



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1499

Introduced 1/31/2023, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

New Act

410 ILCS 82/35

410 ILCS 705/10-25

410 ILCS 705/10-35

410 ILCS 705/55-25

Creates the Local Cannabis Licensing Act. Provides that a county or municipality may issue licenses for temporary events, cannabis clubs, and cannabis tours that will allow for the sale and consumption of cannabis or cannabis-infused products and for the sale of cannabis paraphernalia at such temporary events, clubs, or tours. Allows tours of cannabis craft grower or cultivation center facilities. Requires ordinances with specified requirements for such temporary events, cannabis clubs, and cannabis tours before any licenses are issued. Limits home rule powers. Makes conforming changes in the Cannabis Regulation and Tax Act and Smoke Free Illinois Act. Effective immediately.

LRB103 05063 CPF 50077 b

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the Local
5 Cannabis Licensing Act.

6 Section 5. Definitions. In this Act:

7 "Cannabis" has the meaning given to that term in Section
8 1-10 of the Cannabis Regulation and Tax Act.

9 "Cannabis business establishment" has the meaning given to
10 that term in Section 1-10 of the Cannabis Regulation and Tax
11 Act.

12 "Cannabis club" means a public or private restaurant, bar,
13 or other business licensed under Section 15 that allows
14 communal consumption of cannabis or cannabis-infused products
15 on premises.

16 "Cannabis-infused product" has the meaning given to that
17 term in Section 1-10 of the Cannabis Regulation and Tax Act.

18 "Cannabis paraphernalia" has the meaning given to that
19 term in Section 1-10 of the Cannabis Regulation and Tax Act.

20 "Craft grower" has the meaning given to that term in
21 Section 1-10 of the Cannabis Regulation and Tax Act.

22 "Cultivation center" has the meaning given to that term in
23 Section 1-10 of the Cannabis Regulation and Tax Act.

1 "Dispensing organization" has the meaning given to that
2 term in Section 1-10 of the Cannabis Regulation and Tax Act.

3 "Dispensing organization agent" has the meaning given to
4 that term in Section 1-10 of the Cannabis Regulation and Tax
5 Act.

6 "Governmental unit" means a county or municipality.

7 Section 10. Temporary event licenses.

8 (a) The consumption and sale of cannabis, cannabis-infused
9 products, or cannabis paraphernalia at a temporary event is
10 subject to regulation by a municipality for events within the
11 municipality and by a county for events outside of a
12 municipality.

13 (b) A person conducting a temporary event for the
14 consumption and sale of cannabis, cannabis-infused products,
15 or cannabis paraphernalia must hold a temporary event license
16 issued by the governmental unit for the premises at which the
17 temporary event is conducted.

18 (c) An applicant for a temporary event license under this
19 Section must:

20 (1) apply for the license in the manner required by
21 ordinance of the governmental unit;

22 (2) provide proof that the applicant is 21 years of
23 age or older; and

24 (3) submit a plan to the governmental unit, in a form
25 and manner prescribed by the governmental unit, detailing

1 how persons under 21 years of age will be prevented from
2 gaining access to the premises at which the temporary
3 event is to be conducted.

4 (d) The premises at which an applicant intends to conduct
5 a temporary event may not be located:

6 (1) in an area that is zoned exclusively for
7 residential use; or

8 (2) within 1,000 feet of a public or private
9 elementary or secondary school.

10 (e) An applicant for a temporary event license under this
11 Section and the premises at which the temporary event is to be
12 conducted must meet the requirements of any ordinance adopted
13 by the governmental unit under this subsection.

14 (1) Before a governmental unit may issue any temporary
15 event license under this Section, the governmental unit
16 must adopt an ordinance that includes all of the
17 following:

18 (A) Application and licensure fees for a license
19 issued under this Section.

20 (B) The maximum term of a license issued under
21 this Section.

22 (C) A prohibition on licenses issued under this
23 Section from being continuously issued for a single
24 location.

25 (D) A requirement that cannabis sold on a premises
26 for which a license has been issued under this Section

1 will be sold by a cannabis business establishment.

2 (E) Allows the consumption of cannabis or
3 cannabis-infused products in designated areas of a
4 premises for which a license has been issued under
5 this Section.

