20 (1) the Department of Agriculture has inspected the
21 cultivation center site and proposed operations and
22 verified that they are in compliance with this Act and
23 local zoning laws;

24 (2) the Conditional ~~Adult Use~~ Cultivation Center
25 License holder has paid a registration fee of \$100,000 or

1 a prorated amount accounting for the difference of time
2 between when the ~~Adult Use~~ Cultivation Center License is
3 issued and March 31 of the next even-numbered year; and

4 (3) The Conditional ~~Adult Use~~ Cultivation Center
5 License holder has met all the requirements in the Act and
6 rules.

7 (c) Notwithstanding any other provision of law, on and
8 after July 1, 2026, the Department shall cease to issue or
9 renew any medical cannabis cultivation permit issued under the
10 Compassionate Use of Medical Cannabis Act. Licensees that hold
11 dual Medical Cannabis Cultivation Permits and Adult Use
12 Cultivation Center Licenses may continue all operations with a
13 valid Cultivation Center License issued under this Act that is
14 in good standing.

15 (1) The Department shall create a process for licenses
16 to transition to sole operation as Cultivation Centers;
17 including refund or proration of medical cultivation
18 center permit fees.

19 (2) Any statements or plans submitted as part of an
20 initial application for a medical cannabis cultivation
21 permit as well as all subsequent modifications and
22 alterations shall remain a mandatory condition of the
23 cultivation center license.

24 (3) Cultivation Centers shall not relocate except
25 within the same Illinois State Police District boundary as
26 specified on the date of January 1, 2013 in which the

1 initial Medical Cannabis Cultivation Permit was initially
2 issued.

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

4 (410 ILCS 705/20-30)

5 Sec. 20-30. Cultivation center requirements; prohibitions.

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

11 (b) A cultivation center shall implement a security plan
12 reviewed by the Illinois State Police that includes, but is
13 not limited to: facility access controls, perimeter intrusion
14 detection systems, personnel identification systems, 24-hour
15 surveillance system to monitor the interior and exterior of
16 the cultivation center facility and accessibility to
17 authorized law enforcement, the Department of Public Health
18 where processing takes place, and the Department of
19 Agriculture in real time.

20 (c) All cultivation of cannabis by a cultivation center
21 must take place in an enclosed, locked facility at the
22 physical address provided to the Department of Agriculture
23 during the licensing process. The cultivation center location
24 shall only be accessed by the agents working for the
25 cultivation center, the Department of Agriculture staff

1 performing inspections, the Department of Public Health staff
2 performing inspections, local and State law enforcement or
3 other emergency personnel, contractors working on jobs
4 unrelated to cannabis, such as installing or maintaining
5 security devices or performing electrical wiring, transporting
6 organization agents as provided in this Act, individuals in a
7 mentoring or educational program approved by the State, or
8 other individuals as provided by rule.

9 (d) A cultivation center may not sell or distribute any
10 cannabis or cannabis-infused products to any person other than
11 a dispensing organization, craft grower, infuser organization,
12 transporter, or as otherwise authorized by rule.

13 (e) A cultivation center may not either directly or
14 indirectly discriminate in price between different dispensing
15 organizations, craft growers, or infuser organizations that
16 are purchasing a like grade, strain, brand, and quality of
17 cannabis or cannabis-infused product. Nothing in this
18 subsection (e) prevents a cultivation center from pricing
19 cannabis differently based on differences in the cost of
20 manufacturing or processing, the quantities sold, such as
21 volume discounts, or the way the products are delivered.

22 (f) All cannabis harvested by a cultivation center and
23 intended for distribution to a dispensing organization must be
24 entered into a data collection system, packaged and labeled
25 under Section 55-21, and placed into a cannabis container for
26 transport. All cannabis harvested by a cultivation center and

1 intended for distribution to a craft grower or infuser
2 organization must be packaged in a labeled cannabis container
3 and entered into a data collection system before transport.

4 (g) Cultivation centers are subject to random inspections
5 by the Department of Agriculture, the Department of Public
6 Health, local safety or health inspectors, the Illinois State
7 Police, or as provided by rule.

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

13 (i) A cultivation center shall comply with all State and
14 any applicable federal rules and regulations regarding the use
15 of pesticides on cannabis plants.

16 (j) No person or entity shall hold any legal, equitable,
17 ownership, or beneficial interest, directly or indirectly, of
18 more than 3 cultivation centers licensed under this Article.
19 Further, no person or entity that is employed by, an agent of,
20 has a contract to receive payment in any form from a
21 cultivation center, is a principal officer of a cultivation
22 center, or entity controlled by or affiliated with a principal
23 officer of a cultivation shall hold any legal, equitable,
24 ownership, or beneficial interest, directly or indirectly, in
25 a cultivation that would result in the person or entity owning
26 or controlling in combination with any cultivation center,

1 principal officer of a cultivation center, or entity
2 controlled or affiliated with a principal officer of a
3 cultivation center by which he, she, or it is employed, is an
4 agent of, or participates in the management of, more than 3
5 cultivation center licenses.

6 (k) A cultivation center may not contain more than 210,000
7 square feet of canopy space for plants in the flowering stage
8 for cultivation of adult use cannabis as provided in this Act.

9 (l) A cultivation center may process cannabis, cannabis
10 concentrates, and cannabis-infused products.

11 (m) Beginning July 1, 2020, a cultivation center shall not
12 transport cannabis or cannabis-infused products to a craft
13 grower, dispensing organization, infuser organization, or
14 laboratory licensed under this Act, unless it has obtained a
15 transporting organization license.

16 (n) It is unlawful for any person having a cultivation
17 center license or any officer, associate, member,
18 representative, or agent of such licensee to offer or deliver
19 money, or anything else of value, directly or indirectly to
20 any person having an Early Approval Adult Use Dispensing
21 Organization License, a Conditional Adult Use Dispensing
22 Organization License, an Adult Use Dispensing Organization
23 License, or a medical cannabis dispensing organization license
24 issued under the Compassionate Use of Medical Cannabis Program
25 Act, or to any person connected with or in any way
26 representing, or to any member of the family of, such person

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

17 (o) A cultivation center must comply with any other
18 requirements or prohibitions set by administrative rule of the
19 Department of Agriculture.

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

25 (q) Upon approval of the Department through an application
26 for alteration, cultivation centers shall retain 90 days of

1 camera storage in any location. The Department may require
2 footage be maintained for purposes of an investigation.

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

6 (410 ILCS 705/20-35)

7 Sec. 20-35. Cultivation center agent identification card.

8 (a) The Department of Agriculture shall:

9 (1) establish by rule the information required in an
10 initial application or renewal application for an agent
11 identification card submitted under this Act and the
12 nonrefundable fee to accompany the initial application or
13 renewal application;

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

20 (3) issue an agent identification card to a qualifying
21 agent within 15 business days of approving the initial
22 application or renewal application;

23 (4) enter the license number of the cultivation center
24 where the agent works; and

25 (5) allow for an electronic initial application and

1 renewal application process, and provide a confirmation by
2 electronic or other methods that an application has been
3 submitted. The Department of Agriculture may by rule
4 require prospective agents to file their applications by
5 electronic means and provide notices to the agents by
6 electronic means.

7 (b) An agent must keep his or her identification card
8 visible at all times when on the property of the cultivation
9 center at which the agent is employed.

10 (c) The agent identification cards shall contain the
11 following:

12 (1) the name of the cardholder;

13 (2) the date of issuance and expiration date of the
14 identification card;

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

18 (4) a photograph of the cardholder; and

19 (5) the legal name of the cultivation center employing
20 the agent.

21 (d) An agent identification card shall be immediately
22 returned to the cultivation center of the agent upon
23 termination of his or her employment.

24 (e) Any agent identification card lost by a cultivation
25 center agent shall be reported to the Illinois State Police
26 and the Department of Agriculture immediately upon discovery

1 of the loss.

2 (f) The Department of Agriculture shall not issue an agent
3 identification card if the applicant is delinquent in filing
4 any required tax returns or paying any amounts owed to the
5 State of Illinois.

6 (g) The Department and the Department of Financial and
7 Professional Regulation may develop and implement an
8 integrated system to issue an agent identification card which
9 identifies a cultivation center agent licensed by the
10 Department as well as any craft grower, transporter,
11 dispensing organization, community college program, or infuser
12 license or registration the agent may simultaneously hold.

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

14 (410 ILCS 705/20-45)

15 Sec. 20-45. Renewal of cultivation center licenses and
16 agent identification cards.

17 (a) Licenses and identification cards issued under this
18 Act shall be renewed annually. A cultivation center shall
19 receive written or electronic notice 90 days before the
20 expiration of its current license that the license will
21 expire. The Department of Agriculture shall grant a renewal
22 within 45 days of submission of a renewal application if:

23 (1) the cultivation center submits a renewal
24 application and the required nonrefundable renewal fee of
25 \$100,000, or another amount as the Department of

1 Agriculture may set by rule after January 1, 2021, to be
2 deposited into the Cannabis Regulation Fund. On or after
3 July 1, 2026, the Cultivation Center license renewal fee
4 shall be \$200,000 to be deposited into the Cannabis
5 Regulation Fund. For the 2027 renewal cycle, the
6 Department may set up a process to refund or prorate
7 renewal fees.

8 (2) the Department of Agriculture has not suspended
9 the license of the cultivation center or suspended or
10 revoked the license for violating this Act or rules
11 adopted under this Act;

12 (3) the cultivation center has continued to operate in
13 accordance with all plans submitted as part of its
14 application and approved by the Department of Agriculture
15 or any amendments thereto that have been approved by the
16 Department of Agriculture;

17 (4) the cultivation center has submitted an agent,
18 employee, contracting, and subcontracting diversity report
19 as required by the Department; and

20 (5) the cultivation center has submitted an
21 environmental impact report.

22 (b) If a cultivation center fails to renew its license
23 before expiration, it shall cease operations until its license
24 is renewed.

25 (c) If a cultivation center agent fails to renew his or her
26 identification card before its expiration, he or she shall

1 cease to work as an agent of the cultivation center until his
2 or her identification card is renewed.

3 (d) Any cultivation center that continues to operate, or
4 any cultivation center agent who continues to work as an
5 agent, after the applicable license or identification card has
6 expired without renewal is subject to the penalties provided
7 under Section 45-5.

