



Sen. Cristina Castro

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1 AMENDMENT TO HOUSE BILL 122

2 AMENDMENT NO. _____. Amend House Bill 122 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Compassionate Use of Medical Cannabis
5 Program Act is amended by changing Section 100 as follows:

6 (410 ILCS 130/100)

7 Sec. 100. Cultivation center agent identification card.

8 (a) The Department of Agriculture shall:

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

15 (2) issue a cultivation center agent identification
16 card to a qualifying agent within 15 business days of

1 approving the application or renewal;

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

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

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

11 (c) The cultivation center agent identification cards
12 shall contain the following:

13 (1) the name of the cardholder;

14 (2) the date of issuance and expiration date of
15 cultivation center agent identification cards;

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

19 (4) a photograph of the cardholder.

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

23 (e) Any card lost by a cultivation center agent shall be
24 reported to the State Police and the Department of Agriculture
25 immediately upon discovery of the loss.

26 (f) An applicant shall be denied a cultivation center agent

1 identification card if he or she has been convicted of an
2 excluded offense.

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

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

11 Section 10. The Cannabis Regulation and Tax Act is amended
12 by changing Sections 1-10, 15-25, 15-40, 20-35, 25-35, 30-35,
13 35-30, 40-30, 55-21 and by adding Section 15-30.1 as follows:

14 (410 ILCS 705/1-10)

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

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

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

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

8 "Application points" means the number of points a
9 dispensary applicant receives on an application for a
10 Conditional Adult Use Dispensing Organization License.

11 "By lot" means a randomized method of choosing between 2 or
12 more eligible tied applicants or 2 or more qualifying
13 applicants.

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

24 "Cannabis" means marijuana, hashish, and other substances
25 that are identified as including any parts of the plant
26 Cannabis sativa and including derivatives or subspecies, such

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

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

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

1 of smoking or making a cannabis-infused product. The use of any
2 other solvent is expressly prohibited unless and until it is
3 approved by the Department of Agriculture.

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

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

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

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

26 "Cannabis plant monitoring system" or "plant monitoring

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

11 "Cannabis testing facility" means an entity registered by
12 the Department of Agriculture to test cannabis for potency and
13 contaminants.

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

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

24 "Community College Cannabis Vocational Training Pilot
25 Program faculty participant Agent Identification Card" means a
26 document issued by the Department of Agriculture that

1 identifies a person as Community College Cannabis Vocational
2 Training Pilot Program faculty participant.

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

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

17 "Craft grower" means a facility operated by an organization
18 or business that is licensed by the Department of Agriculture
19 to cultivate, dry, cure, and package cannabis and perform other
20 necessary activities to make cannabis available for sale at a
21 dispensing organization or use at a processing organization. A
22 craft grower may contain up to 5,000 square feet of canopy
23 space on its premises for plants in the flowering state. The
24 Department of Agriculture may authorize an increase or decrease
25 of flowering stage cultivation space in increments of 3,000
26 square feet by rule based on market need, craft grower

1 capacity, and the licensee's history of compliance or
2 noncompliance, with a maximum space of 14,000 square feet for
3 cultivating plants in the flowering stage, which must be
4 cultivated in all stages of growth in an enclosed and secure
5 area. A craft grower may share premises with a processing
6 organization 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 "Craft grower agent" means a principal officer, board
12 member, employee, or other agent of a craft grower who is 21
13 years of age or older.

14 "Craft Grower Agent Identification Card" means a document
15 issued by the Department of Agriculture that identifies a
16 person as a craft grower agent.

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

23 "Cultivation center agent" means a principal officer,
24 board member, employee, or other agent of a cultivation center
25 who is 21 years of age or older.

26 "Cultivation Center Agent Identification Card" means a

1 document issued by the Department of Agriculture that
2 identifies a person as a cultivation center agent.

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

4 "Dispensary" means a facility operated by a dispensing
5 organization at which activities licensed by this Act may
6 occur.

7 "Dispensary applicant" means the proposed dispensing
8 organization name as stated on an application for a Conditional
9 Adult Use Dispensing Organization License.

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

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

26 "Dispensing organization agent identification card" means

1 a document issued by the Department of Financial and
2 Professional Regulation that identifies a person as a
3 dispensing organization agent.

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

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

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

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

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

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

25 (2) has high rates of arrest, conviction, and
26 incarceration related to the sale, possession, use,

1 cultivation, manufacture, or transport of cannabis.

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

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

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

25 "Eligible tied applicant" means a tied applicant that is
26 eligible to participate in the process by which a remaining

1 available license is distributed by lot pursuant to a Tied
2 Applicant Lottery.

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

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

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

21 (2) a structure, such as a shed or greenhouse, that
22 lies on the same plot of land as a residential building
23 that (i) includes sleeping quarters and indoor plumbing and
24 (ii) is used as a primary residence by the person
25 cultivating 5 or fewer cannabis plants that are more than 5
26 inches tall, such as a shed or greenhouse. The structure

1 must remain locked when it is unoccupied by people.

2 "Financial institution" has the same meaning as "financial
3 organization" as defined in Section 1501 of the Illinois Income
4 Tax Act, and also includes the holding companies, subsidiaries,
5 and affiliates of such financial organizations.

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

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

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

16 "Individual" means a natural person.