6 (F) A requirement that each enclosed portion of a
7 premises for which a license has been issued under
8 this Section where cannabis or cannabis-infused
9 products are smoked, aerosolized, or vaporized must
10 have a ventilation system that:

11 (i) exhausts smoke, aerosols, and vapors from
12 that portion of the premises; and

13 (ii) is designed and terminated in accordance
14 with building code standards for the applicable
15 occupancy classification.

16 (G) A requirement that a premises for which a
17 license has been issued under this Section must meet
18 any public health and safety standards and industry
19 best practices established by the governmental unit by
20 rule or ordinance.

21 (H) A requirement that a licensee under this
22 Section meet the definition of a Social Equity
23 Applicant under the Cannabis Regulation and Tax Act.

24 (2) The governmental unit may not adopt an ordinance
25 or rule that:

26 (A) prohibits a person who holds a license issued

1 under this Section from adopting policies that allow
2 persons attending the temporary event to bring
3 cannabis, cannabis-infused products, or cannabis
4 paraphernalia into the temporary event; or

5 (B) imposes public health or safety standards on
6 temporary events if those standards serve no purpose
7 other than deterring the consumption of cannabis or
8 cannabis-infused products at a temporary event.

9 (f) License fees assessed under this Section must be
10 reasonably related to the cost of inspecting and regulating
11 the temporary event.

12 Section 15. Cannabis clubs.

13 (a) The consumption of cannabis or cannabis-infused
14 products at a cannabis club is subject to regulation by a
15 municipality for cannabis clubs within the municipality and by
16 a county for cannabis clubs outside of a municipality.

17 (b) A person operating a cannabis club must hold a
18 cannabis club license issued by the governmental unit for the
19 premises at which the consumption occurs.

20 (c) An applicant for a cannabis club license under this
21 Section must:

22 (1) apply for the license in the manner required by
23 ordinance of the governmental unit; and

24 (2) provide proof that the applicant is 21 years of
25 age or older.

1 (d) The premises at which an applicant intends to have a
2 cannabis club may not be located:

3 (1) in an area that is zoned exclusively for
4 residential use; or

5 (2) within 1,000 feet of a public or private
6 elementary or secondary school.

7 (e) (1) An applicant for a cannabis club license under this
8 Section and the premises at which the cannabis club is to be
9 located must meet the requirements of any ordinance adopted by
10 the governmental unit under this subsection. The ordinance
11 must include all of the following:

12 (A) A requirement that a person who holds a license
13 must renew the license annually.

14 (B) Fees for the application, licensure, and renewal
15 of licensure for a license under this Section.

16 (C) A restriction on the consumption of cannabis or
17 cannabis-infused products to designated enclosed areas of
18 a premises for which a license has been issued under this
19 Section.

20 (D) A prohibition on the production, propagation, and
21 processing of cannabis, cannabis-infused products, or
22 cannabis paraphernalia on a premises for which a license
23 has been issued under this Section.

24 (E) A requirement that cannabis, cannabis-infused
25 products, or cannabis paraphernalia sold on a premises for
26 which a license has been issued under this Section shall

1 be sold by a dispensing organization.

2 (F) A requirement that each enclosed portion of a
3 premises for which a license has been issued under this
4 Section where cannabis or cannabis-infused products are
5 smoked, aerosolized, or vaporized must have a ventilation
6 system that:

7 (i) exhausts smoke, aerosols, and vapors from that
8 portion of the premises; and

9 (ii) is designed and terminated in accordance with
10 building code standards for the applicable occupancy
11 classification.

12 (G) A requirement that a premises for which a license
13 has been issued under this Section must meet any public
14 health and safety standards and industry best practices
15 established by the governmental unit by rule or ordinance.

16 (H) A requirement that a licensee under this Section
17 meet the definition of a Social Equity Applicant under the
18 Cannabis Regulation and Tax Act.

19 (2) The governmental unit may not adopt an ordinance or
20 rule that:

21 (A) prohibits a person who holds a license issued
22 under this Section from adopting policies that allow
23 persons present at the cannabis club to bring cannabis,
24 cannabis-infused products, or cannabis paraphernalia into
25 the cannabis club; or

26 (B) imposes public health or safety standards on

1 cannabis clubs if those standards serve no purpose other
2 than deterring the consumption of cannabis or
3 cannabis-infused products at a cannabis club.

4 (f) License fees assessed under this Section must be
5 reasonably related to the cost of inspecting and regulating
6 the cannabis club.

