



Rep. Jawaharial Williams

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10100HB0543ham001

LRB101 03032 CPF 70941 a

1 AMENDMENT TO HOUSE BILL 543

2 AMENDMENT NO. _____. Amend House Bill 543 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Cannabis Regulation and Tax Act is amended
5 by changing Section 15-70 as follows:

6 (410 ILCS 705/15-70)

7 Sec. 15-70. Operational requirements; prohibitions.

8 (a) A dispensing organization shall operate in accordance
9 with the representations made in its application and license
10 materials. It shall be in compliance with this Act and rules.

11 (b) A dispensing organization must include the legal name
12 of the dispensary on the packaging of any cannabis product it
13 sells.

14 (c) All cannabis, cannabis-infused products, and cannabis
15 seeds must be obtained from an Illinois registered adult use
16 cultivation center, craft grower, infuser, or another

1 dispensary.

2 (d) Dispensing organizations are prohibited from selling
3 any product containing alcohol except tinctures, which must be
4 limited to containers that are no larger than 100 milliliters.

5 (e) A dispensing organization shall inspect and count
6 product received from a transporting organization, adult use
7 cultivation center, craft grower, infuser organization, or
8 other dispensing organization before dispensing it.

9 (f) A dispensing organization may only accept cannabis
10 deliveries into a restricted access area. Deliveries may not be
11 accepted through the public or limited access areas unless
12 otherwise approved by the Department.

13 (g) A dispensing organization shall maintain compliance
14 with State and local building, fire, and zoning requirements or
15 regulations.

16 (h) A dispensing organization shall submit a list to the
17 Department of the names of all service professionals that will
18 work at the dispensary. The list shall include a description of
19 the type of business or service provided. Changes to the
20 service professional list shall be promptly provided. No
21 service professional shall work in the dispensary until the
22 name is provided to the Department on the service professional
23 list.

24 (i) A dispensing organization's license allows for a
25 dispensary to be operated only at a single location.

26 (j) A dispensary may operate between 6 a.m. and 10 p.m.

1 local time.

2 (k) A dispensing organization must keep all lighting
3 outside and inside the dispensary in good working order and
4 wattage sufficient for security cameras.

5 (l) A dispensing organization must keep all air treatment
6 systems that will be installed to reduce odors in good working
7 order.

8 (m) A dispensing organization must contract with a private
9 security contractor that is licensed under Section 10-5 of the
10 Private Detective, Private Alarm, Private Security,
11 Fingerprint Vendor, and Locksmith Act of 2004 to provide
12 on-site security at all hours of the dispensary's operation.

13 (n) A dispensing organization shall ensure that any
14 building or equipment used by a dispensing organization for the
15 storage or sale of cannabis is maintained in a clean and
16 sanitary condition.

17 (o) The dispensary shall be free from infestation by
18 insects, rodents, or pests.

19 (p) A dispensing organization shall not:

20 (1) Produce or manufacture cannabis;

21 (2) Accept a cannabis product from an adult use
22 cultivation center, craft grower, infuser, dispensing
23 organization, or transporting organization unless it is
24 pre-packaged and labeled in accordance with this Act and
25 any rules that may be adopted pursuant to this Act;

26 (3) Obtain cannabis or cannabis-infused products from

1 outside the State of Illinois;

2 (4) Sell cannabis or cannabis-infused products to a
3 purchaser unless the dispensing organization is licensed
4 under the Compassionate Use of Medical Cannabis Program
5 Act, and the individual is registered under the
6 Compassionate Use of Medical Cannabis Program or the
7 purchaser has been verified to be 21 years of age or older;

8 (5) Enter into an exclusive agreement with any adult
9 use cultivation center, craft grower, or infuser.
10 Dispensaries shall provide consumers an assortment of
11 products from various cannabis business establishment
12 licensees such that the inventory available for sale at any
13 dispensary from any single cultivation center, craft
14 grower, processor, transporter, or infuser entity shall
15 not be more than 40% of the total inventory available for
16 sale. For the purpose of this subsection, a cultivation
17 center, craft grower, processor, or infuser shall be
18 considered part of the same entity if the licensees share
19 at least one principal officer. The Department may request
20 that a dispensary diversify its products as needed or
21 otherwise discipline a dispensing organization for
22 violating this requirement;

23 (6) Refuse to conduct business with an adult use
24 cultivation center, craft grower, transporting
25 organization, or infuser that has the ability to properly
26 deliver the product and is permitted by the Department of

1 Agriculture, on the same terms as other adult use
2 cultivation centers, craft growers, infusers, or
3 transporters with whom it is dealing;

4 (7) Operate drive-through windows;

5 (8) Allow for the dispensing of cannabis or
6 cannabis-infused products in vending machines;

7 (9) Transport cannabis to residences or other
8 locations where purchasers may be for delivery;

9 (10) Enter into agreements to allow persons who are not
10 dispensing organization agents to deliver cannabis or to
11 transport cannabis to purchasers;

12 (11) Operate a dispensary if its video surveillance
13 equipment is inoperative;

14 (12) Operate a dispensary if the point-of-sale
15 equipment is inoperative;

16 (13) Operate a dispensary if the State's cannabis
17 electronic verification system is inoperative;

18 (14) Have fewer than 2 people working at the dispensary
19 at any time while the dispensary is open;

20 (15) Be located within 1,500 feet of the property line
21 of a pre-existing dispensing organization;

22 (16) Sell clones or any other live plant material;

23 (17) Sell cannabis, cannabis concentrate, or
24 cannabis-infused products in combination or bundled with
25 each other or any other items for one price, and each item
26 of cannabis, concentrate, or cannabis-infused product must

1 be separately identified by quantity and price on the
2 receipt;

3 (18) Violate any other requirements or prohibitions
4 set by Department rules.

5 (q) It is unlawful for any person having an Early Approval
6 Adult Use Cannabis Dispensing Organization License, a
7 Conditional Adult Use Cannabis Dispensing Organization, an
8 Adult Use Dispensing Organization License, or a medical
9 cannabis dispensing organization license issued under the
10 Compassionate Use of Medical Cannabis Program Act or any
11 officer, associate, member, representative, or agent of such
12 licensee to accept, receive, or borrow money or anything else
13 of value or accept or receive credit (other than merchandising
14 credit in the ordinary course of business for a period not to
15 exceed 30 days) directly or indirectly from any adult use
16 cultivation center, craft grower, infuser, or transporting
17 organization in exchange for preferential placement on the
18 dispensing organization's shelves, display cases, or website.
19 This includes anything received or borrowed or from any
20 stockholders, officers, agents, or persons connected with an
21 adult use cultivation center, craft grower, infuser, or
22 transporting organization.

23 (r) It is unlawful for any person having an Early Approval
24 Adult Use Cannabis Dispensing Organization License, a
25 Conditional Adult Use Cannabis Dispensing Organization, an
26 Adult Use Dispensing Organization License, or a medical

1 cannabis dispensing organization license issued under the
2 Compassionate Use of Medical Cannabis Program to enter into any
3 contract with any person licensed to cultivate, process, or
4 transport cannabis whereby such dispensing organization agrees
5 not to sell any cannabis cultivated, processed, transported,
6 manufactured, or distributed by any other cultivator,
7 transporter, or infuser, and any provision in any contract
8 violative of this Section shall render the whole of such
9 contract void and no action shall be brought thereon in any
10 court.

11 (s) A dispensing organization must be located at least 500
12 feet from a facility that provides treatment for substance
13 abuse.

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