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

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

26 "Labor peace agreement" means an agreement between a

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

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

1 the Compassionate Use of Medical Cannabis Program Act are also
2 permitted at the dispensary, registered qualifying patients,
3 caregivers, provisional patients, and Opioid Alternative Pilot
4 Program participants.

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

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

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

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

25 "Person" means a natural individual, firm, partnership,
26 association, joint stock company, joint venture, public or

1 private corporation, limited liability company, or a receiver,
2 executor, trustee, guardian, or other representative appointed
3 by order of any court.

4 "Possession limit" means the amount of cannabis under
5 Section 10-10 that may be possessed at any one time by a person
6 21 years of age or older or who is a registered qualifying
7 medical cannabis patient or caregiver under the Compassionate
8 Use of Medical Cannabis Program Act.

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

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

1 more than one primary residence.

2 "Processing organization" or "processor" means a facility
3 operated by an organization or business that is licensed by the
4 Department of Agriculture to either extract constituent
5 chemicals or compounds to produce cannabis concentrate or
6 incorporate cannabis or cannabis concentrate into a product
7 formulation to produce a cannabis product.

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

10 "Processing organization agent identification card" means
11 a document issued by the Department of Agriculture that
12 identifies a person as a processing organization agent.

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

17 "Qualifying applicant" means an applicant that submitted
18 an application pursuant to Section 15-30 that received at least
19 85% of 250 available application points pursuant to the
20 application scoring procedure described in subsection (c) of
21 Section 15-30, including any supplemental process to correct
22 deficiencies.

23 "Qualifying Applicant Lottery" means the process for
24 awarding Conditional Adult Use Dispensing Organization
25 licenses among qualifying applicants pursuant to Section
26 15-30.1.

1 "Qualified Social Equity Applicant" means a Social Equity
2 Applicant who has been awarded a conditional license under this
3 Act to operate a cannabis business establishment.

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

10 (3) school records;

11 (4) a voter registration card;

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

15 (6) a paycheck stub;

16 (7) a utility bill;

17 (8) tax records; or

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

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

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

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

1 Impacted Area;

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

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

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

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

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

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

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

22 "Tincture" means a cannabis-infused solution, typically
23 comprised of alcohol, glycerin, or vegetable oils, derived
24 either directly from the cannabis plant or from a processed
25 cannabis extract. A tincture is not an alcoholic liquor as
26 defined in the Liquor Control Act of 1934. A tincture shall

1 include a calibrated dropper or other similar device capable of
2 accurately measuring servings.

3 "Tied applicant" means a dispensary applicant that
4 submitted an application pursuant to Section 15-30 that
5 received the same number of application points pursuant to the
6 application scoring procedure described in subsection (c) of
7 Section 15-30 as one or more top-scoring applications in the
8 same BLS Region and would have been awarded a license but for
9 the one or more other top-scoring applications that received
10 the same number of application points, including any
11 applications scored pursuant to a supplemental process to
12 correct deficiencies. Each application score that is attached
13 to a dispensary applicant that has previously paid the required
14 application fee for the application period ending January 2,
15 2020 creates a separate Tied applicant.

16 "Tied Applicant Lottery" means the process established in
17 Sections 1291.10 and 1291.50 of Title 68 of the Illinois
18 Administrative Code for awarding Conditional Adult Use
19 Dispensing Organization Licenses pursuant to Sections 15-25
20 and 15-30 among eligible tied applicants.

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

1 "Transporting organization agent" means a principal
2 officer, board member, employee, or agent of a transporting
3 organization.

4 "Transporting organization agent identification card"
5 means a document issued by the Department of Agriculture that
6 identifies a person as a transporting organization agent.

7 "Unit of local government" means any county, city, village,
8 or incorporated town.

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

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

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

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

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 State's
11 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 complies
14 with the requirements in this Act, including, at a minimum,
15 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 complies
20 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 of
12 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 store
8 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 community
16 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) A contract with a private security contractor
6 agency that is licensed under Section 10-5 of the Private
7 Detective, Private Alarm, Private Security, Fingerprint
8 Vendor, and Locksmith Act of 2004 in order for the
9 dispensary to have adequate security at its facility; and

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

14 (e) An applicant who receives a Conditional Adult Use
15 Dispensing Organization License under this Section has 180 days
16 from the date of award to identify a physical location for the
17 dispensing organization retail storefront. ~~Before a~~
18 ~~conditional licensee receives an authorization to build out the~~
19 ~~dispensing organization from the Department, the Department~~
20 ~~shall inspect the physical space selected by the conditional~~
21 ~~licensee. The Department shall verify the site is suitable for~~
22 ~~public access, the layout promotes the safe dispensing of~~
23 ~~cannabis, the location is sufficient in size, power allocation,~~
24 ~~lighting, parking, handicapped accessible parking spaces,~~
25 ~~accessible entry and exits as required by the Americans with~~
26 ~~Disabilities Act, product handling, and storage. The applicant~~