7 (g) If any provision of this Section conflicts with
8 paragraph (8) of Section 35 of the Smoke Free Illinois Act
9 relating to a dispensing organization, the provisions of
10 paragraph (8) of Section 35 of the Smoke Free Illinois Act
11 prevail.

12 Section 20. Cannabis tours.

13 (a) A craft grower or cultivation center may offer tours
14 to the public of its licensed facility if the craft grower or
15 cultivation center meets the definition of a Social Equity
16 Applicant under the Cannabis Regulation and Tax Act.

17 (b) A tour may be offered only to persons who are 21 years
18 of age or older.

19 (c) A craft grower or cultivation center that offers tours
20 under this Section may enter into a contract with a dispensing
21 organization to allow a dispensing organization agent to sell
22 cannabis, cannabis-infused products, or cannabis paraphernalia
23 during the tour on the premises of the craft grower or
24 cultivation center offering the tour.

25 (d) The governmental unit may:

1 (1) require a craft grower or cultivation center to
2 submit to the governmental unit, in a form and manner
3 prescribed by the governmental unit, a plan that details
4 how the craft grower or cultivation center will:

5 (A) prevent persons who are under 21 years of age
6 from entering the premises of the craft grower or
7 cultivation center during a tour; and

8 (B) ensure the health and safety of persons taking
9 a tour; or

10 (2) adopt ordinances or rules as necessary to carry
11 out the provisions of this Section.

12 Section 25. Home rule. A home rule unit may not regulate or
13 license temporary events, cannabis clubs, or cannabis tours in
14 a manner inconsistent with this Act. This Act is a limitation
15 under subsection (i) of Section 6 of Article VII of the
16 Illinois Constitution on the concurrent exercise by home rule
17 units of powers and functions exercised by the State.

18 Section 900. The Smoke Free Illinois Act is amended by
19 changing Section 35 as follows:

20 (410 ILCS 82/35)

21 Sec. 35. Exemptions. Notwithstanding any other provision
22 of this Act, smoking is allowed in the following areas:

23 (1) Private residences or dwelling places, except when

1 used as a child care, adult day care, or healthcare
2 facility or any other home-based business open to the
3 public.

4 (2) Retail tobacco stores as defined in Section 10 of
5 this Act in operation prior to the effective date of this
6 amendatory Act of the 95th General Assembly. The retail
7 tobacco store shall annually file with the Department by
8 January 31st an affidavit stating the percentage of its
9 gross income during the prior calendar year that was
10 derived from the sale of loose tobacco, plants, or herbs
11 and cigars, cigarettes, pipes, or other smoking devices
12 for smoking tobacco and related smoking accessories. Any
13 retail tobacco store that begins operation after the
14 effective date of this amendatory Act may only qualify for
15 an exemption if located in a freestanding structure
16 occupied solely by the business and smoke from the
17 business does not migrate into an enclosed area where
18 smoking is prohibited. A retail tobacco store may, with
19 authorization or permission from a unit of local
20 government, including a home rule unit, or any non-home
21 rule county within the unincorporated territory of the
22 county, allow the on-premises consumption of cannabis in a
23 specially designated areas.

24 (3) (Blank).

25 (4) Hotel and motel sleeping rooms that are rented to
26 guests and are designated as smoking rooms, provided that

1 all smoking rooms on the same floor must be contiguous and
2 smoke from these rooms must not infiltrate into nonsmoking
3 rooms or other areas where smoking is prohibited. Not more
4 than 25% of the rooms rented to guests in a hotel or motel
5 may be designated as rooms where smoking is allowed. The
6 status of rooms as smoking or nonsmoking may not be
7 changed, except to permanently add additional nonsmoking
8 rooms.

9 (5) Enclosed laboratories that are excluded from the
10 definition of "place of employment" in Section 10 of this
11 Act. Rulemaking authority to implement this amendatory Act
12 of the 95th General Assembly, if any, is conditioned on
13 the rules being adopted in accordance with all provisions
14 of the Illinois Administrative Procedure Act and all rules
15 and procedures of the Joint Committee on Administrative
16 Rules; any purported rule not so adopted, for whatever
17 reason, is unauthorized.

