



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4211

Introduced 11/7/2023, by Rep. Robert "Bob" Rita

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.55 new
410 ILCS 705/1-10
410 ILCS 705/5-10
410 ILCS 705/20-30
410 ILCS 705/30-30
410 ILCS 705/35-25
410 ILCS 705/40-5
410 ILCS 705/40-25
410 ILCS 705/40-50 new

Amends the Cannabis Regulation and Tax Act. Provides for the licensure of consolidated transport centers. Specifies requirements for consolidated transport centers, including operating documents, security plans, facility requirements, plant monitoring, prohibitions on ownership, and prohibitions on offering things of value to certain persons and licensees. Provides that cannabis business entities shall adhere to the traceability and consumer protection guidelines established by the Department of Agriculture when utilizing the cannabis plant monitoring system or cannabis transport GPS tracking system. Provides that entities awarded a transporting license may defer paying the associated license fee for a period of no more than 3 years. Provides that from January 1, 2024 through January 1, 2026, the Department shall not issue any transporting licenses other than those issued before the effective date of the amendatory Act. Provides that all products received and shipped to and from a consolidated transport center shall be tracked within the cannabis plant monitoring system. Provides that a craft grower or infuser may enter into a contract with a transporting organization to transport cannabis to a consolidated transport center or a different transporting organization at the consolidated transport center. Provides that no person, cannabis business establishment, or entity other than a licensed transportation organization shall transport cannabis or cannabis-infused products on behalf of a cannabis business establishment to or from a consolidated transport center, unless otherwise authorized by rule. Makes other changes. Authorizes emergency rulemaking. Makes a conforming change in the Illinois Administrative Procedure Act. Effective immediately.

LRB103 35162 RLC 65132 b

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 Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.55 as follows:

6 (5 ILCS 100/5-45.55 new)

7 Sec. 5-45.55. Emergency rulemaking; this amendatory Act of
8 the 103rd General Assembly. To provide for the expeditious and
9 timely implementation of this amendatory Act of the 103rd
10 General Assembly, emergency rules implementing this amendatory
11 Act of the 103rd General Assembly may be adopted in accordance
12 with Section 5-45 by the Department of Agriculture. The
13 adoption of emergency rules authorized by Section 5-45 and
14 this Section is deemed to be necessary for the public
15 interest, safety, and welfare.

16 This Section is repealed one year after the effective date
17 of this amendatory Act of the 103rd General Assembly.

18 Section 10. The Cannabis Regulation and Tax Act is amended
19 by changing Sections 1-10, 5-10, 20-30, 30-30, 35-25, 40-5,
20 and 40-25 and by adding Section 40-50 as follows:

21 (410 ILCS 705/1-10)

1 Sec. 1-10. Definitions. In this Act:

2 "Adult Use Cultivation Center License" means a license
3 issued by the Department of Agriculture that permits a person
4 to act as a cultivation center under this Act and any
5 administrative rule made in furtherance of this Act.

6 "Adult Use Dispensing Organization License" means a
7 license issued by the Department of Financial and Professional
8 Regulation that permits a person to act as a dispensing
9 organization under this Act and any administrative rule made
10 in furtherance of this Act.

11 "Advertise" means to engage in promotional activities
12 including, but not limited to: newspaper, radio, Internet and
13 electronic media, and television advertising; the distribution
14 of fliers and circulars; billboard advertising; and the
15 display of window and interior signs. "Advertise" does not
16 mean exterior signage displaying only the name of the licensed
17 cannabis business establishment.

18 "Application points" means the number of points a
19 Dispensary Applicant receives on an application for a
20 Conditional Adult Use Dispensing Organization License.

21 "BLS Region" means a region in Illinois used by the United
22 States Bureau of Labor Statistics to gather and categorize
23 certain employment and wage data. The 17 such regions in
24 Illinois are: Bloomington, Cape Girardeau, Carbondale-Marion,
25 Champaign-Urbana, Chicago-Naperville-Elgin, Danville,
26 Davenport-Moline-Rock Island, Decatur, Kankakee, Peoria,

1 Rockford, St. Louis, Springfield, Northwest Illinois
2 nonmetropolitan area, West Central Illinois nonmetropolitan
3 area, East Central Illinois nonmetropolitan area, and South
4 Illinois nonmetropolitan area.