8 (e) The Department of Agriculture shall not renew a
9 license or an agent identification card if the applicant is
10 delinquent in filing any required tax returns or paying any
11 amounts owed to the State of Illinois

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

13 (410 ILCS 705/25-35)

14 (Section scheduled to be repealed on July 1, 2026)

15 Sec. 25-35. Community College Cannabis Vocational Training
16 Pilot Program faculty participant agent identification card.

17 (a) The Department shall:

18 (1) establish by rule the information required in an
19 initial application or renewal application for an agent
20 identification card submitted under this Article and the
21 nonrefundable fee to accompany the initial application or
22 renewal application;

23 (2) verify the information contained in an initial
24 application or renewal application for an agent
25 identification card submitted under this Article, and

1 approve or deny an application within 30 days of receiving
2 a completed initial application or renewal application and
3 all supporting documentation required by rule;

4 (3) issue an agent identification card to a qualifying
5 agent within 15 business days of approving the initial
6 application or renewal application;

7 (4) enter the license number of the community college
8 where the agent works; and

9 (5) allow for an electronic initial application and
10 renewal application process, and provide a confirmation by
11 electronic or other methods that an application has been
12 submitted. Each Department may by rule require prospective
13 agents to file their applications by electronic means and
14 to provide notices to the agents by electronic means.

15 (b) An agent must keep his or her identification card
16 visible at all times when in the enclosed, locked facility, or
17 facilities for which he or she is an agent.

18 (c) The agent identification cards shall contain the
19 following:

20 (1) the name of the cardholder;

21 (2) the date of issuance and expiration date of the
22 identification card;

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

26 (4) a photograph of the cardholder; and

1 (5) the legal name of the community college employing
2 the agent.

3 (d) An agent identification card shall be immediately
4 returned to the community college of the agent upon
5 termination of his or her employment.

6 (e) Any agent identification card lost shall be reported
7 to the Illinois State Police and the Department of Agriculture
8 immediately upon discovery of the loss.

9 (f) An agent applicant may begin employment at a Community
10 College Cannabis Vocational Training Pilot Program while the
11 agent applicant's identification card application is pending.
12 Upon approval, the Department shall issue the agent's
13 identification card to the agent. If denied, the Community
14 College Cannabis Vocational Training Pilot Program and the
15 agent applicant shall be notified and the agent applicant must
16 cease all activity at the Community College Cannabis
17 Vocational Training Pilot Program immediately.

18 (g) The Department of Agriculture shall not issue an agent
19 identification card if the applicant is delinquent in filing
20 any required tax returns or paying any amounts owed to the
21 State of Illinois.

22 The Department of Agriculture and the Department of
23 Financial and Professional Regulation may develop and
24 implement an integrated system to issue an agent
25 identification card which identifies a community college
26 program agent licensed by the Department as well as any

1 cultivation center, craft grower, transporter, dispensing
2 organization, or infuser license or registration the agent may
3 simultaneously hold.

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

6 (410 ILCS 705/30-10)

7 Sec. 30-10. Application.

8 (a) When applying for a license, the applicant shall
9 electronically submit the following in such form as the
10 Department of Agriculture may direct:

11 (1) the nonrefundable application fee of \$5,000 to be
12 deposited into the Cannabis Regulation Fund, or another
13 amount as the Department of Agriculture may set by rule
14 after January 1, 2021;

15 (2) the legal name of the craft grower;

16 (3) the proposed physical address of the craft grower;

17 (4) the name, address, social security number, and
18 date of birth of each principal officer and board member
19 of the craft grower; each principal officer and board
20 member shall be at least 21 years of age;

21 (5) the details of any administrative or judicial
22 proceeding in which any of the principal officers or board
23 members of the craft grower (i) pled guilty, were
24 convicted, were fined, or had a registration or license
25 suspended or revoked or (ii) managed or served on the

1 board of a business or non-profit organization that pled
2 guilty, was convicted, was fined, or had a registration or
3 license suspended or revoked;

4 (6) proposed operating bylaws that include procedures
5 for the oversight of the craft grower, including the
6 development and implementation of a plant monitoring
7 system, accurate recordkeeping, staffing plan, and
8 security plan approved by the Illinois State Police that
9 are in accordance with the rules issued by the Department
10 of Agriculture under this Act; a physical inventory shall
11 be performed of all plants and on a weekly basis by the
12 craft grower;

13 (7) verification from the Illinois State Police that
14 all background checks of the prospective principal
15 officers, board members, and agents of the cannabis
16 business establishment have been conducted;

17 (8) a copy of the current local zoning ordinance or
18 permit and verification that the proposed craft grower is
19 in compliance with the local zoning rules and distance
20 limitations established by the local jurisdiction;

21 (9) proposed employment practices, in which the
22 applicant must demonstrate a plan of action to inform,
23 hire, and educate minorities, women, veterans, and persons
24 with disabilities, engage in fair labor practices, and
25 provide worker protections;

26 (10) whether an applicant can demonstrate experience

1 in or business practices that promote economic empowerment
2 in Disproportionately Impacted Areas;

3 (11) experience with the cultivation of agricultural
4 or horticultural products, operating an agriculturally
5 related business, or operating a horticultural business;

6 (12) a description of the enclosed, locked facility
7 where cannabis will be grown, harvested, manufactured,
8 packaged, or otherwise prepared for distribution to a
9 dispensing organization or other cannabis business
10 establishment;

11 (13) a survey of the enclosed, locked facility,
12 including the space used for cultivation;

13 (14) cultivation, processing, inventory, and packaging
14 plans;

15 (15) a description of the applicant's experience with
16 agricultural cultivation techniques and industry
17 standards;

18 (16) a list of any academic degrees, certifications,
19 or relevant experience of all prospective principal
20 officers, board members, and agents of the related
21 business;

22 (17) the identity of every person having a financial
23 or voting interest of 5% or greater in the craft grower
24 operation, whether a trust, corporation, partnership,
25 limited liability company, or sole proprietorship,
26 including the name and address of each person;

1 (18) a plan describing how the craft grower will
2 address each of the following:

3 (i) energy needs, including estimates of monthly
4 electricity and gas usage, to what extent it will
5 procure energy from a local utility or from on-site
6 generation, and if it has or will adopt a sustainable
7 energy use and energy conservation policy;

8 (ii) water needs, including estimated water draw
9 and if it has or will adopt a sustainable water use and
10 water conservation policy; and

11 (iii) waste management, including if it has or
12 will adopt a waste reduction policy;

13 (19) a recycling plan:

14 (A) Purchaser packaging, including cartridges,
15 shall be accepted by the applicant and recycled.

16 (B) Any recyclable waste generated by the craft
17 grower facility shall be recycled per applicable State
18 and local laws, ordinances, and rules.

19 (C) Any cannabis waste, liquid waste, or hazardous
20 waste shall be disposed of in accordance with 8 Ill.
21 Adm. Code 1000.460, except, to the greatest extent
22 feasible, all cannabis plant waste will be rendered
23 unusable by grinding and incorporating the cannabis
24 plant waste with compostable mixed waste to be
25 disposed of in accordance with 8 Ill. Adm. Code
26 1000.460(g)(1);

1 (20) a commitment to comply with local waste
2 provisions: a craft grower facility must remain in
3 compliance with applicable State and federal environmental
4 requirements, including, but not limited to:

5 (A) storing, securing, and managing all
6 recyclables and waste, including organic waste
7 composed of or containing finished cannabis and
8 cannabis products, in accordance with applicable State
9 and local laws, ordinances, and rules; and

10 (B) disposing liquid waste containing cannabis or
11 byproducts of cannabis processing in compliance with
12 all applicable State and federal requirements,
13 including, but not limited to, the cannabis
14 cultivation facility's permits under Title X of the
15 Environmental Protection Act;

16 (21) a commitment to a technology standard for
17 resource efficiency of the craft grower facility.

18 (A) A craft grower facility commits to use
19 resources efficiently, including energy and water. For
20 the following, a cannabis cultivation facility commits
21 to meet or exceed the technology standard identified
22 in paragraphs (i), (ii), (iii), and (iv), which may be
23 modified by rule:

24 (i) lighting systems, including light bulbs;

25 (ii) HVAC system;

26 (iii) water application system to the crop;

1 and

2 (iv) filtration system for removing
3 contaminants from wastewater.

4 (B) Lighting. The Lighting Power Densities (LPD)
5 for cultivation space commits to not exceed an average
6 of 36 watts per gross square foot of active and growing
7 space canopy, or all installed lighting technology
8 shall meet a photosynthetic photon efficacy (PPE) of
9 no less than 2.2 micromoles per joule fixture and
10 shall be featured on the DesignLights Consortium (DLC)
11 Horticultural Specification Qualified Products List
12 (QPL). In the event that DLC requirement for minimum
13 efficacy exceeds 2.2 micromoles per joule fixture,
14 that PPE shall become the new standard.

15 (C) HVAC.

16 (i) ~~The For cannabis grow operations with less~~
17 ~~than 6,000 square feet of canopy, the licensee~~
18 commits that all HVAC units will be
19 high-efficiency ductless split HVAC units, or
20 other more energy efficient equipment.

21 (ii) (Blank). ~~For cannabis grow operations~~
22 ~~with 6,000 square feet of canopy or more, the~~
23 ~~licensee commits that all HVAC units will be~~
24 ~~variable refrigerant flow HVAC units, or other~~
25 ~~more energy efficient equipment.~~

26 (D) Water application.

1 (i) The craft grower facility commits to use
2 automated watering systems, including, but not
3 limited to, drip irrigation and flood tables, to
4 irrigate cannabis crop.

5 (ii) The craft grower facility commits to
6 measure runoff from watering events and report
7 this volume in its water usage plan, and that on
8 average, watering events shall have no more than
9 20% of runoff of water.

10 (E) Filtration. The craft grower commits that HVAC
11 condensate, dehumidification water, excess runoff, and
12 other wastewater produced by the craft grower facility
13 shall be captured and filtered to the best of the
14 facility's ability to achieve the quality needed to be
15 reused in subsequent watering rounds.

16 (F) Reporting energy use and efficiency as
17 required by rule; and

18 (22) any other information required by rule.

19 (b) Applicants must submit all required information,
20 including the information required in Section 30-15, to the
21 Department of Agriculture. Failure by an applicant to submit
22 all required information may result in the application being
23 disqualified.

24 (c) If the Department of Agriculture receives an
25 application with missing information, the Department of
26 Agriculture may issue a deficiency notice to the applicant.

