**Section 1291.20 Agent Fees, Application, and Credentialing**

a) All individuals who have access to a dispensing organization's restricted access area and who are not otherwise registered as an agent-in-charge, a principal officer, or are identified on the dispensary's approved vendor list, are required to be registered by the Department as an agent and be issued an agent ID card. These individuals include, but are not limited to:

1) Individuals involved with in-take of cannabis or cannabis-infused product deliveries;

2) Individuals fulfilling cannabis or cannabis-infused product orders;

3) Individuals involved with the destruction of cannabis or cannabis-infused products;

4) Individuals entering purchasers' cannabis or cannabis-infused product orders into any point of sale system used by a dispensing organization; and

5) Individuals employed by the dispensing organization that engage in inventory verifications.

b) Communications with the Department. The Department will only communicate with the agent's email address the Department has on record, or with a third-party so long as a third-party authorization form is submitted. In order to change its contact information, an agent must submit a request to the Department from the email address the Department has on record. If the current email address is inaccessible, the agent must submit a certification attesting to the inaccessibility and request the change.

c) Fees. The fees for an agent are as follows. All fees are nonrefundable and all monies collected under the Act shall be deposited in the Cannabis Regulation Fund in the State Treasury.

1) The application fee for an agent ID card is $100. This fee includes the physical card. (See Section 15-40(a)(5) of the Act.)

2) The annual renewal fee for an agent ID card is $100. (See Section 15-45(d)(2) of the Act.)

3) The late fee for renewal of an agent ID card is $50.

4) The fee for the issuance of a replacement agent ID card is $50.

5) The fee to restore an agent ID card is $100. (See Section 15-40(b) of the Act.)

d) Agent ID Card Application. Prior to performing the duties of an agent within a dispensing organization, an agent ID card application shall be submitted by a dispensing organization principal officer or agent-in-charge in a form or manner provided by the Department.

1) Completed applications shall include the following:

A) The name of the dispensing organization employing the agent, and the address of the dispensary;

B) A copy of the applicant's valid driver's license or a State-issued identification;

C) Electronic picture of applicant taken within 30 days of the application submission;

D) The applicant's social security number;

E) The application fee;

F) Department background check authorizations in compliance with 410 ILCS 705/5-20. These authorizations include Fingerprint Consent Forms and livescan vendor receipt demonstrating that the agent applicant has applied for a fingerprint-based criminal history records check. Applicants shall only have valid fingerprints taken that are capable of being retrieved by the Department; and

G) Any additional information requested by the Department necessary to verify the identity of the applicant.

2) The Department will issue an agent ID card if all of the criteria under subsection (d)(1) is met and the applicant passes a background check. Applicants may begin working at a dispensary once an application has been submitted. If the applicant is notified of a deficiency in their application, the applicant must submit the information or documentation requested within 30 calendar days of the notification requesting the information or documents. If the applicant fails to provide the requested documentation or information, the Department will deny the issuing of the agent ID card, and the applicant may no longer enter the dispensary except as a member of the public. Applicants may not work at the dispensary after receiving a Notice of Intent to Deny Licensure as defined by the Rules of Practice in Administrative Hearings (68 Ill. Adm. Code 1110.30).

3) The Department will communicate with the applicant's contact information on file, including the applicant's email address of record, the primary contact, and/or the alternate contact associated with the application.

e) Agent Training

1) All individuals who are required to apply as an agent shall annually complete eight hours of training through an approved Responsible Vendor Program.

2) Individuals required to apply as an agent shall complete the Responsible Vendor Program:

A) Within 90 calendar days of commencing initial employment at a dispensary; and

B) Within 45 calendar days before the individual's license renewal is due or within 45 calendar days after the individual's renewal has been approved; unless,

C) The individual commences employment at a new dispensing organization within one year of that individual's annual or renewal requirements in the above subsection (e)(2)(A) or (B).

3) Training certifications from a provider who is not an approved responsible vendor provider will not be accepted by the Department. An individual with a training certificate that is not accepted by the Department is required to complete an approved responsible vendor program within 20 days after the Department provides notice of the deficiency. The Department will grant an extension to the deadlines established in subsection (e) on an individual basis so long as the individual demonstrates a good faith belief that a complete training program was approved by the Department.

f) Agent Renewal and Restoration

1) All agent ID cards shall expire one year from the date the agent ID card is issued. An agent shall submit an online renewal application to renew the agent ID card no later than 30 calendar days preceding the card's expiration date.

2) As part of an agent's renewal, the agent shall certify to the Department that they are in compliance with the required annual responsible vendor program training.

3) An agent seeking restoration of a license due to termination of employment or expiration of the underlying license shall have the license restored upon request to the Department and payment of the required fee. A restored agent must comply with subsection (d) upon beginning employment.

4) At any time after the successful completion of any term of suspension, placement on probationary status or other disciplinary action taken by the Department with regards to any agent ID card, the agent may file a petition for restoration in accordance with 68 Ill. Adm. Code 1110.30.

g) Agent Duties and Prohibitions

1) All individuals registered as an agent are subject to the codes of conduct and grounds for discipline identified in Sections 1291.60 and 1291.70. The Department may suspend, revoke, or otherwise discipline an agent's license, registration, and/or agent ID card for a violation of the Act or this Part.

2) An individual registered as an agent shall not otherwise be registered as an agent-in-charge under Section 1291.25.

3) An agent shall not dispense cannabis or cannabis-infused products to other agents or employees of the dispensing organization if the purchasing agent or employee is on duty. For the purposes of this subsection, an employee is on-duty when they are being compensated for their work, including any paid lunch or break.

4) Agents shall not consume cannabis or cannabis-infused products on the premises of the dispensing organization.

(Source: Added at 48 Ill. Reg. 13377, effective August 20, 2024)