5 "By lot" means a randomized method of choosing between 2
6 or more Eligible Tied Applicants or 2 or more Qualifying
7 Applicants.

8 "Cannabis" means marijuana, hashish, and other substances
9 that are identified as including any parts of the plant
10 Cannabis sativa and including derivatives or subspecies, such
11 as indica, of all strains of cannabis, whether growing or not;
12 the seeds thereof, the resin extracted from any part of the
13 plant; and any compound, manufacture, salt, derivative,
14 mixture, or preparation of the plant, its seeds, or resin,
15 including tetrahydrocannabinol (THC) and all other naturally
16 produced cannabinol derivatives, whether produced directly or
17 indirectly by extraction; however, "cannabis" does not include
18 the mature stalks of the plant, fiber produced from the
19 stalks, oil or cake made from the seeds of the plant, any other
20 compound, manufacture, salt, derivative, mixture, or
21 preparation of the mature stalks (except the resin extracted
22 from it), fiber, oil or cake, or the sterilized seed of the
23 plant that is incapable of germination. "Cannabis" does not
24 include industrial hemp as defined and authorized under the
25 Industrial Hemp Act. "Cannabis" also means cannabis flower,
26 concentrate, and cannabis-infused products.

1 "Cannabis business establishment" means a cultivation
2 center, craft grower, processing organization, infuser
3 organization, dispensing organization, or transporting
4 organization.

5 "Cannabis concentrate" means a product derived from
6 cannabis that is produced by extracting cannabinoids,
7 including tetrahydrocannabinol (THC), from the plant through
8 the use of propylene glycol, glycerin, butter, olive oil, or
9 other typical cooking fats; water, ice, or dry ice; or butane,
10 propane, CO₂, ethanol, or isopropanol and with the intended
11 use of smoking or making a cannabis-infused product. The use
12 of any other solvent is expressly prohibited unless and until
13 it is approved by the Department of Agriculture.

14 "Cannabis container" means a sealed or resealable,
15 traceable, container, or package used for the purpose of
16 containment of cannabis or cannabis-infused product during
17 transportation.

18 "Cannabis flower" means marijuana, hashish, and other
19 substances that are identified as including any parts of the
20 plant Cannabis sativa and including derivatives or subspecies,
21 such as indica, of all strains of cannabis; including raw
22 kief, leaves, and buds, but not resin that has been extracted
23 from any part of such plant; nor any compound, manufacture,
24 salt, derivative, mixture, or preparation of such plant, its
25 seeds, or resin.

26 "Cannabis-infused product" means a beverage, food, oil,

1 ointment, tincture, topical formulation, or another product
2 containing cannabis or cannabis concentrate that is not
3 intended to be smoked.

4 "Cannabis paraphernalia" means equipment, products, or
5 materials intended to be used for planting, propagating,
6 cultivating, growing, harvesting, manufacturing, producing,
7 processing, preparing, testing, analyzing, packaging,
8 repackaging, storing, containing, concealing, ingesting, or
9 otherwise introducing cannabis into the human body.

10 "Cannabis plant monitoring system" or "plant monitoring
11 system" means a system that includes, but is not limited to,
12 testing and data collection established and maintained by the
13 cultivation center, craft grower, or processing organization
14 and that is available to the Department of Revenue, the
15 Department of Agriculture, the Department of Financial and
16 Professional Regulation, and the Illinois State Police for the
17 purposes of documenting each cannabis plant and monitoring
18 plant development throughout the life cycle of a cannabis
19 plant cultivated for the intended use by a customer from seed
20 planting to final packaging.

21 "Cannabis testing facility" means an entity registered by
22 the Department of Agriculture to test cannabis for potency and
23 contaminants.

24 "Cannabis transport GPS tracking system" means a system
25 that includes, but is not limited to, real-time tracking,
26 tracing, and recording of global positioning system data for

1 licensed transporter vehicles registered with the Department
2 of Agriculture to transport cannabis and cannabis-infused
3 products.

4 "Clone" means a plant section from a female cannabis plant
5 not yet rootbound, growing in a water solution or other
6 propagation matrix, that is capable of developing into a new
7 plant.