18 (6) Common smoking rooms in long-term care facilities
19 operated under the authority of the Illinois Department of
20 Veterans' Affairs or licensed under the Nursing Home Care
21 Act that are accessible only to residents who are smokers
22 and have requested in writing to have access to the common
23 smoking room where smoking is permitted and the smoke
24 shall not infiltrate other areas of the long-term care
25 facility. Rulemaking authority to implement this
26 amendatory Act of the 95th General Assembly, if any, is

1 conditioned on the rules being adopted in accordance with
2 all provisions of the Illinois Administrative Procedure
3 Act and all rules and procedures of the Joint Committee on
4 Administrative Rules; any purported rule not so adopted,
5 for whatever reason, is unauthorized.

6 (7) A convention hall of the Donald E. Stephens
7 Convention Center where a meeting or trade show for
8 manufacturers and suppliers of tobacco and tobacco
9 products and accessories is being held, during the time
10 the meeting or trade show is occurring, if the meeting or
11 trade show:

12 (i) is a trade-only event and not open to the
13 public;

14 (ii) is limited to attendees and exhibitors that
15 are 21 years of age or older;

16 (iii) is being produced or organized by a business
17 relating to tobacco or a professional association for
18 convenience stores; and

19 (iv) involves the display of tobacco products.

20 Smoking is not allowed in any public area outside of
21 the hall designated for the meeting or trade show.

22 This paragraph (7) is inoperative on and after October
23 1, 2015.

24 (8) A dispensing organization, as defined in the
25 Cannabis Regulation and Tax Act, authorized or permitted
26 by a unit local government to allow on-site consumption of

1 cannabis, if the establishment: (1) maintains a specially
2 designated area or areas for the purpose of heating,
3 burning, smoking, or lighting cannabis; (2) is limited to
4 individuals 21 or older; and (3) maintains a locked door
5 or barrier to any specially designated areas for the
6 purpose of heating, burning, smoking or lighting cannabis.

7 (9) Temporary events, cannabis clubs, or cannabis
8 tours licensed under the Local Cannabis Licensing Act.

9 (Source: P.A. 101-593, eff. 12-4-19.)

10 Section 905. The Cannabis Regulation and Tax Act is
11 amended by changing Sections 10-25, 10-35, and 55-25 as
12 follows:

13 (410 ILCS 705/10-25)

14 Sec. 10-25. Immunities and presumptions related to the use
15 of cannabis by purchasers.

16 (a) A purchaser who is 21 years of age or older is not
17 subject to arrest, prosecution, denial of any right or
18 privilege, or other punishment including, but not limited to,
19 any civil penalty or disciplinary action taken by an
20 occupational or professional licensing board, based solely on
21 the use of cannabis if (1) the purchaser possesses an amount of
22 cannabis that does not exceed the possession limit under
23 Section 10-10 and, if the purchaser is licensed, certified, or
24 registered to practice any trade or profession under any Act

1 and (2) the use of cannabis does not impair that person when he
2 or she is engaged in the practice of the profession for which
3 he or she is licensed, certified, or registered.

4 (b) A purchaser 21 years of age or older is not subject to
5 arrest, prosecution, denial of any right or privilege, or
6 other punishment, including, but not limited to, any civil
7 penalty or disciplinary action taken by an occupational or
8 professional licensing board, based solely for (i) selling
9 cannabis paraphernalia if employed and licensed as a
10 dispensing agent by a dispensing organization; (ii) being in
11 the presence or vicinity of the use of cannabis or cannabis
12 paraphernalia as allowed under this Act; or (iii) possessing
13 cannabis paraphernalia.

14 (c) Mere possession of, or application for, an agent
15 identification card or license does not constitute probable
16 cause or reasonable suspicion to believe that a crime has been
17 committed, nor shall it be used as the sole basis to support
18 the search of the person, property, or home of the person
19 possessing or applying for the agent identification card. The
20 possession of, or application for, an agent identification
21 card does not preclude the existence of probable cause if
22 probable cause exists based on other grounds.

23 (c-5) Except as provided in Section 11-205.15 of the
24 Illinois Vehicle Code, in any criminal proceeding no finding
25 or determination of probable cause to believe a crime has been
26 committed shall be based solely on evidence of the following

1 facts and circumstances, either individually or in combination
2 with each other: (i) the odor of cannabis; (ii) the odor of
3 burnt cannabis; (iii) the possession or the suspicion of
4 possession of cannabis in an amount authorized under this Act;
5 (iv) the possession of multiple containers of cannabis without
6 evidence of cannabis in amounts in excess of those authorized
7 under this Act; or (v) the presence of cash or currency in
8 proximity to cannabis.