1 The applicant shall have 10 calendar days from the date of the
2 deficiency notice to resubmit the incomplete information.
3 Applications that are still incomplete after this opportunity
4 to cure will not be scored and will be disqualified.

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

7 (410 ILCS 705/30-30)

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

9 (a) The operating documents of a craft grower shall
10 include procedures for the oversight of the craft grower, a
11 cannabis plant monitoring system including a physical
12 inventory recorded weekly, accurate recordkeeping, and a
13 staffing plan.

14 (b) A craft grower shall implement a security plan
15 reviewed by the Illinois State Police that includes, but is
16 not limited to: facility access controls, perimeter intrusion
17 detection systems, personnel identification systems, and a
18 24-hour surveillance system to monitor the interior and
19 exterior of the craft grower facility and that is accessible
20 to authorized law enforcement and the Department of
21 Agriculture in real time.

22 (c) All cultivation of cannabis by a craft grower must
23 take place in an enclosed, locked facility at the physical
24 address provided to the Department of Agriculture during the
25 licensing process. The craft grower location shall only be

1 accessed by the agents working for the craft grower, the
2 Department of Agriculture staff performing inspections, the
3 Department of Public Health staff performing inspections,
4 State and local law enforcement or other emergency personnel,
5 contractors working on jobs unrelated to cannabis, such as
6 installing or maintaining security devices or performing
7 electrical wiring, transporting organization agents as
8 provided in this Act, or participants in the incubator
9 program, individuals in a mentoring or educational program
10 approved by the State, or other individuals as provided by
11 rule. However, if a craft grower shares a premises with an
12 infuser or dispensing organization, agents from those other
13 licensees may access the craft grower portion of the premises
14 if that is the location of common bathrooms, lunchrooms,
15 locker rooms, or other areas of the building where work or
16 cultivation of cannabis is not performed. At no time may an
17 infuser or dispensing organization agent perform work at a
18 craft grower without being a registered agent of the craft
19 grower.

20 (d) A craft grower may not sell or distribute any cannabis
21 to any person other than a cultivation center, a craft grower,
22 an infuser organization, a dispensing organization, or as
23 otherwise authorized by rule.

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

26 (f) A craft grower may not either directly or indirectly

1 discriminate in price between different cannabis business
2 establishments that are purchasing a like grade, strain,
3 brand, and quality of cannabis or cannabis-infused product.
4 Nothing in this subsection (f) prevents a craft grower from
5 pricing cannabis differently based on differences in the cost
6 of manufacturing or processing, the quantities sold, such as
7 volume discounts, or the way the products are delivered.

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

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

23 (i) A craft grower agent shall notify local law
24 enforcement, the Illinois State Police, and the Department of
25 Agriculture within 24 hours of the discovery of any loss or
26 theft. Notification shall be made by phone, in person, or

1 written or electronic communication.

2 (j) A craft grower shall comply with all State and any
3 applicable federal rules and regulations regarding the use of
4 pesticides.

5 (k) A craft grower or craft grower agent shall not
6 transport cannabis or cannabis-infused products to any other
7 cannabis business establishment without a transport
8 organization license unless:

9 (i) If the craft grower is located in a county with a
10 population of 3,000,000 or more, the cannabis business
11 establishment receiving the cannabis is within 2,000 feet
12 of the property line of the craft grower;

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

17 (iii) If the craft grower is located in a county with a
18 population of fewer than 700,000, the cannabis business
19 establishment receiving the cannabis is within 15 miles of
20 the craft grower.

21 (l) A craft grower may enter into a contract with a
22 transporting organization to transport cannabis to a
23 cultivation center, a craft grower, an infuser organization, a
24 dispensing organization, or a laboratory.

25 (m) No person or entity shall hold any legal, equitable,
26 ownership, or beneficial interest, directly or indirectly, of

1 more than 3 craft grower licenses. Further, no person or
2 entity that is employed by, an agent of, or has a contract to
3 receive payment from or participate in the management of a
4 craft grower, is a principal officer of a craft grower, or
5 entity controlled by or affiliated with a principal officer of
6 a craft grower shall hold any legal, equitable, ownership, or
7 beneficial interest, directly or indirectly, in a craft grower
8 license that would result in the person or entity owning or
9 controlling in combination with any craft grower, principal
10 officer of a craft grower, or entity controlled or affiliated
11 with a principal officer of a craft grower by which he, she, or
12 it is employed, is an agent of, or participates in the
13 management of more than 3 craft grower licenses.

14 (n) It is unlawful for any person having a craft grower
15 license or any officer, associate, member, representative, or
16 agent of the licensee to offer or deliver money, or anything
17 else of value, directly or indirectly, to any person having an
18 Early Approval Adult Use Dispensing Organization License, a
19 Conditional Adult Use Dispensing Organization License, an
20 Adult Use Dispensing Organization License, or a medical
21 cannabis dispensing organization license issued under the
22 Compassionate Use of Medical Cannabis Program Act, or to any
23 person connected with or in any way representing, or to any
24 member of the family of, the person holding an Early Approval
25 Adult Use Dispensing Organization License, a Conditional Adult
26 Use Dispensing Organization License, an Adult Use Dispensing

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

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

17 (p) A craft grower may process cannabis, cannabis
18 concentrates, and cannabis-infused products.

19 (q) A craft grower must comply with any other requirements
20 or prohibitions set by administrative rule of the Department
21 of Agriculture.

22 (r) Upon approval of the Department through an application
23 for alteration, craft growers shall retain 90 days of camera
24 storage in any location. The Department may require footage be
25 maintained for purposes of an investigation.

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

1 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
2 5-13-22.)

3 (410 ILCS 705/30-35)

4 Sec. 30-35. Craft grower agent identification card.

5 (a) The Department of Agriculture shall:

6 (1) establish by rule the information required in an
7 initial application or renewal application for an agent
8 identification card submitted under this Act and the
9 nonrefundable fee to accompany the initial application or
10 renewal application;

11 (2) verify the information contained in an initial
12 application or renewal application for an agent
13 identification card submitted under this Act and approve
14 or deny an application within 30 days of receiving a
15 completed initial application or renewal application and
16 all supporting documentation required by rule;

17 (3) issue an agent identification card to a qualifying
18 agent within 15 business days of approving the initial
19 application or renewal application;

20 (4) enter the license number of the craft grower where
21 the agent works; and

22 (5) allow for an electronic initial application and
23 renewal application process, and provide a confirmation by
24 electronic or other methods that an application has been
25 submitted. The Department of Agriculture may by rule

1 require prospective agents to file their applications by
2 electronic means and provide notices to the agents by
3 electronic means.

4 (b) An agent must keep his or her identification card
5 visible at all times when on the property of a cannabis
6 business establishment, including the craft grower
7 organization for which he or she is an agent.

8 (c) The agent identification cards shall contain the
9 following:

10 (1) the name of the cardholder;

11 (2) the date of issuance and expiration date of the
12 identification card;

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

16 (4) a photograph of the cardholder; and

17 (5) the legal name of the craft grower organization
18 employing the agent.

19 (d) An agent identification card shall be immediately
20 returned to the cannabis business establishment of the agent
21 upon termination of his or her employment.

22 (e) Any agent identification card lost by a craft grower
23 agent shall be reported to the Illinois State Police and the
24 Department of Agriculture immediately upon discovery of the
25 loss.

26 (f) The Department of Agriculture shall not issue an agent

1 identification card if the applicant is delinquent in filing
2 any required tax returns or paying any amounts owed to the
3 State of Illinois.

4 (g) The Department and the Department of Financial and
5 Professional Regulation may develop and implement an
6 integrated system to issue an agent identification card that
7 identifies a craft grower agent licensed by the Department as
8 well as any cultivator, dispensary, transporter, community
9 college program, or infuser license or registration the agent
10 may simultaneously hold.

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

12 (410 ILCS 705/30-45)

13 Sec. 30-45. Renewal of craft grower licenses and agent
14 identification cards.

15 (a) Licenses and identification cards issued under this
16 Act shall be renewed annually. Effective July 1, 2026 all
17 craft grower licenses are valid for 2 years upon the next
18 renewal period. A craft grower shall receive written or
19 electronic notice 90 days before the expiration of its current
20 license that the license will expire. The Department of
21 Agriculture shall grant a renewal within 45 days of submission
22 of a renewal application if:

23 (1) the craft grower submits a renewal application and
24 the required nonrefundable renewal fee of \$40,000, or
25 another amount as the Department of Agriculture may set by

1 rule after January 1, 2021;

2 (2) the Department of Agriculture has not suspended
3 the license of the craft grower or suspended or revoked
4 the license for violating this Act or rules adopted under
5 this Act;

6 (3) the craft grower has continued to operate in
7 accordance with all plans submitted as part of its
8 application and approved by the Department of Agriculture
9 or any amendments thereto that have been approved by the
10 Department of Agriculture;

11 (4) the craft grower has submitted an agent, employee,
12 contracting, and subcontracting diversity report as
13 required by the Department; and

14 (5) the craft grower has submitted an environmental
15 impact report.

16 (b) If a craft grower fails to renew its license before
17 expiration, it shall cease operations until its license is
18 renewed.

19 (c) If a craft grower agent fails to renew his or her
20 identification card before its expiration, he or she shall
21 cease to work as an agent of the craft grower organization
22 until his or her identification card is renewed.

23 (d) Any craft grower that continues to operate, or any
24 craft grower agent who continues to work as an agent, after the
25 applicable license or identification card has expired without
26 renewal is subject to the penalties provided under Section

1 45-5.

2 (e) All fees or fines collected from the renewal of a craft
3 grower license shall be deposited into the Cannabis Regulation
4 Fund.

5 (f) The Department of Agriculture shall not renew a
6 license or an agent identification card if the applicant is
7 delinquent in filing any required tax returns or paying any
8 amounts owed to the State of Illinois

9 (g) The Department and the Department of Financial and
10 Professional Regulation may develop and implement an
11 integrated system to issue an agent identification card which
12 identifies a craft grower agent licensed by the Department as
13 well as any cultivator, dispensary, transporter, community
14 college program, or infuser license or registration the agent
15 may simultaneously hold.

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

17 (410 ILCS 705/35-25)

18 Sec. 35-25. Infuser organization requirements;
19 prohibitions.

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

24 (b) An infuser shall implement a security plan reviewed by
25 the Illinois State Police that includes, but is not limited

1 to: facility access controls, perimeter intrusion detection
2 systems, personnel identification systems, and a 24-hour
3 surveillance system to monitor the interior and exterior of
4 the infuser facility and that is accessible to authorized law
5 enforcement, the Department of Public Health, and the
6 Department of Agriculture in real time.