1 ~~shall also provide a statement of reasonable assurance that the~~
2 ~~issuance of a license will not have a detrimental impact on the~~
3 ~~community.~~ The applicant shall ~~also~~ provide evidence that the
4 location is not within 1,500 feet of an existing dispensing
5 organization. If an applicant is unable to find a suitable
6 physical address in the opinion of the Department within 180
7 days of the issuance of the Conditional Adult Use Dispensing
8 Organization License, the Department may extend the period for
9 finding a physical address another 180 days if the Conditional
10 Adult Use Dispensing Organization License holder demonstrates
11 concrete attempts to secure a location and a hardship. If the
12 Department denies the extension or the Conditional Adult Use
13 Dispensing Organization License holder is unable to find a
14 location or become operational within 360 days of being awarded
15 a conditional license, the Department shall rescind the
16 conditional license and award it to the next highest scoring
17 applicant in the BLS Region for which the license was assigned,
18 provided the applicant receiving the license: (i) confirms a
19 continued interest in operating a dispensing organization;
20 (ii) can provide evidence that the applicant continues to meet
21 all requirements for holding a Conditional Adult Use Dispensing
22 Organization License set forth in this Act; and (iii) has not
23 otherwise become ineligible to be awarded a dispensing
24 organization license. If the new awardee is unable to accept
25 the Conditional Adult Use Dispensing Organization License, the
26 Department shall award the Conditional Adult Use Dispensing

1 Organization License to the next highest scoring applicant in
2 the same manner. The new awardee shall be subject to the same
3 required deadlines as provided in this subsection.

4 (e-5) If, within 180 days of being awarded a Conditional
5 Adult Use Dispensing Organization License, a dispensing
6 organization is unable to find a location within the BLS Region
7 in which it was awarded a Conditional Adult Use Dispensing
8 Organization License because no jurisdiction within the BLS
9 Region allows for the operation of an Adult Use Dispensing
10 Organization, the Department of Financial and Professional
11 Regulation may authorize the Conditional Adult Use Dispensing
12 Organization License holder to transfer its license to a BLS
13 Region specified by the Department.

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

21 (g) The Department shall conduct a background check of the
22 prospective organization agents in order to carry out this
23 Article. The Department of State Police shall charge the
24 applicant a fee for conducting the criminal history record
25 check, which shall be deposited into the State Police Services
26 Fund and shall not exceed the actual cost of the record check.

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

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

12 (410 ILCS 705/15-30.1 new)

13 Sec. 15-30.1. Qualifying Applicant Lottery.

14 (a) Notwithstanding the 75 Conditional Adult Use
15 Dispensing Organization Licenses authorized under subsection
16 (a) of Section 15-25, the Department shall conduct a lottery to
17 award an additional 75 Conditional Adult Use Dispensing
18 Organization Licenses through a Qualifying Applicant Lottery
19 to qualifying applicants that applied for, but did not receive,
20 a Conditional Adult Use Dispensing Organization License
21 pursuant to Sections 15-25 and 15-30. Any dispensary applicant
22 who has any principal officer who was named on a dispensary
23 application who participated or was eligible to participate in
24 the Tied Applicant Lottery for the awarding of licenses
25 pursuant to Sections 15-25 and 15-30 may not qualify as a

1 qualifying applicant and may not participate in the lottery for
2 awarding licenses pursuant to this Section, unless that
3 applicant withdraws from the Tied Applicant Lottery pursuant to
4 subsection (f) of this Section. Prior to conducting a
5 Qualifying Applicant Lottery, the Department may adopt rules
6 through emergency rulemaking in accordance with subsection
7 (kk) of Section ' of the Illinois Administrative Procedure Act.
8 The General Assembly finds that the adoption of rules to
9 regulate cannabis use is deemed an emergency and necessary for
10 the public interest, safety, and welfare.

11 (b) There shall be no additional cost to participate in a
12 Qualifying Applicant Lottery. However, the Department may
13 require a dispensary applicant to submit additional
14 documentation in order to participate in a Qualifying Applicant
15 Lottery under this Section.

16 (c) No individual may be listed as a principal officer of
17 more than 2 total entries across all BLS regions in the
18 Qualifying Applicant Lottery. No dispensary applicant may
19 submit more than one entry application in any BLS Region in the
20 Qualifying Applicant Lottery.

21 (d) No qualifying applicant may be awarded more than 2
22 Conditional Adult Use Dispensing Organization Licenses at the
23 conclusion of the Qualifying Applicant Lottery.

24 (e) The 75 Conditional Adult Use Dispensing Organization
25 Licenses established pursuant to this Section shall be
26 geographically allocated in the exact manner as the licenses

1 under subsection (c) of Section 15-25 of this Act and remain
2 subject to all other requirements of Sections 15-25, 15-30, and
3 15-36 unless such requirements conflict with this Section.

4 (f) Any dispensary applicant seeking to participate in the
5 Qualifying Applicant lottery must attest to the Department no
6 later than 5 business days after the resulting final score for
7 all scored applications pursuant to Section 15-30, including
8 any supplemental process to correct deficiencies, is issued to
9 dispensary applicants. The attestation must state that the
10 dispensary applicant is not participating in the Tied Applicant
11 Lottery for awarding licenses pursuant to Sections 15-25 and
12 15-30 and the dispensary applicant meets all of the
13 requirements to participate in a Qualifying Applicant Lottery
14 set forth under this Section. The attestation shall be made on
15 forms approved by the Department. If the Department determines
16 attestations have been submitted that would result in a
17 dispensary applicant exceeding the limits in subsection (c) of
18 this Section, then the dispensary applicant shall be
19 disqualified from participating in both the Tied Applicant
20 Lottery and the Qualifying Applicant Lottery. If the Department
21 determines attestations have been submitted that would result
22 in a principal officer exceeding the limits in subsection (c)
23 of this Section, then all dispensary applicants listing that
24 principal officer shall be disqualified from participating in
25 both the Tied Applicant Lottery and the Qualifying Applicant
26 Lottery.

