**Section 1291.25 Agent-In-Charge Fees, Application, and Credentialing**

a) *The agent-in-charge shall be a principal officer or full-time agent of the dispensing organization and shall manage the dispensary. Managing the dispensary includes, but is not limited to, responsibility for opening and closing the dispensary, delivery acceptance, oversight of sales and dispensary agents, recordkeeping, inventory, dispensary agent training, and compliance with* the *Act and* this Part*.* Managing includes *participation in affairs also includes the responsibility for maintaining all files subject to inspection by the Department at the dispensary.* (Section 15-95 of the Act) AICs may delegate some of their duties to agents registered under Section 1291.20.

b) Communications with the Department. The Department will only communicate with the AIC'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 AIC must submit a request to the Department from the email address the Department has on record. If the current email address is inaccessible, the AIC must submit a certification attesting the inaccessibility and requesting the change.

c) AIC Fees. The fees for AIC 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 AIC identification card is $100. This fee includes the physical card.

2) The annual renewal fee for an AIC identification card is $100.

3) The late fee for renewal of an AIC identification card is $50.

4) The fee for the issuance of a replacement AIC identification card is $50.

5) The fee to restore a terminated AIC identification card is $100.

d) AIC Application. Prior to performing the duties of an AIC within a dispensing organization, an AIC application shall be submitted by the applicant in a form or manner provided by the Department.

1) The application shall include, but not be limited to the following:

A) The name of the dispensing organization employing the AIC, 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 applicant has applied for a fingerprint-based criminal history records check. Applicants shall only have valid fingerprints taken that are capable of being retrieved; and

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

2) The Department will issue an AIC identification 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 AIC identification 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) AIC Training

1) AICs shall annually complete eight hours of training through an approved responsible vendor program.

2) AICs 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 annual 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)(1) or (e)(2).

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 (b) 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) AIC Renewal and Restoration

1) All AIC identification cards shall expire one year after the date they are issued. The holder of a card may renew the card 45 calendar days preceding the expiration date by submitting a renewal application and paying the required renewal fee.

2) AICs shall certify to the Department that they are in compliance with the required annual responsible vendor program training.

3) An AIC 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 fee required.

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 AIC license, the licensee may file a petition for restoration in accordance with 68 Ill. Adm. Code 1110.30.

g) AIC Duties and Prohibitions

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

2) An AIC *is responsible for notifying the Department of a change in the employment status of all dispensing organization agents within five business days after the change, including notice to the Department if the termination of an agent was for diversion of product or theft of currency*. (Section 15-95(e) of the Act)

3) An AIC shall work at least 32 hours per week at their assigned dispensary in order to qualify as "full-time" for the purposes of this Part.

4) An *AIC is responsible for notifying the Department of a change in the employment status of all dispensing organization agents within five business days after the change, including notice to the Department if the termination of an agent was for diversion of product or theft of currency*. (Section 15-95(e) of the Act)

5) An AIC is responsible for notifying the Department of any changes made to the approved vendor list.

6) An AIC is responsible for ensuring the daily inventory count as required by Section 1291.310(e) is completed.

7) An AIC is responsible for managing the dispensary.

8) An AIC is responsible for implementing the dispensary's records retention policy, including: the preparation, obtaining, or keeping records, logs, reports, or other documents in connection with Act and this Part; and for, upon request by the Department, making any documents immediately available for inspection and copying by the Department, the Department's authorized representative, or others authorized by law to review the documents. (See Section 15-135(e) of the Act.)

h) AIC Disciplinary Actions. In addition to any action initiated pursuant to Sections 1291.60 and Section 2191.70, *the Department may deny an application or renewal or discipline or revoke an agent-in-charge identification card for any of the following reasons* in accordance with the Act and 20 ILCS 2105/2105-130*:*

1) *Submission of misleading, incorrect, false, or fraudulent information in the application or renewal application;*

2) *Violation of the requirements of the Act or* this Part*;*

3) *Fraudulent use of the agent-in-charge identification card;*

4) *Selling, distributing, transferring in any manner, or giving cannabis to any unauthorized person;*

5) *Theft of cannabis, currency, or any other items from a dispensary;*

6) *Tampering with, falsifying, altering, modifying, or duplicating an agent-in-charge identification card;*

7) *Tampering with, falsifying, altering, or modifying the surveillance video footage, point-of-sale system, or the State's verification system;*

8) *Failure to notify the Department immediately upon discovery that the agent-in-charge identification card has been lost, stolen, or destroyed;*

9) *Failure to notify the Department within five business days after a change in the information provided in the application for an agent-in-charge identification card;*

10) *Conviction of a felony offense in accordance with Sections 2105-131, 2105-135, and 2105-205 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois* [20 ILCS 2105] *or any incident listed in the Act or this Part following the issuance of an agent-in-charge identification card;*

11) *Dispensing to purchasers in amounts above the limits provided in* the *Act; or*

12) *Delinquency in filing any required tax returns or paying any amounts owed to the State of Illinois.* (Section 15-95(i) of the Act)

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