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

1 organization agent perform work at an infuser without being a
2 registered agent of the infuser.

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

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

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

25 (g) Infusers are subject to random inspections by the
26 Department of Agriculture, the Department of Public Health,

1 the Illinois State Police, local law enforcement, or as
2 provided by rule.

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

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

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

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

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

24 (iii) If the infuser is located in a county with a
25 population of fewer than 700,000, the cannabis business
26 establishment receiving the cannabis or cannabis-infused

1 product is within 15 miles of the infuser.

2 (k) An infuser may enter into a contract with a
3 transporting organization to transport cannabis to a
4 dispensing organization or a laboratory.

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

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

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

12 (n) At no time shall an infuser organization or an infuser
13 agent perform the extraction of cannabis concentrate from
14 cannabis flower, except if the infuser organization has also
15 been issued a processor license under Section 35-31(f).

16 (o) Upon approval of the Department through an application
17 for alteration, infusing organizations shall retain 90 days of
18 camera storage in any location. The Department may require
19 footage be maintained for purposes of an investigation.

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 705/35-30)

24 Sec. 35-30. Infuser agent identification card.

25 (a) The Department of Agriculture shall:

1 (1) establish by rule the information required in an
2 initial application or renewal application for an agent
3 identification card submitted under this Act and the
4 nonrefundable fee to accompany the initial application or
5 renewal application;

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

12 (3) issue an agent identification card to a qualifying
13 agent within 15 business days of approving the initial
14 application or renewal application;

15 (4) enter the license number of the infuser where the
16 agent works; and

17 (5) allow for an electronic initial application and
18 renewal application process, and provide a confirmation by
19 electronic or other methods that an application has been
20 submitted. The Department of Agriculture may by rule
21 require prospective agents to file their applications by
22 electronic means and provide notices to the agents by
23 electronic means.

24 (b) An agent must keep his or her identification card
25 visible at all times when on the property of a cannabis
26 business establishment including the cannabis business

1 establishment for which he or she is an agent.

2 (c) The agent identification cards shall contain the
3 following:

4 (1) the name of the cardholder;

5 (2) the date of issuance and expiration date of the
6 identification card;

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

10 (4) a photograph of the cardholder; and

11 (5) the legal name of the infuser organization
12 employing the agent.

13 (d) An agent identification card shall be immediately
14 returned to the infuser organization of the agent upon
15 termination of his or her employment.

16 (e) Any agent identification card lost by a transporting
17 agent shall be reported to the Illinois State Police and the
18 Department of Agriculture immediately upon discovery of the
19 loss.

20 (f) An agent applicant may begin employment at an infuser
21 organization while the agent applicant's identification card
22 application is pending. Upon approval, the Department shall
23 issue the agent's identification card to the agent. If denied,
24 the infuser organization and the agent applicant shall be
25 notified and the agent applicant must cease all activity at
26 the infuser organization immediately.

1 (g) The Department of Agriculture shall not issue an agent
2 identification card if the applicant is delinquent in filing
3 any required tax returns or paying any amounts owed to the
4 State of Illinois.

5 (h) The Department and the Department of Financial and
6 Professional Regulation may develop and implement an
7 integrated system to issue an agent identification card that
8 identifies an infuser agent licensed by the Department as well
9 as any cultivation center, craft grower, dispensary,
10 transporter, or community college program, or registration the
11 agent may simultaneously hold.

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

14 (410 ILCS 705/35-40)

15 Sec. 35-40. Renewal of infuser organization licenses and
16 agent identification cards.

17 (a) Licenses and identification cards issued under this
18 Act shall be renewed annually. Effective July 1, 2026 all
19 infuser organization licenses are valid for two years upon the
20 next renewal period. An infuser organization shall receive
21 written or electronic notice 90 days before the expiration of
22 its current license that the license will expire. The
23 Department of Agriculture shall grant a renewal within 45 days
24 of submission of a renewal application if:

25 (1) the infuser organization submits a renewal

1 application and the required nonrefundable renewal fee of
2 \$20,000, or, after January 1, 2021, another amount set by
3 rule by the Department of Agriculture, to be deposited
4 into the Cannabis Regulation Fund;

5 (2) the Department of Agriculture has not suspended or
6 revoked the license of the infuser organization for
7 violating this Act or rules adopted under this Act;

8 (3) the infuser organization has continued to operate
9 in accordance with all plans submitted as part of its
10 application and approved by the Department of Agriculture
11 or any amendments thereto that have been approved by the
12 Department of Agriculture;

13 (4) The infuser has submitted an agent, employee,
14 contracting, and subcontracting diversity report as
15 required by the Department; and

16 (5) The infuser has submitted an environmental impact
17 report.

18 (b) If an infuser organization fails to renew its license
19 before expiration, it shall cease operations until its license
20 is renewed.

21 (c) If an infuser organization agent fails to renew his or
22 her identification card before its expiration, he or she shall
23 cease to work as an agent of the infuser organization until his
24 or her identification card is renewed.

25 (d) Any infuser organization that continues to operate, or
26 any infuser organization agent who continues to work as an

1 agent, after the applicable license or identification card has
2 expired without renewal is subject to the penalties provided
3 under Section 35-25.

4 (e) The Department shall not renew a license or an agent
5 identification card if the applicant is delinquent in filing
6 any required tax returns or paying any amounts owed to the
7 State of Illinois.

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

9 (410 ILCS 705/40-25)

10 Sec. 40-25. Transporting organization requirements;
11 prohibitions.

12 (a) The operating documents of a transporting organization
13 shall include procedures for the oversight of the transporter,
14 an inventory monitoring system including a physical inventory
15 recorded weekly, accurate recordkeeping, and a staffing plan.

16 (b) A transporting organization may not transport cannabis
17 or cannabis-infused products to any person other than a
18 cultivation center, a craft grower, an infuser organization, a
19 dispensing organization, a testing facility, transfer site, or
20 as otherwise authorized by rule.

21 (c) All cannabis transported by a transporting
22 organization must be entered into a data collection system and
23 placed into a cannabis container for transport.

24 (d) Transporters are subject to random inspections by the
25 Department of Agriculture, the Department of Public Health,

1 the Illinois State Police, or as provided by rule.

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

7 (f) No person under the age of 21 years shall be in a
8 commercial vehicle or trailer transporting cannabis goods.

9 (g) No person or individual who is not a transporting
10 organization agent shall be in a vehicle while transporting
11 cannabis goods.

12 (h) Transporters may not use commercial motor vehicles
13 with a weight rating of over 10,001 pounds.

14 (i) It is unlawful for any person to offer or deliver
15 money, or anything else of value, directly or indirectly, to
16 any of the following persons to obtain preferential placement
17 within the dispensing organization, including, without
18 limitation, on shelves and in display cases where purchasers
19 can view products, or on the dispensing organization's
20 website:

21 (1) a person having a transporting organization
22 license, or any officer, associate, member,
23 representative, or agent of the licensee;

24 (2) a person having an Early Applicant Adult Use
25 Dispensing Organization License, an Adult Use Dispensing
26 Organization License, or a medical cannabis dispensing

1 organization license issued under the Compassionate Use of
2 Medical Cannabis Program Act;

3 (3) a person connected with or in any way
4 representing, or a member of the family of, a person
5 holding an Early Applicant Adult Use Dispensing
6 Organization License, an Adult Use Dispensing Organization
7 License, or a medical cannabis dispensing organization
8 license issued under the Compassionate Use of Medical
9 Cannabis Program Act; or

10 (4) a stockholder, officer, manager, agent, or
11 representative of a corporation engaged in the retail sale
12 of cannabis, an Early Applicant Adult Use Dispensing
13 Organization License, an Adult Use Dispensing Organization
14 License, or a medical cannabis dispensing organization
15 license issued under the Compassionate Use of Medical
16 Cannabis Program Act.

17 (j) A transporting organization agent must keep his or her
18 identification card visible at all times when on the property
19 of a cannabis business establishment and during the
20 transporting of cannabis when acting under his or her duties
21 as a transportation organization agent. During these times,
22 the transporting organization agent must also provide the
23 identification card upon request of any law enforcement
24 officer engaged in his or her official duties.

25 (k) A copy of the transporting organization's registration
26 and a manifest for the delivery shall be present in any vehicle

1 transporting cannabis.

2 (l) Cannabis shall be transported so it is not visible or
3 recognizable from outside the vehicle.

4 (m) A vehicle transporting cannabis must not bear any
5 markings to indicate the vehicle contains cannabis or bear the
6 name or logo of the cannabis business establishment.

7 (n) Cannabis must be transported in an enclosed, locked
8 storage compartment that is secured or affixed to the vehicle.

9 (o) The Department of Agriculture may, by rule, impose any
10 other requirements or prohibitions on the transportation of
11 cannabis.

12 (p) A cannabis business establishment may not schedule any
13 delivery from a transporting organization within 1 hour of the
14 cannabis business establishment's close of business on any
15 business day.

16 (q) A transporting organization may begin a delivery to a
17 cannabis business establishment at any time during the day. A
18 transporting organization may not be restricted from beginning
19 a delivery based on a cannabis business establishment's listed
20 1 business hours.

21 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
22 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
23 5-13-22.)

24 (410 ILCS 705/40-31 new)

25 Sec. 40-31. Transporter transfer site.

1 (a) Transporting organizations may, but are not required
2 to, operate a transfer site.

3 (b) Plans for a transfer site must be submitted and
4 approved by the Department through an application for
5 modification of the license.

6 (c) A transfer site shall be an enclosed facility such as a
7 garage or loading bay with physical walls and ceiling and
8 large enough to fit 2 vehicles.

9 (d) All transfers of cannabis product at a transporter
10 physical location shall be documented in the cannabis plant
11 monitoring system.

12 (e) A transfer site shall be a separate facility from
13 other cannabis business establishments. A transfer site may be
14 adjacent to another cannabis business establishment.

15 (f) Transporter physical locations shall be equipped with
16 cameras and be required to operate and maintain in good
17 working order a 24-hour 7-days a week closed circuit
18 television surveillance system. The electronic security system
19 shall be available 24 hours per day 7 days per week to the
20 Department and the Illinois State Police via a secure
21 web-based portal with forward and backward playback abilities.