1 (g) The Qualifying Applicant Lottery shall be conducted no
2 later than 10 business days after the Department publishes a
3 list of qualifying applicants identified by the Department as
4 eligible for the Qualifying Applicant Lottery, including any
5 supplemental process to correct deficiencies.

6 (h) An applicant that applied for, but did not receive, a
7 Conditional Adult Use Dispensing Organization License pursuant
8 to Sections 15-25 and 15-30 may qualify as a qualifying
9 applicant subject to the following:

10 (1) A dispensary applicant is prohibited from becoming
11 a qualifying applicant if a principal officer of the
12 applicant is a principal officer of more qualifying
13 applicants than the number of available licenses.

14 (2) A dispensary applicant is prohibited from becoming
15 a qualifying applicant if a principal officer resigns after
16 the resulting final score for all scored applications
17 pursuant to Sections 15-25 and 15-30, including any
18 supplemental process to correct deficiencies, is issued to
19 dispensary applicants.

20 (3) A dispensary applicant is prohibited from becoming
21 a qualifying applicant if, after the conclusion of the
22 attestation period identified in subsection (f) of this
23 Section, a principal officer of the applicant is a
24 principal officer of more qualifying applicants than the
25 number of available licenses.

26 (4) A dispensary applicant must have received at least

1 85% of total available points on an application submitted
2 pursuant to Section 15-30 to become a qualifying applicant.

3 (i) At the conclusion of the scoring process, the
4 Department may distribute the available licenses established
5 under this Section by lot subject to the following:

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

8 (2) Within each BLS Region, the first qualifying
9 applicant drawn shall have the first right to an available
10 license. The second qualifying applicant drawn shall have
11 the second right to an available license. The same pattern
12 shall continue for each subsequent qualifying applicant
13 drawn.

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

17 (4) If, upon being selected for an available license
18 established under this Section, the eligible qualifying
19 applicant has a principal officer that is a principal
20 officer in more than 10 Early Approval Adult Use Dispensing
21 Organization Licenses, Conditional Adult Use Dispensing
22 Organization Licenses, or Adult Use Dispensing
23 Organization Licenses, the licensees and eligible
24 qualifying applicant listing that principal officer must
25 choose which license to abandon pursuant to subsection (d)
26 of Section 15-36 of this Act, and notify the Department in

1 writing within 5 business days. If the qualifying applicant
2 or licensees do not notify the Department as required, the
3 Department shall refuse to issue to the qualifying
4 applicant all available licenses established under this
5 Section obtained by lot in all BLS Regions.

6 (5) All available licenses that have been abandoned
7 shall be distributed to the next qualifying applicant drawn
8 by lot.

9 (410 ILCS 705/15-40)

10 Sec. 15-40. Dispensing organization agent identification
11 card; agent training.

12 (a) The Department shall:

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

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

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

25 (4) within one year from the effective date of this

1 Act, allow for an electronic application process and
2 provide a confirmation by electronic or other methods that
3 an application has been submitted; and

4 (5) collect a \$100 nonrefundable fee from the applicant
5 to be deposited into the Cannabis Regulation Fund.

6 (b) A dispensing organization agent must keep his or her
7 identification card visible at all times when in the
8 dispensary.

9 (c) The dispensing organization agent identification cards
10 shall contain the following:

11 (1) the name of the cardholder;

12 (2) the date of issuance and expiration date of the
13 dispensing organization agent identification cards;

14 (3) a random 10-digit alphanumeric identification
15 number containing at least 4 numbers and at least 4 letters
16 that is unique to the cardholder; and

17 (4) a photograph of the cardholder.

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

21 (e) The Department shall not issue an agent identification
22 card if the applicant is delinquent in filing any required tax
23 returns or paying any amounts owed to the State of Illinois.

24 (f) Any card lost by a dispensing organization agent shall
25 be reported to the Department of State Police and the
26 Department immediately upon discovery of the loss.

1 (g) An applicant shall be denied a dispensing organization
2 agent identification card renewal if he or she fails to
3 complete the training provided for in this Section.

4 (h) A dispensing organization agent shall only be required
5 to hold one card for the same employer regardless of what type
6 of dispensing organization license the employer holds.

7 (i) Cannabis retail sales training requirements.

8 (1) Within 90 days of September 1, 2019, or 90 days of
9 employment, whichever is later, all owners, managers,
10 employees, and agents involved in the handling or sale of
11 cannabis or cannabis-infused product employed by an adult
12 use dispensing organization or medical cannabis dispensing
13 organization as defined in Section 10 of the Compassionate
14 Use of Medical Cannabis Program Act shall attend and
15 successfully complete a Responsible Vendor Program.

16 (2) Each owner, manager, employee, and agent of an
17 adult use dispensing organization or medical cannabis
18 dispensing organization shall successfully complete the
19 program annually.

20 (3) Responsible Vendor Program Training modules shall
21 include at least 2 hours of instruction time approved by
22 the Department including:

23 (i) Health and safety concerns of cannabis use,
24 including the responsible use of cannabis, its
25 physical effects, onset of physiological effects,
26 recognizing signs of impairment, and appropriate

1 responses in the event of overconsumption.

2 (ii) Training on laws and regulations on driving
3 while under the influence and operating a watercraft or
4 snowmobile while under the influence.

5 (iii) Sales to minors prohibition. Training shall
6 cover all relevant Illinois laws and rules.

