



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5865

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.

LRB101 22910 CPF 74211 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 101st General Assembly, the State Treasurer shall so certify to
8 the Department of Public Health and the State Comptroller, and
9 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 101st 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 certified
17 by the Department of Public Health under this paragraph (1).
18 The State Comptroller shall disburse the refund amount from the
19 Fund to each medical cannabis patient certified by the
20 Department of Public Health under this paragraph (1).

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

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

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

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