22 (g) The Department may by rule establish standards and
23 requirements for the storage of cannabis product. Transporters
24 are not permitted to store cannabis products at a transfer
25 site until authorized by rule.

26 (h) The Department and the Department of Financial and

1 Professional Regulation may develop and implement an
2 integrated system to issue an agent identification card that
3 identifies a transporter agent licensed by the Department as
4 well as any cultivation center, craft grower, dispensary,
5 infuser, or community college program, or registration the
6 agent may simultaneously hold.

7 (410 ILCS 705/45-5)

8 Sec. 45-5. License suspension; revocation; other
9 penalties.

10 (a) Notwithstanding any other criminal penalties related
11 to the unlawful possession of cannabis, the Department of
12 Financial and Professional Regulation and the Department of
13 Agriculture may revoke, suspend, place on probation,
14 reprimand, issue cease and desist orders, refuse to issue or
15 renew a license, or take any other disciplinary or
16 nondisciplinary action as each department may deem proper with
17 regard to a cannabis business establishment or cannabis
18 business establishment agent, including fines not to exceed:

19 (1) \$50,000 for each violation of this Act or rules
20 adopted under this Act by a cultivation center or
21 cultivation center agent;

22 (2) \$20,000 for each violation of this Act or rules
23 adopted under this Act by a dispensing organization or
24 dispensing organization agent;

25 (3) \$15,000 for each violation of this Act or rules

1 adopted under this Act by a craft grower or craft grower
2 agent;

3 (4) \$10,000 for each violation of this Act or rules
4 adopted under this Act by an infuser organization or
5 infuser organization agent; and

6 (5) \$10,000 for each violation of this Act or rules
7 adopted under this Act by a transporting organization or
8 transporting organization agent.

9 (6) \$15,000 for each violation of this Act or rules
10 adopted under this Act by a cannabis testing facility.

11 (b) The Department of Financial and Professional
12 Regulation and the Department of Agriculture, as the case may
13 be, shall consider licensee cooperation in any agency or other
14 investigation in its determination of penalties imposed under
15 this Section.

16 (c) The procedures for disciplining a cannabis business
17 establishment or cannabis business establishment agent and for
18 administrative hearings shall be determined by rule, and shall
19 provide for the review of final decisions under the
20 Administrative Review Law.

21 (d) The Attorney General may also enforce a violation of
22 Section 55-20, Section 55-21, and Section 15-155 as an
23 unlawful practice under the Consumer Fraud and Deceptive
24 Business Practices Act.

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

1 (410 ILCS 705/50-5)

2 Sec. 50-5. Laboratory testing.

3 (a) Notwithstanding any other provision of law, the
4 following acts, when performed by a cannabis testing facility
5 with a current, valid license ~~registration~~, or a person 21
6 years of age or older who is acting in his or her capacity as
7 an owner, employee, or agent of a cannabis testing facility,
8 are not unlawful and shall not be an offense under Illinois law
9 or be a basis for seizure or forfeiture of assets under
10 Illinois law:

11 (1) possessing, repackaging, transporting, storing, or
12 displaying cannabis or cannabis-infused products;

13 (2) receiving or transporting cannabis or
14 cannabis-infused products from a cannabis business
15 establishment, a community college licensed under the
16 Community College Cannabis Vocational Training Pilot
17 Program, or a person 21 years of age or older; and

18 (3) returning or transporting cannabis or
19 cannabis-infused products to a cannabis business
20 establishment, a community college licensed under the
21 Community College Cannabis Vocational Training Pilot
22 Program, or a person 21 years of age or older.

23 (b) (1) No laboratory shall handle, test, or analyze
24 cannabis unless approved by the Department of Agriculture in
25 accordance with this Section.

26 (2) No laboratory shall be approved to handle, test, or

1 analyze cannabis unless the laboratory:

2 (A) is licensed by the Department of Agriculture;

3 (A-5) is accredited by a private laboratory
4 accrediting organization;

5 (B) is independent from all other persons involved in
6 the cannabis industry in Illinois and no person with a
7 direct or indirect interest in the laboratory has a direct
8 or indirect financial, management, or other interest in an
9 Illinois cultivation center, craft grower, dispensary,
10 infuser, transporter, certifying physician, or any other
11 entity in the State that may benefit from the production,
12 manufacture, dispensing, sale, purchase, or use of
13 cannabis; and

14 (C) has employed at least one person to oversee and be
15 responsible for the laboratory testing who has earned,
16 from a college or university accredited by a national or
17 regional certifying authority, at least:

18 (i) a master's level degree in chemical or
19 biological sciences and a minimum of 2 years'
20 post-degree laboratory experience; or

21 (ii) a bachelor's degree in chemical or biological
22 sciences and a minimum of 4 years' post-degree
23 laboratory experience.

24 (3) Each independent testing laboratory that claims to be
25 accredited must provide the Department of Agriculture with a
26 copy of the most recent annual inspection report granting

1 accreditation and every annual report thereafter.

2 (c) Immediately before manufacturing or natural processing
3 of any cannabis or cannabis-infused product or packaging
4 cannabis for sale to a dispensary, each batch shall be made
5 available by the cultivation center, craft grower, or infuser
6 for an employee of an approved laboratory to select a random
7 sample, which shall be tested by the approved laboratory for:

8 (1) microbiological contaminants;

9 (2) mycotoxins;

10 (3) pesticide active ingredients;

11 (4) residual solvent; and

12 (5) an active ingredient analysis.

13 (d) The Department of Agriculture may select a random
14 sample that shall, for the purposes of conducting an active
15 ingredient analysis, be tested by the Department of
16 Agriculture for verification of label information and any
17 other testing deemed necessary by the Department.

18 (e) A laboratory shall immediately return or dispose of
19 any cannabis upon the completion of any testing, use, or
20 research. If cannabis is disposed of, it shall be done in
21 compliance with Department of Agriculture rule.

22 (f) If a sample of cannabis does not pass the
23 microbiological, mycotoxin, pesticide chemical residue, or
24 solvent residue test, based on the standards established by
25 the Department of Agriculture, the following shall apply:

26 (1) If the sample failed the pesticide chemical

1 residue test, the entire batch from which the sample was
2 taken shall, if applicable, be recalled as provided by
3 rule.

4 (2) If the sample failed any other test, the batch may
5 be used to make a CO₂-based or solvent based extract. After
6 processing, the CO₂-based or solvent based extract must
7 still pass all required tests.

8 (g) The Department of Agriculture shall establish, 16 and
9 from time to time revise, standards for microbial, mycotoxin,
10 pesticide residue, solvent residue, or other standards for the
11 presence of possible contaminants, in addition to labeling
12 requirements for contents and potency. The standards adopted
13 by the Department of Agriculture under this subsection (g)
14 shall consistent with national cannabis industry standards.

15 (h) The laboratory shall file with the Department of
16 Agriculture an electronic copy of each laboratory test result
17 for any batch that does not pass the microbiological,
18 mycotoxin, or pesticide chemical residue test, at the same
19 time that it transmits those results to the cultivation
20 center. In addition, the laboratory shall maintain the
21 laboratory test results for at least 5 years and make them
22 available at the Department of Agriculture's request.

23 (i) A cultivation center, craft grower, and infuser shall
24 provide to a dispensing organization the laboratory test
25 results for each batch of cannabis product purchased by the
26 dispensing organization, if sampled. Each dispensing

1 organization must have those laboratory results available upon
2 request to purchasers.

3 (j) The Department of Agriculture may adopt rules related
4 to testing and licensing of laboratories in furtherance of
5 this Act.

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

7 (410 ILCS 705/55-5)

8 Sec. 55-5. Preparation of cannabis-infused products.

9 (a) The Department of Agriculture may regulate the
10 production of cannabis-infused products by a cultivation
11 center, a craft grower, an infuser organization, or a
12 dispensing organization and establish rules related to
13 refrigeration, hot-holding, and handling of cannabis-infused
14 products. All cannabis-infused products shall meet the
15 packaging and labeling requirements contained in Section
16 55-21.

17 (b) Cannabis-infused products for sale or distribution at
18 a dispensing organization must be prepared by an approved
19 agent of a cultivation center, craft grower, or infuser
20 organization.

21 (c) A cultivation center, craft grower, or infuser
22 organization that prepares cannabis-infused products for sale
23 or distribution by a dispensing organization shall be under
24 the operational supervision of a Department of Public Health
25 certified food service sanitation manager.

1 (d) Dispensing organizations may not manufacture, process,
2 or produce cannabis-infused products.

3 (e) The Department of Public Health shall adopt and
4 enforce rules for the manufacture and processing of
5 cannabis-infused products, and for that purpose it may at all
6 times enter every building, room, basement, enclosure, or
7 premises occupied or used, or suspected of being occupied or
8 used, for the production, preparation, manufacture for sale,
9 storage, sale, processing, distribution, or transportation of
10 cannabis-infused products, and to inspect the premises
11 together with all utensils, fixtures, furniture, and machinery
12 used for the preparation of these products.

13 (f) The Department of Agriculture shall by rule establish
14 a maximum level of THC that may be contained in each serving of
15 cannabis-infused product, and within the product package.

16 (g) If a local public health agency has a reasonable
17 belief that a cannabis-infused product poses a public health
18 hazard, it may refer the cultivation center, craft grower, or
19 infuser that manufactured or processed the cannabis-infused
20 product to the Department of Public Health. If the Department
21 of Public Health finds that a cannabis-infused product poses a
22 health hazard, it may bring an action for immediate injunctive
23 relief to require that action be taken as the court may deem
24 necessary to meet the hazard of the cultivation facility or
25 seek other relief as provided by rule.

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

1 (410 ILCS 705/55-10)

2 Sec. 55-10. Maintenance of inventory. Through June 30,
3 2026, all ~~All~~ dispensing organizations authorized to serve
4 ~~both~~ registered qualifying patients, ~~and~~ caregivers, ~~and~~
5 purchasers, and Opioid Alternative Patient Program
6 participants are required to report which cannabis and
7 cannabis-infused products are purchased for sale under the
8 Compassionate Use of Medical Cannabis Program Act, and which
9 cannabis and cannabis-infused products are purchased under
10 this Act. Nothing in this Section prohibits a registered
11 qualifying patient under the Compassionate Use of Medical
12 Cannabis Program Act from purchasing cannabis as a purchaser
13 under this Act.