7 (iv) Quantity limitations on sales to purchasers.
8 Training shall cover all relevant Illinois laws and
9 rules.

10 (v) Acceptable forms of identification. Training
11 shall include:

12 (I) How to check identification; and

13 (II) Common mistakes made in verification;

14 (vi) Safe storage of cannabis;

15 (vii) Compliance with all inventory tracking
16 system regulations;

17 (viii) Waste handling, management, and disposal;

18 (ix) Health and safety standards;

19 (x) Maintenance of records;

20 (xi) Security and surveillance requirements;

21 (xii) Permitting inspections by State and local
22 licensing and enforcement authorities;

23 (xiii) Privacy issues;

24 (xiv) Packaging and labeling requirement for sales
25 to purchasers; and

26 (xv) Other areas as determined by rule.

1 (j) Blank.

2 (k) Upon the successful completion of the Responsible
3 Vendor Program, the provider shall deliver proof of completion
4 either through mail or electronic communication to the
5 dispensing organization, which shall retain a copy of the
6 certificate.

7 (l) The license of a dispensing organization or medical
8 cannabis dispensing organization whose owners, managers,
9 employees, or agents fail to comply with this Section may be
10 suspended or permanently revoked under Section 15-145 or may
11 face other disciplinary action.

12 (m) The regulation of dispensing organization and medical
13 cannabis dispensing employer and employee training is an
14 exclusive function of the State, and regulation by a unit of
15 local government, including a home rule unit, is prohibited.
16 This subsection (m) is a denial and limitation of home rule
17 powers and functions under subsection (h) of Section 6 of
18 Article VII of the Illinois Constitution.

19 (n) Persons seeking Department approval to offer the
20 training required by paragraph (3) of subsection (i) may apply
21 for such approval between August 1 and August 15 of each
22 odd-numbered year in a manner prescribed by the Department.

23 (o) Persons seeking Department approval to offer the
24 training required by paragraph (3) of subsection (i) shall
25 submit a nonrefundable application fee of \$2,000 to be
26 deposited into the Cannabis Regulation Fund or a fee as may be

1 set by rule. Any changes made to the training module shall be
2 approved by the Department.

3 (p) The Department shall not unreasonably deny approval of
4 a training module that meets all the requirements of paragraph
5 (3) of subsection (i). A denial of approval shall include a
6 detailed description of the reasons for the denial.

7 (q) Any person approved to provide the training required by
8 paragraph (3) of subsection (i) shall submit an application for
9 re-approval between August 1 and August 15 of each odd-numbered
10 year and include a nonrefundable application fee of \$2,000 to
11 be deposited into the Cannabis Regulation Fund or a fee as may
12 be set by rule.

13 (r) All persons applying to become or renewing their
14 registrations to be agents, including agents-in-charge and
15 principal officers, shall disclose any disciplinary action
16 taken against them that may have occurred in Illinois, another
17 state, or another country in relation to their employment at a
18 cannabis business establishment or at any cannabis cultivation
19 center, processor, infuser, dispensary, or other cannabis
20 business establishment.

21 (s) An agent may begin employment at a dispensing
22 organization while the agent's identification card application
23 is pending. Upon approval, the Department shall issue the
24 agent's identification card to the dispensing organization
25 agent applicant. If denied, the dispensing organization and the
26 applicant shall be notified and the applicant must cease all

1 activity at the dispensing organization immediately.

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

3 (410 ILCS 705/20-35)

4 Sec. 20-35. Cultivation center 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 cultivation center
21 where 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 the cultivation
6 center at which the agent is employed.

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

9 (1) the name of the cardholder;

10 (2) the date of issuance and expiration date of the
11 identification card;

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

15 (4) a photograph of the cardholder; and

16 (5) the legal name of the cultivation center employing
17 the agent.

18 (d) An agent identification card shall be immediately
19 returned to the cultivation center of the agent upon
20 termination of his or her employment.

21 (e) Any agent identification card lost by a cultivation
22 center agent shall be reported to the Department of State
23 Police and the Department of Agriculture immediately upon
24 discovery of the loss.

25 (f) The Department of Agriculture shall not issue an agent
26 identification card if the applicant is delinquent in filing

1 any required tax returns or paying any amounts owed to the
2 State of Illinois.

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

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

11 (410 ILCS 705/25-35)

12 (Section scheduled to be repealed on July 1, 2026)

13 Sec. 25-35. Community College Cannabis Vocational Training
14 Pilot Program faculty participant agent identification card.

15 (a) The Department shall:

16 (1) establish by rule the information required in an
17 initial application or renewal application for an agent
18 identification card submitted under this Article and the
19 nonrefundable fee to accompany the initial application or
20 renewal application;

21 (2) verify the information contained in an initial
22 application or renewal application for an agent
23 identification card submitted under this Article, and
24 approve or deny an application within 30 days of receiving
25 a completed initial application or renewal application and

1 all supporting documentation required by rule;

2 (3) issue an agent identification card to a qualifying
3 agent within 15 business days of approving the initial
4 application or renewal application;

5 (4) enter the license number of the community college
6 where the agent works; and

7 (5) allow for an electronic initial application and
8 renewal application process, and provide a confirmation by
9 electronic or other methods that an application has been
10 submitted. Each Department may by rule require prospective
11 agents to file their applications by electronic means and
12 to provide notices to the agents by electronic means.

