

# SB0299



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB0299

Introduced 2/19/2021, by Sen. Jason A. Barickman

#### SYNOPSIS AS INTRODUCED:

410 ILCS 705/10-15

Amends the Cannabis Regulation and Tax Act. Provides that a person under 21 years of age who possesses 30 grams or less of cannabis is guilty of a Class A misdemeanor (rather than a civil law violation). Provides that a person under 21 years of age who possesses more than 30 grams of cannabis is subject to the penalties provided in the Cannabis Control Act. Effective immediately.

LRB102 15930 CPF 21300 b

CORRECTIONAL  
BUDGET AND  
IMPACT 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 Cannabis Regulation and Tax Act is amended  
5 by changing Section 10-15 as follows:

6 (410 ILCS 705/10-15)

7 Sec. 10-15. Persons under 21 years of age.

8 (a) Nothing in this Act is intended to permit the transfer  
9 of cannabis, with or without remuneration, to a person under  
10 21 years of age, or to allow a person under 21 years of age to  
11 purchase, possess, use, process, transport, grow, or consume  
12 cannabis except where authorized by the Compassionate Use of  
13 Medical Cannabis Program Act or by the Community College  
14 Cannabis Vocational Pilot Program.

15 (b) Notwithstanding any other provisions of law  
16 authorizing the possession of medical cannabis, nothing in  
17 this Act authorizes a person who is under 21 years of age to  
18 possess cannabis. A person under 21 years of age who possesses  
19 30 grams or less of ~~with cannabis in his or her possession~~ is  
20 guilty of a Class A misdemeanor ~~civil law violation as~~  
21 ~~outlined in paragraph (a) of Section 4 of the Cannabis Control~~  
22 ~~Act.~~ A person under 21 years of age who possesses more than 30  
23 grams of cannabis is subject to the penalties provided in

1 Section 4 of the Cannabis Control Act.

2 (c) If the person under the age of 21 was in a motor  
3 vehicle at the time of the offense, the Secretary of State may  
4 suspend or revoke the driving privileges of any person for a  
5 violation of this Section under Section 6-206 of the Illinois  
6 Vehicle Code and the rules adopted under it.

7 (d) It is unlawful for any parent or guardian to knowingly  
8 permit his or her residence, any other private property under  
9 his or her control, or any vehicle, conveyance, or watercraft  
10 under his or her control to be used by an invitee of the  
11 parent's child or the guardian's ward, if the invitee is under  
12 the age of 21, in a manner that constitutes a violation of this  
13 Section. A parent or guardian is deemed to have knowingly  
14 permitted his or her residence, any other private property  
15 under his or her control, or any vehicle, conveyance, or  
16 watercraft under his or her control to be used in violation of  
17 this Section if he or she knowingly authorizes or permits  
18 consumption of cannabis by underage invitees. Any person who  
19 violates this subsection (d) is guilty of a Class A  
20 misdemeanor and the person's sentence shall include, but shall  
21 not be limited to, a fine of not less than \$500. If a violation  
22 of this subsection (d) directly or indirectly results in great  
23 bodily harm or death to any person, the person violating this  
24 subsection is guilty of a Class 4 felony. In this subsection  
25 (d), where the residence or other property has an owner and a  
26 tenant or lessee, the trier of fact may infer that the

1 residence or other property is occupied only by the tenant or  
2 lessee.

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

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.