

AN ACT concerning regulation.

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

Section 5. The Compassionate Use of Medical Cannabis Program Act is amended by changing Section 30 and by adding Section 31 as follows:

(410 ILCS 130/30)

Sec. 30. Limitations and penalties.

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

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

(2) Possessing cannabis:

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

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

(C) in any correctional facility;

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

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

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

(3) Using cannabis:

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

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

(C) in any correctional facility;

(D) in any motor vehicle;

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

(F) except as provided under Section 22-33 of the School Code and Section 31 of this Act, in any public place. "Public place" as used in this subsection means any place where an individual could reasonably be expected to be observed by others. A "public place" includes all parts of buildings owned in whole or in part, or leased, by the State or a local unit of government. A "public place" does not include a

private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises. For purposes of this subsection, a "public place" does not include a health care facility. For purposes of this Section, a "health care facility" includes, but is not limited to, hospitals, nursing homes, hospice care centers, and long-term care facilities;

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

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

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

(6) Using or possessing cannabis if that person does not have a debilitating medical condition and is not a registered qualifying patient or caregiver;

(7) Allowing any person who is not allowed to use cannabis under this Act to use cannabis that a cardholder

is allowed to possess under this Act;

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

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

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

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

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

(d) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, any person who makes a misrepresentation of a medical condition to a certifying health care professional or fraudulently provides material misinformation to a certifying health care professional in order to obtain a written certification is guilty of a petty

offense punishable by a fine of up to \$1,000.

(e) Any cardholder or registered caregiver who sells cannabis shall have his or her registry identification card revoked and is subject to other penalties for the unauthorized sale of cannabis.

(f) Any registered qualifying patient who commits a violation of Section 11-502.1 of the Illinois Vehicle Code or refuses a properly requested test related to operating a motor vehicle while under the influence of cannabis shall have his or her registry identification card revoked.

(g) No registered qualifying patient or designated caregiver shall knowingly obtain, seek to obtain, or possess, individually or collectively, an amount of usable cannabis from a registered medical cannabis dispensing organization that would cause him or her to exceed the authorized adequate supply under subsection (a) of Section 10.

(h) Nothing in this Act shall prevent a private business from restricting or prohibiting the medical use of cannabis on its property.

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

(Source: P.A. 100-660, eff. 8-1-18; 101-363, eff. 8-9-19.)

Sec. 31. Administration to persons with disabilities in park district programs.

(a) Definitions. For purposes of this Section:

(1) "Park district" has the meaning as defined in Section 1-3 of the Park District Code. "Park district" includes the Chicago Park District as defined by the Chicago Park District Act, any special recreational association created by a park district through an intergovernmental agreement, and any nonprofit organization authorized by the park district or special recreational association to administer a program for persons with disabilities on its behalf.

(2) "Program participant" means a person with disabilities who is a registered qualifying patient and who participates in a summer camp, educational program, or other similar program provided by a park district for persons with disabilities.

(b) Subject to the restrictions under subsections (c) through (f) of this Section, a park district shall authorize a program participant's parent, guardian, or other designated caregiver to administer a medical cannabis infused product to the program participant on the premises of the park district if both the program participant and the parent, guardian, or other designated caregiver are cardholders. After administering the medical cannabis infused product, the parent, guardian, or other designated caregiver shall remove

the medical cannabis infused product from the premises of the park district.

(c) A parent, guardian, or other designated caregiver may not administer a medical cannabis infused product under this Section in a manner that, in the opinion of the park district, would create a disruption to the park district's program or activity for persons with disabilities or would cause exposure of the medical cannabis infused product to other program participants.

(d) A park district may not discipline a program participant who is administered a medical cannabis infused product by a parent, guardian, or other designated caregiver under this Section and may not deny the program participant's eligibility to attend the park district's program or activity for persons with disabilities solely because the program participant requires the administration of the medical cannabis infused product.

(e) Nothing in this Section requires a member of the park district's staff to administer a medical cannabis infused product to a program participant.

(f) A park district may not authorize the use of a medical cannabis infused product under this Section if the park district would lose federal funding as a result of the authorization.

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