

1 AN ACT concerning regulation.

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 30 and by adding
6 Section 31 as follows:

7 (410 ILCS 130/30)

8 Sec. 30. Limitations and penalties.

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

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

15 (2) Possessing cannabis:

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

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

21 (C) in any correctional facility;

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

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

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

8 (3) Using cannabis:

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

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

14 (C) in any correctional facility;

15 (D) in any motor vehicle;

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

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

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

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

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

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

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

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

1 is allowed to possess under this Act;

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (410 ILCS 130/31 new)

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

3 (a) Definitions. For purposes of this Section:

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

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

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

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

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

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

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

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

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