13 (b) An agent must keep his or her identification card
14 visible at all times when in the enclosed, locked facility, or
15 facilities for which he or she is an agent.

16 (c) The agent identification cards shall contain the
17 following:

18 (1) the name of the cardholder;

19 (2) the date of issuance and expiration date of the
20 identification card;

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

24 (4) a photograph of the cardholder; and

25 (5) the legal name of the community college employing
26 the agent.

1 (d) An agent identification card shall be immediately
2 returned to the community college of the agent upon termination
3 of his or her employment.

4 (e) Any agent identification card lost shall be reported to
5 the Department of State Police and the Department of
6 Agriculture immediately upon discovery of the loss.

7 (f) An agent may begin employment at a Community College
8 Cannabis Vocational Training Pilot Program while the agent's
9 identification card application is pending. Upon approval, the
10 Department shall issue the agent's identification card to the
11 Community College Cannabis Vocational Training Pilot Program
12 participant agent applicant. If denied, the Community College
13 Cannabis Vocational Training Pilot Program and the participant
14 applicant shall be notified and the applicant must cease all
15 activity at the cultivation center immediately.

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

17 (410 ILCS 705/30-35)

18 Sec. 30-35. Craft grower agent identification card.

19 (a) The Department of Agriculture shall:

20 (1) establish by rule the information required in an
21 initial application or renewal application for an agent
22 identification card submitted under this Act and the
23 nonrefundable fee to accompany the initial application or
24 renewal application;

25 (2) verify the information contained in an initial

1 application or renewal application for an agent
2 identification card submitted under this Act and approve or
3 deny an application within 30 days of receiving a completed
4 initial application or renewal application and all
5 supporting documentation required by rule;

6 (3) issue an agent identification card to a qualifying
7 agent within 15 business days of approving the initial
8 application or renewal application;

9 (4) enter the license number of the craft grower where
10 the agent works; and

11 (5) allow for an electronic initial application and
12 renewal application process, and provide a confirmation by
13 electronic or other methods that an application has been
14 submitted. The Department of Agriculture may by rule
15 require prospective agents to file their applications by
16 electronic means and provide notices to the agents by
17 electronic means.

18 (b) An agent must keep his or her identification card
19 visible at all times when on the property of a cannabis
20 business establishment, including the craft grower
21 organization for which he or she is an agent.

22 (c) The agent identification cards shall contain the
23 following:

24 (1) the name of the cardholder;

25 (2) the date of issuance and expiration date of the
26 identification card;

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

4 (4) a photograph of the cardholder; and

5 (5) the legal name of the craft grower organization
6 employing the agent.

7 (d) An agent identification card shall be immediately
8 returned to the cannabis business establishment of the agent
9 upon termination of his or her employment.

10 (e) Any agent identification card lost by a craft grower
11 agent shall be reported to the Department of State Police and
12 the Department of Agriculture immediately upon discovery of the
13 loss.

14 (f) An agent may begin employment at a craft grower
15 organization while the agent's identification card application
16 is pending. Upon approval, the Department shall issue the
17 agent's identification card to the craft grower organization
18 agent applicant. If denied, the craft grower organization and
19 the applicant shall be notified and the applicant must cease
20 all activity at the craft grower organization immediately.

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

22 (410 ILCS 705/35-30)

23 Sec. 35-30. Infuser agent identification card.

24 (a) The Department of Agriculture shall:

25 (1) establish by rule the information required in an

1 initial application or renewal application for an agent
2 identification card submitted under this Act and the
3 nonrefundable fee to accompany the initial application or
4 renewal application;

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

11 (3) issue an agent identification card to a qualifying
12 agent within 15 business days of approving the initial
13 application or renewal application;

14 (4) enter the license number of the infuser where the
15 agent works; and

16 (5) allow for an electronic initial application and
17 renewal application process, and provide a confirmation by
18 electronic or other methods that an application has been
19 submitted. The Department of Agriculture may by rule
20 require prospective agents to file their applications by
21 electronic means and provide notices to the agents by
22 electronic means.

23 (b) An agent must keep his or her identification card
24 visible at all times when on the property of a cannabis
25 business establishment including the cannabis business
26 establishment for which he or she is an agent.

1 (c) The agent identification cards shall contain the
2 following:

3 (1) the name of the cardholder;

4 (2) the date of issuance and expiration date of the
5 identification card;

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

9 (4) a photograph of the cardholder; and

10 (5) the legal name of the infuser organization
11 employing the agent.

12 (d) An agent identification card shall be immediately
13 returned to the infuser organization of the agent upon
14 termination of his or her employment.

15 (e) Any agent identification card lost by a transporting
16 agent shall be reported to the Department of State Police and
17 the Department of Agriculture immediately upon discovery of the
18 loss.

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

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

1 (410 ILCS 705/40-30)

2 Sec. 40-30. Transporting agent identification card.

3 (a) The Department of Agriculture shall:

4 (1) establish by rule the information required in an
5 initial application or renewal application for an agent
6 identification card submitted under this Act and the
7 nonrefundable fee to accompany the initial application or
8 renewal application;

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

15 (3) issue an agent identification card to a qualifying
16 agent within 15 business days of approving the initial
17 application or renewal application;

18 (4) enter the license number of the transporting
19 organization where the agent works; and

20 (5) allow for an electronic initial application and
21 renewal application process, and provide a confirmation by
22 electronic or other methods that an application has been
23 submitted. The Department of Agriculture may by rule
24 require prospective agents to file their applications by
25 electronic means and provide notices to the agents by

1 electronic means.