9 (d) No person employed by the State of Illinois shall be
10 subject to criminal or civil penalties for taking any action
11 in good faith in reliance on this Act when acting within the
12 scope of his or her employment. Representation and
13 indemnification shall be provided to State employees as set
14 forth in Section 2 of the State Employee Indemnification Act.

15 (e) No law enforcement or correctional agency, nor any
16 person employed by a law enforcement or correctional agency,
17 shall be subject to criminal or civil liability, except for
18 willful and wanton misconduct, as a result of taking any
19 action within the scope of the official duties of the agency or
20 person to prohibit or prevent the possession or use of
21 cannabis by a person incarcerated at a correctional facility,
22 jail, or municipal lockup facility, on parole or mandatory
23 supervised release, or otherwise under the lawful jurisdiction
24 of the agency or person.

25 (f) For purposes of receiving medical care, including
26 organ transplants, a person's use of cannabis under this Act

1 does not constitute the use of an illicit substance or
2 otherwise disqualify a person from medical care.

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

4 (410 ILCS 705/10-35)

5 Sec. 10-35. Limitations and penalties.

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

9 (1) undertaking any task under the influence of
10 cannabis when doing so would constitute negligence,
11 professional malpractice, or professional misconduct;

12 (2) possessing cannabis:

13 (A) in a school bus, unless permitted for a
14 qualifying patient or caregiver pursuant to the
15 Compassionate Use of Medical Cannabis Program Act;

16 (B) on the grounds of any preschool or primary or
17 secondary school, unless permitted for a qualifying
18 patient or caregiver pursuant to the Compassionate Use
19 of Medical Cannabis Program Act;

20 (C) in any correctional facility;

21 (D) in a vehicle not open to the public unless the
22 cannabis is in a reasonably secured, sealed or
23 resealable container and reasonably inaccessible while
24 the vehicle is moving; or

25 (E) in a private residence that is used at any time

1 to provide licensed child care or other similar social
2 service care on the premises;

3 (3) using cannabis:

4 (A) in a school bus, unless permitted for a
5 qualifying patient or caregiver pursuant to the
6 Compassionate Use of Medical Cannabis Program Act;

7 (B) on the grounds of any preschool or primary or
8 secondary school, unless permitted for a qualifying
9 patient or caregiver pursuant to the Compassionate Use
10 of Medical Cannabis Program Act;

11 (C) in any correctional facility;

12 (D) in any motor vehicle;

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

16 (F) (blank) ~~in any public place~~; or

17 (G) knowingly in close physical proximity to
18 anyone under 21 years of age who is not a registered
19 medical cannabis patient under the Compassionate Use
20 of Medical Cannabis Program Act;

21 (4) smoking cannabis in any place where smoking is
22 prohibited under the Smoke Free Illinois Act;

23 (5) operating, navigating, or being in actual physical
24 control of any motor vehicle, aircraft, watercraft, or
25 snowmobile while using or under the influence of cannabis
26 in violation of Section 11-501 or 11-502.1 of the Illinois

1 Vehicle Code, Section 5-16 of the Boat Registration and
2 Safety Act, or Section 5-7 of the Snowmobile Registration
3 and Safety Act;

4 (6) facilitating the use of cannabis by any person who
5 is not allowed to use cannabis under this Act or the
6 Compassionate Use of Medical Cannabis Program Act;

7 (7) transferring cannabis to any person contrary to
8 this Act or the Compassionate Use of Medical Cannabis
9 Program Act;

10 (8) the use of cannabis by a law enforcement officer,
11 corrections officer, probation officer, or firefighter
12 while on duty; nothing in this Act prevents a public
13 employer of law enforcement officers, corrections
14 officers, probation officers, paramedics, or firefighters
15 from prohibiting or taking disciplinary action for the
16 consumption, possession, sales, purchase, or delivery of
17 cannabis or cannabis-infused substances while on or off
18 duty, unless provided for in the employer's policies.
19 However, an employer may not take adverse employment
20 action against an employee based solely on the lawful
21 possession or consumption of cannabis or cannabis-infused
22 substances by members of the employee's household. To the
23 extent that this Section conflicts with any applicable
24 collective bargaining agreement, the provisions of the
25 collective bargaining agreement shall prevail. Further,
26 nothing in this Act shall be construed to limit in any way

1 the right to collectively bargain over the subject matters
2 contained in this Act; or

3 (9) the use of cannabis by a person who has a school
4 bus permit or a Commercial Driver's License while on duty.

