



Sen. Chapin Rose

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10200SB2145sam001

LRB102 15676 RJF 23511 a

1 AMENDMENT TO SENATE BILL 2145

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2145 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing  
5 Section 6z-112 as follows:

6 (30 ILCS 105/6z-112)

7 Sec. 6z-112 ~~6z-107~~. The Cannabis Regulation Fund.

8 (a) There is created the Cannabis Regulation Fund in the  
9 State treasury, subject to appropriations unless otherwise  
10 provided in this Section. All moneys collected under the  
11 Cannabis Regulation and Tax Act shall be deposited into the  
12 Cannabis Regulation Fund, consisting of taxes, license fees,  
13 other fees, and any other amounts required to be deposited or  
14 transferred into the Fund.

15 (b) Whenever the Department of Revenue determines that a  
16 refund should be made under the Cannabis Regulation and Tax

1 Act to a claimant, the Department of Revenue shall submit a  
2 voucher for payment to the State Comptroller, who shall cause  
3 the order to be drawn for the amount specified and to the  
4 person named in the notification from the Department of  
5 Revenue. This subsection (b) shall constitute an irrevocable  
6 and continuing appropriation of all amounts necessary for the  
7 payment of refunds out of the Fund as authorized under this  
8 subsection (b).

9 (c) On or before the 25th day of each calendar month, the  
10 Department of Revenue shall prepare and certify to the State  
11 Comptroller the transfer and allocations of stated sums of  
12 money from the Cannabis Regulation Fund to other named funds  
13 in the State treasury. The amount subject to transfer shall be  
14 the amount of the taxes, license fees, other fees, and any  
15 other amounts paid into the Fund during the second preceding  
16 calendar month, minus the refunds made under subsection (b)  
17 during the second preceding calendar month by the Department.  
18 The transfers shall be certified as follows:

19 (1) The Department of Revenue shall first determine  
20 the allocations which shall remain in the Cannabis  
21 Regulation Fund, subject to appropriations, to pay for the  
22 direct and indirect costs associated with the  
23 implementation, administration, and enforcement of the  
24 Cannabis Regulation and Tax Act by the Department of  
25 Revenue, the Department of State Police, the Department of  
26 Financial and Professional Regulation, the Department of

1 Agriculture, the Department of Public Health, the  
2 Department of Commerce and Economic Opportunity, and the  
3 Illinois Criminal Justice Information Authority.

4 (2) After the allocations have been made as provided  
5 in paragraph (1) of this subsection (c), of the remainder  
6 of the amount subject to transfer for the month as  
7 determined in this subsection (c), the Department shall  
8 certify the transfer into the Cannabis Expungement Fund  
9 1/12 of the fiscal year amount appropriated from the  
10 Cannabis Expungement Fund for payment of costs incurred by  
11 State courts, the Attorney General, State's Attorneys,  
12 civil legal aid, as defined by Section 15 of the Public  
13 Interest Attorney Assistance Act, and the Department of  
14 State Police to facilitate petitions for expungement of  
15 Minor Cannabis Offenses pursuant to Public Act 101-27 ~~this~~  
16 ~~amendatory Act of the 101st General Assembly~~, as adjusted  
17 by any supplemental appropriation, plus cumulative  
18 deficiencies in such transfers for prior months.

19 (3) After the allocations have been made as provided  
20 in paragraphs (1) and (2) of this subsection (c), the  
21 Department of Revenue shall certify to the State  
22 Comptroller and the State Treasurer shall transfer the  
23 amounts that the Department of Revenue determines shall be  
24 transferred into the following named funds according to  
25 the following:

26 (A) 1% ~~2%~~ shall be transferred to the Drug

1 Treatment Fund to be used by the Department of Human  
2 Services for: (i) developing and administering a  
3 scientifically and medically accurate public education  
4 campaign educating youth and adults about the health  
5 and safety risks of alcohol, tobacco, illegal drug use  
6 (including prescription drugs), and cannabis,  
7 including use by pregnant women; and (ii) data  
8 collection and analysis of the public health impacts  
9 of legalizing the recreational use of cannabis.  
10 Expenditures for these purposes shall be subject to  
11 appropriations.

