



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1055

Introduced 1/12/2023, by Rep. Rita Mayfield

SYNOPSIS AS INTRODUCED:

30 ILCS 105/6z-112
110 ILCS 805/2-30 new

Amends the Public Community College Act. Provides that the Illinois Community College Board shall develop and maintain a program to provide free tuition at one community college in each R3 Area (designated as such under the Cannabis Regulation and Tax Act) using money appropriated from the Cannabis Regulation Fund. Authorizes the Board to adopt any rules necessary. Amends the State Finance Act to make related changes.

LRB103 00020 NLB 45020 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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. 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
17 Act to a claimant, the Department of Revenue shall submit a
18 voucher for payment to the State Comptroller, who shall cause
19 the order to be drawn for the amount specified and to the
20 person named in the notification from the Department of
21 Revenue. This subsection (b) shall constitute an irrevocable
22 and continuing appropriation of all amounts necessary for the
23 payment of refunds out of the Fund as authorized under this

1 subsection (b).

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

12 (1) The Department of Revenue shall first determine
13 the allocations which shall remain in the Cannabis
14 Regulation Fund, subject to appropriations, to pay for the
15 direct and indirect costs associated with the
16 implementation, administration, and enforcement of the
17 Cannabis Regulation and Tax Act by the Department of
18 Revenue, the Department of State Police, the Department of
19 Financial and Professional Regulation, the Department of
20 Agriculture, the Department of Public Health, the
21 Department of Commerce and Economic Opportunity, and the
22 Illinois Criminal Justice Information Authority.

23 (1.5) After the allocations have been made as provided
24 in paragraph (1) of this subsection (c), the Department of
25 Revenue shall determine the allocation that shall remain
26 in the Cannabis Regulation Fund, subject to appropriation,

1 to provide free community college tuition under Section
2 2-30 of the Public Community College Act.

3 (2) After the allocations have been made as provided
4 in ~~paragraphs~~ paragraph (1) and (1.5) of this subsection
5 (c), of the remainder of the amount subject to transfer
6 for the month as determined in this subsection (c), the
7 Department shall certify the transfer into the Cannabis
8 Expungement Fund 1/12 of the fiscal year amount
9 appropriated from the Cannabis Expungement Fund for
10 payment of costs incurred by State courts, the Attorney
11 General, State's Attorneys, civil legal aid, as defined by
12 Section 15 of the Public Interest Attorney Assistance Act,
13 and the Department of State Police to facilitate petitions
14 for expungement of Minor Cannabis Offenses pursuant to
15 Public Act 101-27, as adjusted by any supplemental
16 appropriation, plus cumulative deficiencies in such
17 transfers for prior months.

18 (3) After the allocations have been made as provided
19 in paragraphs (1), (1.5), and (2) of this subsection (c),
20 the Department of Revenue shall certify to the State
21 Comptroller and the State Treasurer shall transfer the
22 amounts that the Department of Revenue determines shall be
23 transferred into the following named funds according to
24 the following:

25 (A) 2% shall be transferred to the Drug Treatment
26 Fund to be used by the Department of Human Services

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

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

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

1 and promotion of an employment infrastructure and
2 capacity building related to the social determinants
3 of health in impacted community areas. Expenditures
4 for these purposes shall be subject to appropriations.

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

18 (E) 10% shall be transferred to the Budget
19 Stabilization Fund.

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

22 As soon as may be practical, but no later than 10 days
23 after receipt, by the State Comptroller of the transfer
24 certification provided for in this subsection (c) to be given
25 to the State Comptroller by the Department of Revenue, the
26 State Comptroller shall direct and the State Treasurer shall

1 transfer the respective amounts in accordance with the
2 directions contained in such certification.

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

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

12 (f) The Cannabis Regulation Fund shall retain a balance of
13 \$1,000,000 for the purposes of administrative costs.

14 (g) In Fiscal Year 2024 the allocations in subsection (c)
15 of this Section shall be reviewed and adjusted if the General
16 Assembly finds there is a greater need for funding for a
17 specific purpose in the State as it relates to Public Act
18 101-27.

19 (Source: P.A. 101-27, eff. 6-25-19; 102-558, eff. 8-20-21.)

20 Section 10. The Public Community College Act is amended by
21 adding Section 2-30 as follows:

22 (110 ILCS 805/2-30 new)

23 Sec. 2-30. Free community college tuition in R3 Areas. The
24 State Board shall develop and maintain a program to provide

1 free tuition at one community college in each R3 Area, as
2 designated pursuant to Section 10-40 of the Cannabis
3 Regulation and Tax Act, using money appropriated from the
4 Cannabis Regulation Fund. The State Board shall provide the
5 Department of Revenue with any information the Department
6 requests concerning the costs of the program. The State Board
7 may adopt any rules necessary for the purposes of this
8 Section.