5 ~~As used in this Section, "public place" means any place~~
6 ~~where a person could reasonably be expected to be observed by~~
7 ~~others. "Public place" includes all parts of buildings owned~~
8 ~~in whole or in part, or leased, by the State or a unit of local~~
9 ~~government. "Public place" includes all areas in a park,~~
10 ~~recreation area, wildlife area, or playground owned in whole~~
11 ~~or in part, leased, or managed by the State or a unit of local~~
12 ~~government. "Public place" does not include a private~~
13 ~~residence unless the private residence is used to provide~~
14 ~~licensed child care, foster care, or other similar social~~
15 ~~service care on the premises.~~

16 (b) Nothing in this Act shall be construed to prevent the
17 arrest or prosecution of a person for reckless driving or
18 driving under the influence of cannabis, operating a
19 watercraft under the influence of cannabis, or operating a
20 snowmobile under the influence of cannabis if probable cause
21 exists.

22 (c) Nothing in this Act shall prevent a private business
23 from restricting or prohibiting the use of cannabis on its
24 property, including areas where motor vehicles are parked.

25 (d) Nothing in this Act shall require an individual or
26 business entity to violate the provisions of federal law,

1 including colleges or universities that must abide by the
2 Drug-Free Schools and Communities Act Amendments of 1989, that
3 require campuses to be drug free.

4 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
5 102-98, eff. 7-15-21.)

6 (410 ILCS 705/55-25)

7 Sec. 55-25. Local ordinances. Unless otherwise provided
8 under this Act or under the Local Cannabis Licensing Act or
9 otherwise in accordance with State law:

10 (1) A unit of local government, including a home rule
11 unit or any non-home rule county within the unincorporated
12 territory of the county, may enact reasonable zoning
13 ordinances or resolutions, not in conflict with this Act
14 or rules adopted pursuant to this Act, regulating cannabis
15 business establishments. No unit of local government,
16 including a home rule unit or any non-home rule county
17 within the unincorporated territory of the county, may
18 prohibit home cultivation or unreasonably prohibit use of
19 cannabis authorized by this Act.

20 (2) A unit of local government, including a home rule
21 unit or any non-home rule county within the unincorporated
22 territory of the county, may enact ordinances or rules not
23 in conflict with this Act or with rules adopted pursuant
24 to this Act governing the time, place, manner, and number
25 of cannabis business establishment operations, including

1 minimum distance limitations between cannabis business
2 establishments and locations it deems sensitive, including
3 colleges and universities, through the use of conditional
4 use permits. A unit of local government, including a home
5 rule unit, may establish civil penalties for violation of
6 an ordinance or rules governing the time, place, and
7 manner of operation of a cannabis business establishment
8 or a conditional use permit in the jurisdiction of the
9 unit of local government. No unit of local government,
10 including a home rule unit or non-home rule county within
11 an unincorporated territory of the county, may
12 unreasonably restrict the time, place, manner, and number
13 of cannabis business establishment operations authorized
14 by this Act.

15 (3) A unit of local government, including a home rule
16 unit, or any non-home rule county within the
17 unincorporated territory of the county may authorize or
18 permit the on-premises consumption of cannabis at or in a
19 dispensing organization or retail tobacco store (as
20 defined in Section 10 of the Smoke Free Illinois Act)
21 within its jurisdiction in a manner consistent with this
22 Act. A dispensing organization or retail tobacco store
23 authorized or permitted by a unit of local government to
24 allow on-site consumption shall not be deemed a public
25 place within the meaning of the Smoke Free Illinois Act.

26 (4) A unit of local government, including a home rule

1 unit or any non-home rule county within the unincorporated
2 territory of the county, may not regulate the activities
3 described in paragraph (1), (2), or (3) in a manner more
4 restrictive than the regulation of those activities by the
5 State under this Act. This Section is a limitation under
6 subsection (i) of Section 6 of Article VII of the Illinois
7 Constitution on the concurrent exercise by home rule units
8 of powers and functions exercised by the State.

9 (5) A unit of local government, including a home rule
10 unit or any non-home rule county within the unincorporated
11 territory of the county, may enact ordinances to prohibit
12 or significantly limit a cannabis business establishment's
13 location.

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

15 Section 999. Effective date. This Act takes effect upon
16 becoming law.