12 (B) 8% shall be transferred to the Local  
13 Government Distributive Fund and allocated as provided  
14 in Section 2 of the State Revenue Sharing Act. The  
15 moneys shall be used to fund crime prevention  
16 programs, training, and interdiction efforts,  
17 including detection, enforcement, and prevention  
18 efforts, relating to the illegal cannabis market and  
19 driving under the influence of cannabis.

20 (C) 20% ~~25%~~ shall be transferred to the Criminal  
21 Justice Information Projects Fund to be used for the  
22 purposes of the Restore, Reinvest, and Renew Program  
23 to address economic development, violence prevention  
24 services, re-entry services, youth development, and  
25 civil legal aid, as defined by Section 15 of the Public  
26 Interest Attorney Assistance Act. The Restore,

1 Reinvest, and Renew Program shall address these issues  
2 through targeted investments and intervention programs  
3 and promotion of an employment infrastructure and  
4 capacity building related to the social determinants  
5 of health in impacted community areas. Expenditures  
6 for these purposes shall be subject to appropriations.

7 (D) 15% ~~20%~~ shall be transferred to the Department  
8 of Human Services Community Services Fund, to be used  
9 to address substance abuse and prevention and mental  
10 health concerns, including treatment, education, and  
11 prevention to address the negative impacts of  
12 substance abuse and mental health issues, including  
13 concentrated poverty, violence, and the historical  
14 overuse of criminal justice responses in certain  
15 communities, on the individual, family, and community,  
16 including federal, State, and local governments,  
17 health care institutions and providers, and  
18 correctional facilities. Expenditures for these  
19 purposes shall be subject to appropriations.

20 (E) 10% shall be transferred to the Budget  
21 Stabilization Fund.

22 (E-5) 11% shall be transferred to the State  
23 Pensions Fund to be used as supplementary  
24 contributions to the State Employees' Retirement  
25 System, the Teachers' Retirement System, and the State  
26 Universities Retirement System as follows: (i) 3% to

1           the State Employees' Retirement System; (ii) 4% to the  
2           Teachers' Retirement System; and (iii) 4% to the State  
3           Universities Retirement System. These supplementary  
4           contributions shall be made in addition to, and not in  
5           lieu of, any State contributions required under the  
6           Illinois Pension Code.

7           (F) 35%, or any remaining balance, shall be  
8           transferred to the General Revenue Fund.

9           As soon as may be practical, but no later than 10 days  
10          after receipt, by the State Comptroller of the transfer  
11          certification provided for in this subsection (c) to be given  
12          to the State Comptroller by the Department of Revenue, the  
13          State Comptroller shall direct and the State Treasurer shall  
14          transfer the respective amounts in accordance with the  
15          directions contained in such certification.

16          (d) On July 1, 2019 the Department of Revenue shall  
17          certify to the State Comptroller and the State Treasurer shall  
18          transfer \$5,000,000 from the Compassionate Use of Medical  
19          Cannabis Fund to the Cannabis Regulation Fund.

20          (e) Notwithstanding any other law to the contrary and  
21          except as otherwise provided in this Section, this Fund is not  
22          subject to sweeps, administrative charge-backs, or any other  
23          fiscal or budgetary maneuver that would in any way transfer  
24          any amounts from this Fund into any other fund of the State.

25          (f) The Cannabis Regulation Fund shall retain a balance of  
26          \$1,000,000 for the purposes of administrative costs.

1           (g) In Fiscal Year 2024 the allocations in subsection (c)  
2 of this Section shall be reviewed and adjusted if the General  
3 Assembly finds there is a greater need for funding for a  
4 specific purpose in the State as it relates to Public Act  
5 101-27 ~~this amendatory Act of the 101st General Assembly.~~  
6 (Source: P.A. 101-27, eff. 6-25-19; revised 9-23-19.)".