8 "Community College Cannabis Vocational Training Pilot
9 Program faculty participant" means a person who is 21 years of
10 age or older, licensed by the Department of Agriculture, and
11 is employed or contracted by an Illinois community college to
12 provide student instruction using cannabis plants at an
13 Illinois Community College.

14 "Community College Cannabis Vocational Training Pilot
15 Program faculty participant Agent Identification Card" means a
16 document issued by the Department of Agriculture that
17 identifies a person as a Community College Cannabis Vocational
18 Training Pilot Program faculty participant.

19 "Conditional Adult Use Dispensing Organization License"
20 means a contingent license awarded to applicants for an Adult
21 Use Dispensing Organization License that reserves the right to
22 an Adult Use Dispensing Organization License if the applicant
23 meets certain conditions described in this Act, but does not
24 entitle the recipient to begin purchasing or selling cannabis
25 or cannabis-infused products.

26 "Conditional Adult Use Cultivation Center License" means a

1 license awarded to top-scoring applicants for an Adult Use
2 Cultivation Center License that reserves the right to an Adult
3 Use Cultivation Center License if the applicant meets certain
4 conditions as determined by the Department of Agriculture by
5 rule, but does not entitle the recipient to begin growing,
6 processing, or selling cannabis or cannabis-infused products.

7 "Consolidated transport center" means a facility licensed
8 by the Department of Agriculture that is: (i) integrated with
9 access controls, cameras, and alarms; (ii) owned and operated
10 by an independent social equity transporting organization; and
11 (iii) used for unloading products from vehicles, sorting and
12 securely storing products, and reloading products onto
13 licensed and registered transport vehicles before being
14 shipped to cannabis business establishments.

15 "Craft grower" means a facility operated by an
16 organization or business that is licensed by the Department of
17 Agriculture to cultivate, dry, cure, and package cannabis and
18 perform other necessary activities to make cannabis available
19 for sale at a dispensing organization or use at a processing
20 organization. A craft grower may contain up to 5,000 square
21 feet of canopy space on its premises for plants in the
22 flowering state. The Department of Agriculture may authorize
23 an increase or decrease of flowering stage cultivation space
24 in increments of 3,000 square feet by rule based on market
25 need, craft grower capacity, and the licensee's history of
26 compliance or noncompliance, with a maximum space of 14,000

1 square feet for cultivating plants in the flowering stage,
2 which must be cultivated in all stages of growth in an enclosed
3 and secure area. A craft grower may share premises with a
4 processing organization or a dispensing organization, or both,
5 provided each licensee stores currency and cannabis or
6 cannabis-infused products in a separate secured vault to which
7 the other licensee does not have access or all licensees
8 sharing a vault share more than 50% of the same ownership.

9 "Craft grower agent" means a principal officer, board
10 member, employee, or other agent of a craft grower who is 21
11 years of age or older.

12 "Craft Grower Agent Identification Card" means a document
13 issued by the Department of Agriculture that identifies a
14 person as a craft grower agent.

15 "Cultivation center" means a facility operated by an
16 organization or business that is licensed by the Department of
17 Agriculture to cultivate, process, transport (unless otherwise
18 limited by this Act), and perform other necessary activities
19 to provide cannabis and cannabis-infused products to cannabis
20 business establishments.

21 "Cultivation center agent" means a principal officer,
22 board member, employee, or other agent of a cultivation center
23 who is 21 years of age or older.

24 "Cultivation Center Agent Identification Card" means a
25 document issued by the Department of Agriculture that
26 identifies a person as a cultivation center agent.

1 "Currency" means currency and coin of the United States.

2 "Dispensary" means a facility operated by a dispensing
3 organization at which activities licensed by this Act may
4 occur.

5 "Dispensary Applicant" means the Proposed Dispensing
6 Organization Name as stated on an application for a
7 Conditional Adult Use Dispensing Organization License.

8 "Dispensing organization" means a facility operated by an
9 organization or business that is licensed by the Department of
10 Financial and Professional Regulation to acquire cannabis from
11 a cultivation center, craft grower, processing organization,
12 or another dispensary for the purpose of selling or dispensing
13 cannabis, cannabis-infused products, cannabis seeds,
14 paraphernalia, or related supplies under this Act to
15 purchasers or to qualified registered medical cannabis
16 patients and caregivers. As used in this Act, "dispensing
17 organization" includes a registered medical cannabis
18 organization as defined in the Compassionate Use of Medical
19 Cannabis Program Act or its successor Act that has obtained an
20 Early Approval Adult Use Dispensing Organization License.