2 (b) An agent must keep his or her identification card
3 visible at all times when on the property of a cannabis
4 business establishment, including the cannabis business
5 establishment for which he or she is an agent.

6 (c) The agent identification cards shall contain the
7 following:

8 (1) the name of the cardholder;

9 (2) the date of issuance and expiration date of the
10 identification card;

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

14 (4) a photograph of the cardholder; and

15 (5) the legal name of the transporting organization
16 employing the agent.

17 (d) An agent identification card shall be immediately
18 returned to the transporting organization of the agent upon
19 termination of his or her employment.

20 (e) Any agent identification card lost by a transporting
21 agent shall be reported to the Department of State Police and
22 the Department of Agriculture immediately upon discovery of the
23 loss.

24 (f) An application for an agent identification card shall
25 be denied if the applicant is delinquent in filing any required
26 tax returns or paying any amounts owed to the State of

1 Illinois.

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

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

10 (410 ILCS 705/55-21)

11 Sec. 55-21. Cannabis product packaging and labeling.

12 (a) Each cannabis product produced for sale shall be
13 registered with the Department of Agriculture on forms provided
14 by the Department of Agriculture. Each product registration
15 shall include a label and the required registration fee at the
16 rate established by the Department of Agriculture for a
17 comparable medical cannabis product, or as established by rule.
18 The registration fee is for the name of the product offered for
19 sale and one fee shall be sufficient for all package sizes.

20 (b) All harvested cannabis intended for distribution to a
21 cannabis enterprise must be packaged in a sealed, labeled
22 container.

23 (c) At point of sale, any ~~Any~~ product containing cannabis
24 shall be packaged in a sealed or resealable, odor-proof, and
25 child-resistant cannabis container consistent with current

1 standards, including the Consumer Product Safety Commission
2 standards referenced by the Poison Prevention Act.

3 (d) All cannabis-infused products shall be individually
4 wrapped or packaged at the original point of preparation. The
5 packaging of the cannabis-infused product shall conform to the
6 labeling requirements of the Illinois Food, Drug and Cosmetic
7 Act, in addition to the other requirements set forth in this
8 Section.

9 (e) Each cannabis product shall be labeled before sale and
10 each label shall be securely affixed to the package and shall
11 state in legible English and any languages required by the
12 Department of Agriculture:

13 (1) the name and post office box of the registered
14 cultivation center or craft grower where the item was
15 manufactured;

16 (2) the common or usual name of the item and the
17 registered name of the cannabis product that was registered
18 with the Department of Agriculture under subsection (a);

19 (3) a unique serial number that will match the product
20 with a cultivation center or craft grower batch and lot
21 number to facilitate any warnings or recalls the Department
22 of Agriculture, cultivation center, or craft grower deems
23 appropriate;

24 (4) the date of final testing and packaging, if
25 sampled, and the identification of the independent testing
26 laboratory;

1 (5) the date of harvest and "use by" date;

2 (6) the quantity (in ounces or grams) of cannabis
3 contained in the product;

4 (7) a pass/fail rating based on the laboratory's
5 microbiological, mycotoxins, and pesticide and solvent
6 residue analyses, if sampled;

7 (8) content list.

8 (A) A list of the following, including the minimum
9 and maximum percentage content by weight for
10 subdivisions (e) (8) (A) (i) through (iv):

11 (i) delta-9-tetrahydrocannabinol (THC);

12 (ii) tetrahydrocannabinolic acid (THCA);

13 (iii) cannabidiol (CBD);

14 (iv) cannabidiolic acid (CBDA); and

15 (v) all other ingredients of the item,
16 including any colors, artificial flavors, and
17 preservatives, listed in descending order by
18 predominance of weight shown with common or usual
19 names.

20 (B) The acceptable tolerances for the minimum
21 percentage printed on the label for any of subdivisions
22 (e) (8) (A) (i) through (iv) shall not be below 85% or
23 above 115% of the labeled amount.

24 (f) Packaging must not contain information that:

25 (1) is false or misleading;

26 (2) promotes excessive consumption;

1 (3) depicts a person under 21 years of age consuming
2 cannabis;

3 (4) includes the image of a cannabis leaf;

4 (5) includes any image designed or likely to appeal to
5 minors, including cartoons, toys, animals, or children, or
6 any other likeness to images, characters, or phrases that
7 are popularly used to advertise to children, or any
8 packaging or labeling that bears reasonable resemblance to
9 any product available for consumption as a commercially
10 available candy, or that promotes consumption of cannabis;

11 (6) contains any seal, flag, crest, coat of arms, or
12 other insignia likely to mislead the purchaser to believe
13 that the product has been endorsed, made, or used by the
14 State of Illinois or any of its representatives except
15 where authorized by this Act.

16 (g) Cannabis products produced by concentrating or
17 extracting ingredients from the cannabis plant shall contain
18 the following information, where applicable:

19 (1) If solvents were used to create the concentrate or
20 extract, a statement that discloses the type of extraction
21 method, including any solvents or gases used to create the
22 concentrate or extract; and

23 (2) Any other chemicals or compounds used to produce or
24 were added to the concentrate or extract.

25 (h) All cannabis products must contain warning statements
26 established for purchasers, of a size that is legible and

1 readily visible to a consumer inspecting a package, which may
2 not be covered or obscured in any way. The Department of Public
3 Health shall define and update appropriate health warnings for
4 packages including specific labeling or warning requirements
5 for specific cannabis products.