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

15 (410 ILCS 705/55-30)

16 Sec. 55-30. Confidentiality.

17 (a) Information provided by the cannabis business
18 establishment licensees or applicants to the Department of
19 Agriculture, the Department of Public Health, the Department
20 of Financial and Professional Regulation, the Department of
21 Commerce and Economic Opportunity, or other agency shall be
22 limited to information necessary for the purposes of
23 administering this Act. The information is subject to the
24 provisions and limitations contained in the Freedom of

1 Information Act and may be disclosed in accordance with
2 Section 55-65.

3 (b) The following information received and records kept by
4 the Department of Agriculture, the Department of Public
5 Health, the Illinois State Police, and the Department of
6 Financial and Professional Regulation for purposes of
7 administering this Article are subject to all applicable
8 federal privacy laws, are confidential and exempt from
9 disclosure under the Freedom of Information Act, except as
10 provided in this Act, and not subject to disclosure to any
11 individual or public or private entity, except to the
12 Department of Financial and Professional Regulation, the
13 Department of Agriculture, the Department of Public Health,
14 the Department of Commerce and Economic Opportunity, the
15 Office of Executive Inspector General, and the Illinois State
16 Police as necessary to perform official duties under this
17 Article and to the Attorney General as necessary to enforce
18 the provisions of this Act, and except as necessary to those
19 involved in enforcing the State Officials and Employees Ethics
20 Act. The following information received and kept by the
21 Department of Financial and Professional Regulation or the
22 Department of Agriculture may be disclosed to the Department
23 of Public Health, the Department of Agriculture, the
24 Department of Revenue, the Department of Commerce and Economic
25 Opportunity, the Department of Revenue, the Illinois State
26 Police, the Office of Executive Inspector General, or the

1 Attorney General upon proper request:

2 (1) Applications and renewals, their contents, and
3 supporting information submitted by or on behalf of
4 dispensing organizations, cannabis business
5 establishments, or Community College Cannabis Vocational
6 Program licensees, in compliance with this Article,
7 including their physical addresses; however, this does not
8 preclude the release of ownership information about
9 cannabis business establishment licenses, or information
10 submitted with an application required to be disclosed
11 pursuant to subsection (f);

12 (2) Any plans, procedures, policies, or other records
13 relating to cannabis business establishment security; and

14 (3) Information otherwise exempt from disclosure by
15 State or federal law.

16 Illinois or national criminal history record information,
17 or the nonexistence or lack of such information, may not be
18 disclosed by the Department of Financial and Professional
19 Regulation or the Department of Agriculture, except as
20 necessary to the Attorney General to enforce this Act.

21 (c) The name and address of a dispensing organization
22 licensed under this Act shall be subject to disclosure under
23 the Freedom of Information Act. The name and cannabis business
24 establishment address of the person or entity holding each
25 cannabis business establishment license shall be subject to
26 disclosure.

1 (d) All information collected by the Department of
2 Financial and Professional Regulation or the Department of
3 Agriculture in the course of an examination, inspection, or
4 investigation of a licensee or applicant, including, but not
5 limited to, any complaint against a licensee or applicant
6 filed with the Department of Financial and Professional
7 Regulation or the Department of Agriculture and information
8 collected to investigate any such complaint, shall be
9 maintained for the confidential use of the Department of
10 Financial and Professional Regulation or the Department of
11 Agriculture and shall not be disclosed, except to those
12 involved in enforcing the State Officials and Employees Ethics
13 Act and as otherwise provided in this Act. A formal complaint
14 against a licensee by the Department of Financial and
15 Professional Regulation or the Department of Agriculture or
16 any disciplinary order issued by the Department of Financial
17 and Professional Regulation or the Department of Agriculture
18 against a licensee or applicant shall be a public record,
19 except as otherwise provided by law. Complaints from consumers
20 or members of the general public received regarding a
21 specific, named licensee or complaints regarding conduct by
22 unlicensed entities shall be subject to disclosure under the
23 Freedom of Information Act.

24 (e) The Department of Agriculture, the Illinois State
25 Police, and the Department of Financial and Professional
26 Regulation shall not share or disclose any Illinois or

1 national criminal history record information, or the
2 nonexistence or lack of such information, to any person or
3 entity not expressly authorized by this Act.

4 (f) Each Department responsible for licensure under this
5 Act shall publish on the Department's website a list of the
6 ownership information of cannabis business establishment
7 licensees under the Department's jurisdiction. The list shall
8 include, but is not limited to: the name of the person or
9 entity holding each cannabis business establishment license;
10 and the address at which the entity is operating under this
11 Act. This list shall be published and updated monthly.

12 (g) Notwithstanding anything in this Section to the
13 contrary, the Department of Financial and Professional
14 Regulation and the Department of Agriculture may share with
15 the Department of Commerce and Economic Opportunity any
16 licensee information necessary to support the administration
17 of social equity programming.

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

21 (410 ILCS 705/55-65)

22 Sec. 55-65. Financial institutions.

23 (a) A financial institution that provides financial
24 services customarily provided by financial institutions to a
25 cannabis business establishment authorized under this Act or

1 the Compassionate Use of Medical Cannabis Program Act, or to a
2 person that is affiliated with such cannabis business
3 establishment, is exempt from any criminal law of this State
4 as it relates to cannabis-related conduct authorized under
5 State law.

6 (b) Upon request of a financial institution, a cannabis
7 business establishment or proposed cannabis business
8 establishment may provide to the financial institution the
9 following information:

10 (1) Whether a cannabis business establishment with
11 which the financial institution is doing or is considering
12 doing business holds a license under this Act or the
13 Compassionate Use of Medical Cannabis Program Act;

14 (2) The name of any other business or individual
15 affiliate with the cannabis business establishment;

16 (3) A copy of the application, and any supporting
17 documentation submitted with the application, for a
18 license or a permit submitted on behalf of the proposed
19 cannabis business establishment;

20 (4) If applicable, data relating to sales and the
21 volume of product sold by the cannabis business
22 establishment;

23 (5) Any past or pending violation by the person of
24 this Act, the Compassionate Use of Medical Cannabis
25 Program Act, or the rules adopted under these Acts where
26 applicable; and

1 (6) Any penalty imposed upon the person for violating
2 this Act, the Compassionate Use of Medical Cannabis
3 Program Act, or the rules adopted under these Acts.

4 (c) (Blank).

5 (d) (Blank).

6 (e) Information received by a financial institution under
7 this Section is confidential. Except as otherwise required or
8 permitted by this Act, State law or rule, or federal law or
9 regulation, a financial institution may not make the
10 information available to any person other than:

11 (1) the customer to whom the information applies;

12 (2) a trustee, conservator, guardian, personal
13 representative, or agent of the customer to whom the
14 information applies; a federal or State regulator when
15 requested in connection with an examination of the
16 financial institution or if otherwise necessary for
17 complying with federal or State law;

18 (3) a federal or State regulator when requested in
19 connection with an examination of the financial
20 institution or if otherwise necessary for complying with
21 federal or State law; ~~and~~

22 (4) a third party performing services for the
23 financial institution, provided the third party is
24 performing such services under a written agreement that
25 expressly or by operation of law prohibits the third
26 party's sharing and use of such confidential information

1 for any purpose other than as provided in its agreement to
2 provide services to the financial institution; and ~~and~~

3 (5) the Office of Executive Inspector General pursuant
4 to an investigation under the State Officials and
5 Employees Ethics Act.

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

7 (410 ILCS 705/55-85)

8 Sec. 55-85. Medical cannabis.

9 ~~(a)~~ Nothing in this Act shall be construed to limit any
10 privileges or rights of a qualifying ~~medical cannabis~~ patient
11 including minor patients, designated ~~primary~~ caregiver,
12 medical cannabis cultivation center, provisional patient and
13 Opioid Alternative Patient Program participant or medical
14 cannabis dispensing organization under the Compassionate Use
15 of Medical Cannabis Program Act, and where there is conflict
16 between this Act and the Compassionate Use of Medical Cannabis
17 Program Act as they relate to medical cannabis patients, the
18 Compassionate Use of Medical Cannabis Program Act shall
19 prevail.

20 ~~(b) Dispensary locations that obtain an Early Approval~~
21 ~~Adult Use Dispensary Organization License or an Adult Use~~
22 ~~Dispensary Organization License in accordance with this Act at~~
23 ~~the same location as a medical cannabis dispensing~~
24 ~~organization registered under the Compassionate Use of Medical~~
25 ~~Cannabis Program Act shall maintain an inventory of medical~~

1 ~~cannabis and medical cannabis products on a monthly basis that~~
2 ~~is substantially similar in variety and quantity to the~~
3 ~~products offered at the dispensary during the 6-month period~~
4 ~~immediately before the effective date of this Act.~~

5 ~~(c) Beginning June 30, 2020, the Department of Agriculture~~
6 ~~shall make a quarterly determination whether inventory~~
7 ~~requirements established for dispensaries in subsection (b)~~
8 ~~should be adjusted due to changing patient need.~~

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

10 (410 ILCS 705/60-5)

11 Sec. 60-5. Definitions. In this Article:

12 "Cannabis" has the meaning given to that term in Article 1
13 of this Act, except that, through June 30, 2026, it does not
14 include cannabis that is subject to tax under the
15 Compassionate Use of Medical Cannabis Program Act.

16 "Craft grower" has the meaning given to that term in
17 Article 1 of this Act.

18 "Cultivation center" has the meaning given to that term in
19 Article 1 of this Act. On and after July 1, 2026, "cultivation
20 center" includes any cultivation center which, prior to July
21 1, 2026, was a cultivation center as defined in the
22 Compassionate Use of Medical Cannabis Program Act.

23 "Cultivator" or "taxpayer" means a cultivation center or
24 craft grower who is subject to tax under this Article. On and
25 after July 1, 2026, "cultivator" includes any cultivator

1 which, prior to July 1, 2026, was a cultivator as defined under
2 the Compassionate Use of Medical Cannabis Program Act.

3 "Department" means the Department of Revenue.

4 "Director" means the Director of Revenue.

5 "Dispensing organization" or "dispensary" has the meaning
6 given to that term in Article 1 of this Act.

7 "Gross receipts" from the sales of cannabis by a
8 cultivator means the total selling price or the amount of such
9 sales, as defined in this Article. In the case of charges and
10 time sales, the amount thereof shall be included only when
11 payments are received by the cultivator.

12 "Person" means a natural individual, firm, partnership,
13 association, joint stock company, joint adventure, public or
14 private corporation, limited liability company, or a receiver,
15 executor, trustee, guardian, or other representative appointed
16 by order of any court.