21 "Dispensing organization agent" means a principal officer,
22 employee, or agent of a dispensing organization who is 21
23 years of age or older.

24 "Dispensing organization agent identification card" means
25 a document issued by the Department of Financial and
26 Professional Regulation that identifies a person as a

1 dispensing organization agent.

2 "Disproportionately Impacted Area" means a census tract or
3 comparable geographic area that satisfies the following
4 criteria as determined by the Department of Commerce and
5 Economic Opportunity, that:

6 (1) meets at least one of the following criteria:

7 (A) the area has a poverty rate of at least 20%
8 according to the latest federal decennial census; or

9 (B) 75% or more of the children in the area
10 participate in the federal free lunch program
11 according to reported statistics from the State Board
12 of Education; or

13 (C) at least 20% of the households in the area
14 receive assistance under the Supplemental Nutrition
15 Assistance Program; or

16 (D) the area has an average unemployment rate, as
17 determined by the Illinois Department of Employment
18 Security, that is more than 120% of the national
19 unemployment average, as determined by the United
20 States Department of Labor, for a period of at least 2
21 consecutive calendar years preceding the date of the
22 application; and

23 (2) has high rates of arrest, conviction, and
24 incarceration related to the sale, possession, use,
25 cultivation, manufacture, or transport of cannabis.

26 "Early Approval Adult Use Cultivation Center License"

1 means a license that permits a medical cannabis cultivation
2 center licensed under the Compassionate Use of Medical
3 Cannabis Program Act as of the effective date of this Act to
4 begin cultivating, infusing, packaging, transporting (unless
5 otherwise provided in this Act), processing, and selling
6 cannabis or cannabis-infused product to cannabis business
7 establishments for resale to purchasers as permitted by this
8 Act as of January 1, 2020.

9 "Early Approval Adult Use Dispensing Organization License"
10 means a license that permits a medical cannabis dispensing
11 organization licensed under the Compassionate Use of Medical
12 Cannabis Program Act as of the effective date of this Act to
13 begin selling cannabis or cannabis-infused product to
14 purchasers as permitted by this Act as of January 1, 2020.

15 "Early Approval Adult Use Dispensing Organization at a
16 secondary site" means a license that permits a medical
17 cannabis dispensing organization licensed under the
18 Compassionate Use of Medical Cannabis Program Act as of the
19 effective date of this Act to begin selling cannabis or
20 cannabis-infused product to purchasers as permitted by this
21 Act on January 1, 2020 at a different dispensary location from
22 its existing registered medical dispensary location.

23 "Eligible Tied Applicant" means a Tied Applicant that is
24 eligible to participate in the process by which a remaining
25 available license is distributed by lot pursuant to a Tied
26 Applicant Lottery.

1 "Enclosed, locked facility" means a room, greenhouse,
2 building, or other enclosed area equipped with locks or other
3 security devices that permit access only by cannabis business
4 establishment agents working for the licensed cannabis
5 business establishment or acting pursuant to this Act to
6 cultivate, process, store, or distribute cannabis.

7 "Enclosed, locked space" means a closet, room, greenhouse,
8 building, or other enclosed area equipped with locks or other
9 security devices that permit access only by authorized
10 individuals under this Act. "Enclosed, locked space" may
11 include:

12 (1) a space within a residential building that (i) is
13 the primary residence of the individual cultivating 5 or
14 fewer cannabis plants that are more than 5 inches tall and
15 (ii) includes sleeping quarters and indoor plumbing. The
16 space must only be accessible by a key or code that is
17 different from any key or code that can be used to access
18 the residential building from the exterior; or

19 (2) a structure, such as a shed or greenhouse, that
20 lies on the same plot of land as a residential building
21 that (i) includes sleeping quarters and indoor plumbing
22 and (ii) is used as a primary residence by the person
23 cultivating 5 or fewer cannabis plants that are more than
24 5 inches tall, such as a shed or greenhouse. The structure
25 must remain locked when it is unoccupied by people.

