



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0149

Introduced 1/14/2021, by Rep. Bob Morgan

#### SYNOPSIS AS INTRODUCED:

410 ILCS 130/20

Amends the Compassionate Use of Medical Cannabis Program Act. Provides that, if there is an amount in excess of \$7,500,000 in the Compassionate Use of Medical Cannabis Fund on the effective date of the amendatory Act, the State Treasurer shall so certify to the Department of Public Health and the State Comptroller, and the Department of Public Health shall certify to the State Comptroller the names and addresses, as well as any other necessary information, of all medical cannabis patients who made any medical cannabis product purchase in the 180-day period preceding the effective date of the amendatory Act. Provides that the State Comptroller shall determine a refund amount by dividing the amount in excess of \$7,500,000 by the number of medical cannabis patients certified by the Department of Public Health, and the State Comptroller shall disburse the refund amount to each medical cannabis patient certified by the Department of Public Health. Provides for the issuance of refunds if there is an amount in excess of \$7,500,000 in the Fund on June 30, 2022 or June 30 of any subsequent year. Effective immediately.

LRB102 04404 CPF 14422 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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

4 Section 5. The Compassionate Use of Medical Cannabis  
5 Program Act is amended by changing Section 20 as follows:

6 (410 ILCS 130/20)

7 Sec. 20. Compassionate Use of Medical Cannabis Fund.

8 (a) There is created the Compassionate Use of Medical  
9 Cannabis Fund in the State treasury to be used exclusively for  
10 the direct and indirect costs associated with the  
11 implementation, administration, and enforcement of this Act  
12 and for refunds as set forth in subsection (d). ~~Funds in excess~~  
13 ~~of the direct and indirect costs associated with the~~  
14 ~~implementation, administration, and enforcement of this Act~~  
15 ~~shall be used to fund crime prevention programs.~~

16 (b) All monies collected under this Act shall be deposited  
17 in the Compassionate Use of Medical Cannabis Fund in the State  
18 treasury. All earnings received from investment of monies in  
19 the Compassionate Use of Medical Cannabis Fund shall be  
20 deposited in the Compassionate Use of Medical Cannabis Fund.

21 (c) Notwithstanding any other law to the contrary, the  
22 Compassionate Use of Medical Cannabis Fund is not subject to  
23 sweeps, administrative charge-backs, or any other fiscal or

1 budgetary maneuver that would in any way transfer any amounts  
2 from the Compassionate Use of Medical Cannabis Fund into any  
3 other fund of the State.

4 (d) (1) If there is an amount in excess of \$7,500,000 in the  
5 Compassionate Use of Medical Cannabis Fund at the close of  
6 business on the effective date of this amendatory Act of the  
7 102nd General Assembly, the State Treasurer shall so certify  
8 to the Department of Public Health and the State Comptroller,  
9 and the Department of Public Health shall certify to the State  
10 Comptroller the names and addresses, as well as any other  
11 necessary information, of all medical cannabis patients who  
12 made any medical cannabis product purchase in the 180-day  
13 period preceding the effective date of this amendatory Act of  
14 the 102nd General Assembly. The State Comptroller shall  
15 determine a refund amount by dividing the amount in excess of  
16 \$7,500,000 by the number of medical cannabis patients  
17 certified by the Department of Public Health under this  
18 paragraph (1). The State Comptroller shall disburse the refund  
19 amount from the Fund to each medical cannabis patient  
20 certified by the Department of Public Health under this  
21 paragraph (1).

22 (2) If there is an amount in excess of \$7,500,000 in the  
23 Compassionate Use of Medical Cannabis Fund at the close of  
24 business on June 30, 2022 or June 30 of any subsequent year,  
25 the State Treasurer shall so certify to the Department of  
26 Public Health and the State Comptroller, and the Department of

1 Public Health shall certify to the Comptroller the names and  
2 addresses, as well as any other necessary information, of all  
3 medical cannabis patients who made any medical cannabis  
4 product purchase during the State fiscal year ending on June  
5 30 of that year. The State Comptroller shall determine a  
6 refund amount by dividing the amount in excess of \$7,500,000  
7 by the number of medical cannabis patients certified by the  
8 Department of Public Health under this paragraph (2) for that  
9 year. The State Comptroller shall disburse the refund amount  
10 from the Fund to each medical cannabis patient certified by  
11 the Department of Public Health under this paragraph (2).

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

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