17 "Infuser" means "infuser organization" or "infuser" as
18 defined in Article 1 of this Act.

19 "Selling price" or "amount of sale" means the
20 consideration for a sale valued in money whether received in
21 money or otherwise, including cash, credits, property, and
22 services, and shall be determined without any deduction on
23 account of the cost of the property sold, the cost of materials
24 used, labor or service cost, or any other expense whatsoever,
25 but does not include separately stated charges identified on
26 the invoice by cultivators to reimburse themselves for their

1 tax liability under this Article.

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

3 (410 ILCS 705/60-10)

4 Sec. 60-10. Tax imposed.

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

25 (b) The Cannabis Cultivation Privilege Tax imposed under

1 this Article is solely the responsibility of the cultivator
2 who makes the first sale and is not the responsibility of a
3 subsequent purchaser, a dispensing organization, or an
4 infuser. Persons subject to the tax imposed under this Article
5 may, however, reimburse themselves for their tax liability
6 hereunder by separately stating reimbursement for their tax
7 liability as an additional charge.

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

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

13 (410 ILCS 705/65-5)

14 Sec. 65-5. Definitions. In this Article:

15 "Adjusted delta-9-tetrahydrocannabinol level" means, for a
16 delta-9-tetrahydrocannabinol dominant product, the sum of the
17 percentage of delta-9-tetrahydrocannabinol plus .877
18 multiplied by the percentage of tetrahydrocannabinolic acid.

19 "Cannabis" has the meaning given to that term in Article 1
20 of this Act, except that through June 30, 2026, it does not
21 include cannabis that is subject to tax under the
22 Compassionate Use of Medical Cannabis Program Act.

23 "Cannabis-infused product" means beverage food, oils,
24 ointments, tincture, topical formulation, or another product
25 containing cannabis that is not intended to be smoked.

1 "Cannabis retailer" means a dispensing organization that
2 sells cannabis for use and not for resale.

3 "Craft grower" has the meaning given to that term in
4 Article 1 of this Act.

5 "Department" means the Department of Revenue.

6 "Director" means the Director of Revenue.

7 "Dispensing organization" or "dispensary" has the meaning
8 given to that term in Article 1 of this Act.

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

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

19 "Purchase price" means the consideration paid for a
20 purchase of cannabis, valued in money, whether received in
21 money or otherwise, including cash, gift cards, credits, and
22 property and shall be determined without any deduction on
23 account of the cost of materials used, labor or service costs,
24 or any other expense whatsoever. However, "purchase price"
25 does not include consideration paid for:

26 (1) any charge for a payment that is not honored by a

1 financial institution;

2 (2) any finance or credit charge, penalty or charge
3 for delayed payment, or discount for prompt payment; and

4 (3) any amounts added to a purchaser's bill because of
5 charges made under the tax imposed by this Article, the
6 Municipal Cannabis Retailers' Occupation Tax Law, the
7 County Cannabis Retailers' Occupation Tax Law, the
8 Retailers' Occupation Tax Act, the Use Tax Act, the
9 Service Occupation Tax Act, the Service Use Tax Act, or
10 any locally imposed occupation or use tax.

11 "Purchaser" means a person who acquires cannabis for a
12 valuable consideration.

13 "Qualifying patient" or "qualified patient" means a person
14 who has been diagnosed by a certifying health care
15 professional as having a debilitating medical condition as
16 defined under the Compassionate Use of Medical Cannabis
17 Program Act.

18 "Taxpayer" means a cannabis retailer who is required to
19 collect the tax imposed under this Article.

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

21 (410 ILCS 705/65-10)

22 Sec. 65-10. Tax imposed.

23 (a) Beginning January 1, 2020, a tax is imposed upon
24 purchasers for the privilege of using cannabis, and not for
25 the purpose of resale, at the following rates:

1 (1) Any cannabis, other than a cannabis-infused
2 product, with an adjusted delta-9-tetrahydrocannabinol
3 level at or below 35% shall be taxed at a rate of 10% of
4 the purchase price;

5 (2) Any cannabis, other than a cannabis-infused
6 product, with an adjusted delta-9-tetrahydrocannabinol
7 level above 35% shall be taxed at a rate of 25% of the
8 purchase price; and

9 (3) A cannabis-infused product shall be taxed at a
10 rate of 20% of the purchase price.

11 (b) The purchase of any product that contains any amount
12 of cannabis or any derivative thereof is subject to the tax
13 under subsection (a) of this Section on the full purchase
14 price of the product.

15 (c) Through June 30, 2026, the ~~The~~ tax imposed under this
16 Section is not imposed on cannabis that is subject to tax under
17 the Compassionate Use of Medical Cannabis Program Act. The tax
18 imposed by this Section is not imposed with respect to any
19 transaction in interstate commerce, to the extent the
20 transaction may not, under the Constitution and statutes of
21 the United States, be made the subject of taxation by this
22 State. Beginning July 1, 2026, the tax imposed under this
23 Article shall not be imposed on cannabis or cannabis-infused
24 products purchased by a qualified patient, designated
25 caregiver, Opioid Alternative Patient Program participant, or
26 provisional patient when purchasing cannabis or

1 cannabis-infused products under this Act as part of their
2 adequate medical supply as these terms are defined under
3 Section 1-10 of this Act.

4 (d) The tax imposed under this Article shall be in
5 addition to all other occupation, privilege, or excise taxes
6 imposed by the State of Illinois or by any municipal
7 corporation or political subdivision thereof.

8 (e) The tax imposed under this Article shall not be
9 imposed on any purchase by a purchaser if the cannabis
10 retailer is prohibited by federal or State Constitution,
11 treaty, convention, statute, or court decision from collecting
12 the tax from the purchaser.

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

14 (410 ILCS 705/65-30)

15 Sec. 65-30. Return and payment of tax by cannabis
16 retailer. Each cannabis retailer that is required or
17 authorized to collect the tax imposed by this Article shall
18 make a return to the Department, by electronic means, on or
19 before the 20th day of each month for the preceding calendar
20 month stating the following:

21 (1) the cannabis retailer's name;

22 (2) the address of the cannabis retailer's principal
23 place of business and the address of the principal place
24 of business (if that is a different address) from which
25 the cannabis retailer is engaged in the business of

1 selling cannabis subject to tax under this Article;

2 (3) the total purchase price received by the cannabis
3 retailer for cannabis subject to tax under this Article;

4 (4) the amount of tax due at each rate;

5 (5) the signature of the cannabis retailer; and

6 (6) any other information as the Department may
7 reasonably require.

8 All returns required to be filed and payments required to
9 be made under this Article shall be by electronic means.
10 Cannabis retailers who demonstrate hardship in paying
11 electronically may petition the Department to waive the
12 electronic payment requirement.

13 Any amount that is required to be shown or reported on any
14 return or other document under this Article shall, if the
15 amount is not a whole-dollar amount, be increased to the
16 nearest whole-dollar amount if the fractional part of a dollar
17 is \$0.50 or more and decreased to the nearest whole-dollar
18 amount if the fractional part of a dollar is less than \$0.50.
19 If a total amount of less than \$1 is payable, refundable, or
20 creditable, the amount shall be disregarded if it is less than
21 \$0.50 and shall be increased to \$1 if it is \$0.50 or more.

22 The cannabis retailer making the return provided for in
23 this Section shall also pay to the Department, in accordance
24 with this Section, the amount of tax imposed by this Article,
25 less a discount of 1.75%, but not to exceed \$1,000 per return
26 period, which is allowed to reimburse the cannabis retailer

1 for the expenses incurred in keeping records, collecting tax,
2 preparing and filing returns, remitting the tax, and supplying
3 data to the Department upon request. No discount may be
4 claimed by a cannabis retailer on returns not timely filed and
5 for taxes not timely remitted. No discount may be claimed by a
6 taxpayer for any return that is not filed electronically. No
7 discount may be claimed by a taxpayer for any payment that is
8 not made electronically, unless a waiver has been granted
9 under this Section.

10 Notwithstanding any other provision of this Article
11 concerning the time within which a cannabis retailer may file
12 a return, any such cannabis retailer who ceases to engage in
13 the kind of business that makes the person responsible for
14 filing returns under this Article shall file a final return
15 under this Article with the Department within one month after
16 discontinuing the business.

17 Each cannabis retailer shall make estimated payments to
18 the Department on or before the 7th, 15th, 22nd, and last day
19 of the month during which tax liability to the Department is
20 incurred. The payments shall be in an amount not less than the
21 lower of either 22.5% of the cannabis retailer's actual tax
22 liability for the month or 25% of the cannabis retailer's
23 actual tax liability for the same calendar month of the
24 preceding year. The amount of the quarter-monthly payments
25 shall be credited against the final tax liability of the
26 cannabis retailer's return for that month. If any such

1 quarter-monthly payment is not paid at the time or in the
2 amount required by this Section, then the cannabis retailer
3 shall be liable for penalties and interest on the difference
4 between the minimum amount due as a payment and the amount of
5 the quarter-monthly payment actually and timely paid, except
6 insofar as the cannabis retailer has previously made payments
7 for that month to the Department in excess of the minimum
8 payments previously due as provided in this Section.

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

1 return within 30 days after the proper notice and demand for
2 signature by the Department is received by the cannabis
3 retailer, the return shall be considered valid and any amount
4 shown to be due on the return shall be deemed assessed.

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

6 (410 ILCS 705/65-38)

7 Sec. 65-38. Violations and penalties.

8 (a) When the amount due is under \$300, any retailer of
9 cannabis who fails to file a return, willfully fails or
10 refuses to make any payment to the Department of the tax
11 imposed by this Article, or files a fraudulent return, or any
12 officer or agent of a corporation engaged in the business of
13 selling cannabis to purchasers located in this State who signs
14 a fraudulent return filed on behalf of the corporation, or any
15 accountant or other agent who knowingly enters false
16 information on the return of any taxpayer under this Article
17 is guilty of a Class 4 felony.

18 (b) When the amount due is \$300 or more, any retailer of
19 cannabis who fails to file a return, willfully fails or
20 refuses to make any payment to the Department of the tax
21 imposed by this Article, files, or causes to be filed, a
22 fraudulent return, or any officer or agent of a corporation
23 engaged in the business of selling cannabis to purchasers
24 located in this State who files or causes to be filed or signs
25 or causes to be signed a fraudulent return filed on behalf of

1 the corporation, or any accountant or other agent who
2 knowingly enters false information on the return of any
3 taxpayer under this Article is guilty of a Class 3 felony.