26 "Financial institution" has the same meaning as "financial

1 organization" as defined in Section 1501 of the Illinois
2 Income Tax Act, and also includes the holding companies,
3 subsidiaries, and affiliates of such financial organizations.

4 "Flowering stage" means the stage of cultivation where and
5 when a cannabis plant is cultivated to produce plant material
6 for cannabis products. This includes mature plants as follows:

7 (1) if greater than 2 stigmas are visible at each
8 internode of the plant; or

9 (2) if the cannabis plant is in an area that has been
10 intentionally deprived of light for a period of time
11 intended to produce flower buds and induce maturation,
12 from the moment the light deprivation began through the
13 remainder of the marijuana plant growth cycle.

14 "Individual" means a natural person.

15 "Independent social equity transporting organization"
16 means a transporting organization that is not owned in whole
17 or in part by a cultivation center, dispensing organization,
18 processing organization, or any principal officer of a
19 cultivation center, dispensing organization, or processing
20 organization.

21 "Infuser organization" or "infuser" means a facility
22 operated by an organization or business that is licensed by
23 the Department of Agriculture to directly incorporate cannabis
24 or cannabis concentrate into a product formulation to produce
25 a cannabis-infused product.

26 "Kief" means the resinous crystal-like trichomes that are

1 found on cannabis and that are accumulated, resulting in a
2 higher concentration of cannabinoids, untreated by heat or
3 pressure, or extracted using a solvent.

4 "Labor peace agreement" means an agreement between a
5 cannabis business establishment and any labor organization
6 recognized under the National Labor Relations Act, referred to
7 in this Act as a bona fide labor organization, that prohibits
8 labor organizations and members from engaging in picketing,
9 work stoppages, boycotts, and any other economic interference
10 with the cannabis business establishment. This agreement means
11 that the cannabis business establishment has agreed not to
12 disrupt efforts by the bona fide labor organization to
13 communicate with, and attempt to organize and represent, the
14 cannabis business establishment's employees. The agreement
15 shall provide a bona fide labor organization access at
16 reasonable times to areas in which the cannabis business
17 establishment's employees work, for the purpose of meeting
18 with employees to discuss their right to representation,
19 employment rights under State law, and terms and conditions of
20 employment. This type of agreement shall not mandate a
21 particular method of election or certification of the bona
22 fide labor organization.

23 "Limited access area" means a room or other area under the
24 control of a cannabis dispensing organization licensed under
25 this Act and upon the licensed premises where cannabis sales
26 occur with access limited to purchasers, dispensing

1 organization owners and other dispensing organization agents,
2 or service professionals conducting business with the
3 dispensing organization, or, if sales to registered qualifying
4 patients, caregivers, provisional patients, and Opioid
5 Alternative Pilot Program participants licensed pursuant to
6 the Compassionate Use of Medical Cannabis Program Act are also
7 permitted at the dispensary, registered qualifying patients,
8 caregivers, provisional patients, and Opioid Alternative Pilot
9 Program participants.

10 "Member of an impacted family" means an individual who has
11 a parent, legal guardian, child, spouse, or dependent, or was
12 a dependent of an individual who, prior to the effective date
13 of this Act, was arrested for, convicted of, or adjudicated
14 delinquent for any offense that is eligible for expungement
15 under this Act.

16 "Mother plant" means a cannabis plant that is cultivated
17 or maintained for the purpose of generating clones, and that
18 will not be used to produce plant material for sale to an
19 infuser or dispensing organization.

20 "Ordinary public view" means within the sight line with
21 normal visual range of a person, unassisted by visual aids,
22 from a public street or sidewalk adjacent to real property, or
23 from within an adjacent property.

24 "Ownership and control" means ownership of at least 51% of
25 the business, including corporate stock if a corporation, and
26 control over the management and day-to-day operations of the

1 business and an interest in the capital, assets, and profits
2 and losses of the business proportionate to percentage of
3 ownership.

4 "Person" means a natural individual, firm, partnership,
5 association, joint stock company, joint venture, public or
6 private corporation, limited liability company, or a receiver,
7 executor, trustee, guardian, or other representative appointed
8 by order of any court.

9 "Possession limit" means the amount of cannabis under
10 Section 10-10 that may be possessed at any one time by a person
11 21 years of age or older or who is a registered qualifying
12 medical cannabis patient or caregiver under the Compassionate
13 Use of Medical Cannabis Program Act.