6 (i) Unless modified by rule to strengthen or respond to new
7 evidence and science, the following warnings shall apply to all
8 cannabis products unless modified by rule: "This product
9 contains cannabis and is intended for use by adults 21 and
10 over. Its use can impair cognition and may be habit forming.
11 This product should not be used by pregnant or breastfeeding
12 women. It is unlawful to sell or provide this item to any
13 individual, and it may not be transported outside the State of
14 Illinois. It is illegal to operate a motor vehicle while under
15 the influence of cannabis. Possession or use of this product
16 may carry significant legal penalties in some jurisdictions and
17 under federal law."

18 (j) Warnings for each of the following product types must
19 be present on labels when offered for sale to a purchaser:

20 (1) Cannabis that may be smoked must contain a
21 statement that "Smoking is hazardous to your health."

22 (2) Cannabis-infused products (other than those
23 intended for topical application) must contain a statement
24 "CAUTION: This product contains cannabis, and intoxication
25 following use may be delayed 2 or more hours. This product
26 was produced in a facility that cultivates cannabis, and

1 that may also process common food allergens.".

2 (3) Cannabis-infused products intended for topical
3 application must contain a statement "DO NOT EAT" in bold,
4 capital letters.

5 (k) Each cannabis-infused product intended for consumption
6 must be individually packaged, must include the total milligram
7 content of THC and CBD, and may not include more than a total
8 of 100 milligrams of THC per package. A package may contain
9 multiple servings of 10 milligrams of THC, indicated by
10 scoring, wrapping, or by other indicators designating
11 individual serving sizes. The Department of Agriculture may
12 change the total amount of THC allowed for each package, or the
13 total amount of THC allowed for each serving size, by rule.

14 (l) No individual other than the purchaser may alter or
15 destroy any labeling affixed to the primary packaging of
16 cannabis or cannabis-infused products.

17 (m) For each commercial weighing and measuring device used
18 at a facility, the cultivation center or craft grower must:

19 (1) Ensure that the commercial device is licensed under
20 the Weights and Measures Act and the associated
21 administrative rules (8 Ill. Adm. Code 600);

22 (2) Maintain documentation of the licensure of the
23 commercial device; and

24 (3) Provide a copy of the license of the commercial
25 device to the Department of Agriculture for review upon
26 request.

1 (n) It is the responsibility of the Department to ensure
2 that packaging and labeling requirements, including product
3 warnings, are enforced at all times for products provided to
4 purchasers. Product registration requirements and container
5 requirements may be modified by rule by the Department of
6 Agriculture.

7 (o) Labeling, including warning labels, may be modified by
8 rule by the Department of Agriculture.

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

10 Section 15. The Illinois Vehicle Code is amended by
11 changing Sections 11-502.1 and 11-502.15 as follows:

12 (625 ILCS 5/11-502.1)

13 Sec. 11-502.1. Possession of medical cannabis in a motor
14 vehicle.

15 (a) No driver, who is a medical cannabis cardholder, may
16 use medical cannabis within the passenger area of any motor
17 vehicle upon a highway in this State.

18 (b) No driver, who is a medical cannabis cardholder, a
19 medical cannabis designated caregiver, medical cannabis
20 cultivation center agent, or dispensing organization agent may
21 possess medical cannabis within any area of any motor vehicle
22 upon a highway in this State except in a secured, sealed or
23 resealable, odor-proof, and child-resistant medical cannabis
24 container that is inaccessible.

1 (c) No passenger, who is a medical cannabis card holder, a
2 medical cannabis designated caregiver, or medical cannabis
3 dispensing organization agent may possess medical cannabis
4 within any passenger area of any motor vehicle upon a highway
5 in this State except in a secured, sealed or resealable,
6 odor-proof, and child-resistant medical cannabis container
7 that is inaccessible.

8 (d) Any person who violates subsections (a) through (c) of
9 this Section:

10 (1) commits a Class A misdemeanor;

11 (2) shall be subject to revocation of his or her
12 medical cannabis card for a period of 2 years from the end
13 of the sentence imposed; and

14 (3) ~~(4)~~ shall be subject to revocation of his or her
15 status as a medical cannabis caregiver, medical cannabis
16 cultivation center agent, or medical cannabis dispensing
17 organization agent for a period of 2 years from the end of
18 the sentence imposed.

19 (Source: P.A. 101-27, eff. 6-25-19; revised 8-6-19.)

20 (625 ILCS 5/11-502.15)

21 Sec. 11-502.15. Possession of adult use cannabis in a motor
22 vehicle.

23 (a) No driver may use cannabis within the passenger area of
24 any motor vehicle upon a highway in this State.

25 (b) No driver may possess cannabis within any area of any

1 motor vehicle upon a highway in this State except in a secured,
2 sealed or resealable, odor-proof, child-resistant cannabis
3 container that is inaccessible.

4 (c) No passenger may possess cannabis within any passenger
5 area of any motor vehicle upon a highway in this State except
6 in a secured, sealed or resealable, odor-proof,
7 child-resistant cannabis container that is inaccessible.

8 (d) Any person who knowingly violates subsection (a), (b),
9 or (c) of this Section commits a Class A misdemeanor.

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

11 Section 97. Severability. The provisions of this Act are
12 severable under Section 1.31 of the Statute on Statutes.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."