4 (c) Any person who violates any provision of Section
5 65-20, or fails to keep books and records as required under
6 this Article, ~~or willfully violates a rule of the Department~~
7 ~~for the administration and enforcement of this Article~~ is
8 guilty of a Class 4 felony. A person commits a separate offense
9 on each day that he or she engages in business in violation of
10 Section 65-20 ~~or a rule of the Department for the~~
11 ~~administration and enforcement of this Article~~. If a person
12 fails to produce the books and records for inspection by the
13 Department upon request, a prima facie presumption shall arise
14 that the person has failed to keep books and records as
15 required under this Article. A person who is unable to rebut
16 this presumption is in violation of this Article and is
17 subject to the penalties provided in this Section.

18 (d) Any person who ~~violates any provision of Sections~~
19 ~~65-20, fails to keep books and records as required under this~~
20 ~~Article, or willfully violates a rule of the Department for~~
21 ~~the administration and enforcement of this Article, is guilty~~
22 ~~of a business offense and may be fined up to \$5,000. If a~~
23 ~~person fails to produce books and records for inspection by~~
24 ~~the Department upon request, a prima facie presumption shall~~
25 ~~arise that the person has failed to keep books and records as~~
26 ~~required under this Article. A person who is unable to rebut~~

1 ~~this presumption is in violation of this Article and is~~
2 ~~subject to the penalties provided in this Section.~~ A person
3 commits a separate offense on each day that he or she engages
4 in business in violation of a rule of the Department for the
5 administration and enforcement of this Article ~~Section 65-20.~~

6 (e) Any taxpayer or agent of a taxpayer who with the intent
7 to defraud purports to make a payment due to the Department by
8 issuing or delivering a check or other order upon a real or
9 fictitious depository for the payment of money, knowing that
10 it will not be paid by the depository, is guilty of a deceptive
11 practice in violation of Section 17-1 of the Criminal Code of
12 2012.

13 (f) Any person who fails to keep books and records or fails
14 to produce books and records for inspection, as required by
15 Section 65-36, is liable to pay to the Department, for deposit
16 in the Tax Compliance and Administration Fund, a penalty of
17 \$1,000 for the first failure to keep books and records or
18 failure to produce books and records for inspection, as
19 required by Section 65-36, and \$3,000 for each subsequent
20 failure to keep books and records or failure to produce books
21 and records for inspection, as required by Section 65-36.

22 (g) Any person who knowingly acts as a retailer of
23 cannabis in this State without first having obtained a
24 certificate of registration to do so in compliance with
25 Section 65-20 of this Article shall be guilty of a Class 4
26 felony.

1 (h) A person commits the offense of tax evasion under this
2 Article when he or she knowingly attempts in any manner to
3 evade or defeat the tax imposed on him or her or on any other
4 person, or the payment thereof, and he or she commits an
5 affirmative act in furtherance of the evasion. As used in this
6 Section, "affirmative act in furtherance of the evasion" means
7 an act designed in whole or in part to (i) conceal,
8 misrepresent, falsify, or manipulate any material fact or (ii)
9 tamper with or destroy documents or materials related to a
10 person's tax liability under this Article. Two or more acts of
11 sales tax evasion may be charged as a single count in any
12 indictment, information, or complaint and the amount of tax
13 deficiency may be aggregated for purposes of determining the
14 amount of tax that is attempted to be or is evaded and the
15 period between the first and last acts may be alleged as the
16 date of the offense.

17 (1) When the amount of tax, the assessment or payment
18 of which is attempted to be or is evaded is less than \$500,
19 a person is guilty of a Class 4 felony.

20 (2) When the amount of tax, the assessment or payment
21 of which is attempted to be or is evaded is \$500 or more
22 but less than \$10,000, a person is guilty of a Class 3
23 felony.

24 (3) When the amount of tax, the assessment or payment
25 of which is attempted to be or is evaded is \$10,000 or more
26 but less than \$100,000, a person is guilty of a Class 2

1 felony.

2 (4) When the amount of tax, the assessment or payment
3 of which is attempted to be or is evaded is \$100,000 or
4 more, a person is guilty of a Class 1 felony.

5 Any person who knowingly sells, purchases, installs,
6 transfers, possesses, uses, or accesses any automated sales
7 suppression device, zapper, or phantom-ware in this State is
8 guilty of a Class 3 felony.

9 As used in this Section:

10 "Automated sales suppression device" or "zapper" means a
11 software program that falsifies the electronic records of an
12 electronic cash register or other point-of-sale system,
13 including, but not limited to, transaction data and
14 transaction reports. The term includes the software program,
15 any device that carries the software program, or an Internet
16 link to the software program.

17 "Phantom-ware" means a hidden programming option embedded
18 in the operating system of an electronic cash register or
19 hardwired into an electronic cash register that can be used to
20 create a second set of records or that can eliminate or
21 manipulate transaction records in an electronic cash register.

22 "Electronic cash register" means a device that keeps a
23 register or supporting documents through the use of an
24 electronic device or computer system designed to record
25 transaction data for the purpose of computing, compiling, or
26 processing retail sales transaction data in any manner.

1 "Transaction data" includes: items purchased by a
2 purchaser; the price of each item; a taxability determination
3 for each item; a segregated tax amount for each taxed item; the
4 amount of cash or credit tendered; the net amount returned to
5 the customer in change; the date and time of the purchase; the
6 name, address, and identification number of the vendor; and
7 the receipt or invoice number of the transaction.

8 "Transaction report" means a report that documents,
9 without limitation, the sales, taxes, or fees collected, media
10 totals, and discount voids at an electronic cash register and
11 that is printed on a cash register tape at the end of a day or
12 shift, or a report that documents every action at an
13 electronic cash register and is stored electronically.

14 A prosecution for any act in violation of this Section may
15 be commenced at any time within 5 years of the commission of
16 that act.

17 (i) The Department may adopt rules to administer the
18 penalties under this Section.

19 (j) Any person whose principal place of business is in
20 this State and who is charged with a violation under this
21 Section shall be tried in the county where his or her principal
22 place of business is located unless he or she asserts a right
23 to be tried in another venue.

24 (k) Except as otherwise provided in subsection (h), a
25 prosecution for a violation described in this Section may be
26 commenced within 3 years after the commission of the act

1 constituting the violation.

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

3 (410 ILCS 705/65-42)

4 Sec. 65-42. Seizure and forfeiture. After seizing any
5 cannabis as provided in Section 65-41, the Department must
6 hold a hearing and determine whether (i) the retailer was
7 properly registered to sell the cannabis; (ii) the retailer
8 possessed the cannabis in violation of this Act; (iii) the
9 retailer possessed the cannabis in violation of any reasonable
10 rule or regulation adopted by the Department for the
11 enforcement of this Act; or (iv) the tax imposed by Article 60
12 had been paid on the cannabis at the time of its seizure by the
13 Department. The Department is not required to hold such a
14 hearing if a waiver and consent to forfeiture has been
15 executed by the owner of the cannabis, if the owner is known,
16 and by the person in whose possession the cannabis so taken was
17 found, if that person is known and if that person is not the
18 owner of said cannabis. The Department shall give not less
19 than 20 days' notice of the time and place of the hearing to
20 the owner of the cannabis, if the owner is known, and also to
21 the person in whose possession the cannabis was found, if that
22 person is known and if the person in possession is not the
23 owner of the cannabis. If neither the owner nor the person in
24 possession of the cannabis is known, the Department must cause
25 publication of the time and place of the hearing to be made at

1 least once in each week for 3 weeks successively in a newspaper
2 of general circulation in the county where the hearing is to be
3 held.

4 If, as the result of the hearing, the Department makes any
5 of the findings listed in (i) through (iv) above ~~determines~~
6 ~~that the retailer was not properly registered at the time the~~
7 ~~cannabis was seized~~, or upon receipt of a properly executed
8 waiver and consent to forfeiture as provided in this Section,
9 the Department must enter an order declaring the cannabis
10 confiscated and forfeited to the State, to be held by the
11 Department for disposal by it as provided in Section 65-43.
12 The Department must give notice of the order to the owner of
13 the cannabis, if the owner is known, and also to the person in
14 whose possession the cannabis was found, if that person is
15 known and if the person in possession is not the owner of the
16 cannabis. If neither the owner nor the person in possession of
17 the cannabis is known, the Department must cause publication
18 of the order to be made at least once in each week for 3 weeks
19 successively in a newspaper of general circulation in the
20 county where the hearing was held.

21 (Source: P.A. 103-1001, eff. 8-9-24.)

22 (410 ILCS 705/15-55 rep.)

23 (410 ILCS 705/20-50 rep.)

24 (410 ILCS 705/30-50 rep.)

25 Section 55. The Cannabis Regulation and Tax Act is amended

1 by repealing Sections 15-55, 20-50, and 30-50.

2 Section 60. The Tobacco Accessories and Smoking Herbs
3 Control Act is amended by changing Section 2 as follows:

4 (720 ILCS 685/2) (from Ch. 23, par. 2358-2)

5 Sec. 2. Purpose. The sale and possession of ~~marijuana,~~
6 ~~hashish,~~ cocaine, opium, and their derivatives, is not only
7 prohibited by Illinois Law, but the use of these substances
8 has been deemed injurious to the health of the user.

9 It has further been determined by the Surgeon General of
10 the United States that the use of tobacco is hazardous to human
11 health.

12 The ready availability of smoking herbs to persons under
13 21 years of age could lead to the use of tobacco and illegal
14 drugs.

15 It is in the best interests of the citizens of the State of
16 Illinois to seek to prohibit the spread of illegal drugs,
17 tobacco or smoking materials to persons under 21 years of age.
18 The prohibition of the sale of tobacco and snuff accessories
19 and smoking herbs to persons under 21 years of age would help
20 to curb the usage of illegal drugs and tobacco products, among
21 our youth.

22 (Source: P.A. 101-2, eff. 7-1-19.)

23 Section 95. No acceleration or delay. Where this Act makes

1 changes in a statute that is represented in this Act by text
2 that is not yet or no longer in effect (for example, a Section
3 represented by multiple versions), the use of that text does
4 not accelerate or delay the taking effect of (i) the changes
5 made by this Act or (ii) provisions derived from any other
6 Public Act.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".