14 "Principal officer" includes a cannabis business
15 establishment applicant or licensed cannabis business
16 establishment's board member, owner with more than 1% interest
17 of the total cannabis business establishment or more than 5%
18 interest of the total cannabis business establishment of a
19 publicly traded company, president, vice president, secretary,
20 treasurer, partner, officer, member, manager member, or person
21 with a profit sharing, financial interest, or revenue sharing
22 arrangement. The definition includes a person with authority
23 to control the cannabis business establishment, a person who
24 assumes responsibility for the debts of the cannabis business
25 establishment and who is further defined in this Act.

26 "Primary residence" means a dwelling where a person

1 usually stays or stays more often than other locations. It may
2 be determined by, without limitation, presence, tax filings;
3 address on an Illinois driver's license, an Illinois
4 Identification Card, or an Illinois Person with a Disability
5 Identification Card; or voter registration. No person may have
6 more than one primary residence.

7 "Processing organization" or "processor" means a facility
8 operated by an organization or business that is licensed by
9 the Department of Agriculture to either extract constituent
10 chemicals or compounds to produce cannabis concentrate or
11 incorporate cannabis or cannabis concentrate into a product
12 formulation to produce a cannabis product.

13 "Processing organization agent" means a principal officer,
14 board member, employee, or agent of a processing organization.

15 "Processing organization agent identification card" means
16 a document issued by the Department of Agriculture that
17 identifies a person as a processing organization agent.

18 "Purchaser" means a person 21 years of age or older who
19 acquires cannabis for a valuable consideration. "Purchaser"
20 does not include a cardholder under the Compassionate Use of
21 Medical Cannabis Program Act.

22 "Qualifying Applicant" means an applicant that submitted
23 an application pursuant to Section 15-30 that received at
24 least 85% of 250 application points available under Section
25 15-30 as the applicant's final score and meets the definition
26 of "Social Equity Applicant" as set forth under this Section.

1 "Qualifying Social Equity Justice Involved Applicant"
2 means an applicant that submitted an application pursuant to
3 Section 15-30 that received at least 85% of 250 application
4 points available under Section 15-30 as the applicant's final
5 score and meets the criteria of either paragraph (1) or (2) of
6 the definition of "Social Equity Applicant" as set forth under
7 this Section.

8 "Qualified Social Equity Applicant" means a Social Equity
9 Applicant who has been awarded a conditional license under
10 this Act to operate a cannabis business establishment.

11 "Resided" means an individual's primary residence was
12 located within the relevant geographic area as established by
13 2 of the following:

14 (1) a signed lease agreement that includes the
15 applicant's name;

16 (2) a property deed that includes the applicant's
17 name;

18 (3) school records;

19 (4) a voter registration card;

20 (5) an Illinois driver's license, an Illinois
21 Identification Card, or an Illinois Person with a
22 Disability Identification Card;

23 (6) a paycheck stub;

24 (7) a utility bill;

25 (8) tax records; or

26 (9) any other proof of residency or other information

1 necessary to establish residence as provided by rule.

2 "Smoking" means the inhalation of smoke caused by the
3 combustion of cannabis.

4 "Social Equity Applicant" means an applicant that is an
5 Illinois resident that meets one of the following criteria:

6 (1) an applicant with at least 51% ownership and
7 control by one or more individuals who have resided for at
8 least 5 of the preceding 10 years in a Disproportionately
9 Impacted Area;

10 (2) an applicant with at least 51% ownership and
11 control by one or more individuals who:

12 (i) have been arrested for, convicted of, or
13 adjudicated delinquent for any offense that is
14 eligible for expungement under this Act; or

15 (ii) is a member of an impacted family;

16 (3) for applicants with a minimum of 10 full-time
17 employees, an applicant with at least 51% of current
18 employees who:

19 (i) currently reside in a Disproportionately
20 Impacted Area; or

21 (ii) have been arrested for, convicted of, or
22 adjudicated delinquent for any offense that is
23 eligible for expungement under this Act or member of
24 an impacted family.

25 Nothing in this Act shall be construed to preempt or limit
26 the duties of any employer under the Job Opportunities for

1 Qualified Applicants Act. Nothing in this Act shall permit an
2 employer to require an employee to disclose sealed or expunged
3 offenses, unless otherwise required by law.

4 "Tied Applicant" means an application submitted by a
5 Dispensary Applicant pursuant to Section 15-30 that received
6 the same number of application points under Section 15-30 as
7 the Dispensary Applicant's final score as one or more
8 top-scoring applications in the same BLS Region and would have
9 been awarded a license but for the one or more other
10 top-scoring applications that received the same number of
11 application points. Each application for which a Dispensary
12 Applicant was required to pay a required application fee for
13 the application period ending January 2, 2020 shall be
14 considered an application of a separate Tied Applicant.

15 "Tied Applicant Lottery" means the process established
16 under 68 Ill. Adm. Code 1291.50 for awarding Conditional Adult
17 Use Dispensing Organization Licenses pursuant to Sections
18 15-25 and 15-30 among Eligible Tied Applicants.

19 "Tincture" means a cannabis-infused solution, typically
20 comprised of alcohol, glycerin, or vegetable oils, derived
21 either directly from the cannabis plant or from a processed
22 cannabis extract. A tincture is not an alcoholic liquor as
23 defined in the Liquor Control Act of 1934. A tincture shall
24 include a calibrated dropper or other similar device capable
25 of accurately measuring servings.

26 "Transporting organization" or "transporter" means an

1 organization or business that is licensed by the Department of
2 Agriculture to transport cannabis or cannabis-infused product
3 on behalf of a cannabis business establishment or a community
4 college licensed under the Community College Cannabis
5 Vocational Training Pilot Program.

6 "Transporting organization agent" means a principal
7 officer, board member, employee, or agent of a transporting
8 organization.

9 "Transporting organization agent identification card"
10 means a document issued by the Department of Agriculture that
11 identifies a person as a transporting organization agent.

12 "Unit of local government" means any county, city,
13 village, or incorporated town.

14 "Vegetative stage" means the stage of cultivation in which
15 a cannabis plant is propagated to produce additional cannabis
16 plants or reach a sufficient size for production. This
17 includes seedlings, clones, mothers, and other immature
18 cannabis plants as follows:

19 (1) if the cannabis plant is in an area that has not
20 been intentionally deprived of light for a period of time
21 intended to produce flower buds and induce maturation, it
22 has no more than 2 stigmas visible at each internode of the
23 cannabis plant; or

24 (2) any cannabis plant that is cultivated solely for
25 the purpose of propagating clones and is never used to
26 produce cannabis.

1 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
2 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
3 5-13-22.)

4 (410 ILCS 705/5-10)

5 Sec. 5-10. Department of Agriculture. The Department of
6 Agriculture shall administer and enforce provisions of this
7 Act relating to the oversight and registration of cultivation
8 centers, craft growers, infuser organizations, and
9 transporting organizations and agents, including the issuance
10 of identification cards and establishing limits on potency or
11 serving size for cannabis or cannabis products. The Department
12 of Agriculture may suspend or revoke the license of, or impose
13 other penalties upon cultivation centers, craft growers,
14 infuser organizations, transporting organizations, and their
15 principal officers, Agents-in-Charge, and agents for
16 violations of this Act and any rules adopted under this Act.

17 The Department may adopt rules and emergency rules in
18 accordance with the Illinois Administrative Procedure Act and
19 prescribe forms and fees relating to the administration and
20 enforcement of this amendatory Act of the 103rd General
21 Assembly, as it deems appropriate.

22 (Source: P.A. 101-27, eff. 6-25-19.)

23 (410 ILCS 705/20-30)

24 Sec. 20-30. Cultivation center requirements; prohibitions.

1 (a) The operating documents of a cultivation center shall
2 include procedures for the oversight of the cultivation
3 center, a cannabis plant monitoring system including a
4 physical inventory recorded weekly, accurate recordkeeping,
5 and a staffing plan.

6 (b) A cultivation center shall implement a security plan
7 reviewed by the Illinois State Police that includes, but is
8 not limited to: facility access controls, perimeter intrusion
9 detection systems, personnel identification systems, 24-hour
10 surveillance system to monitor the interior and exterior of
11 the cultivation center facility and accessibility to
12 authorized law enforcement, the Department of Public Health
13 where processing takes place, and the Department of
14 Agriculture in real time.

15 (c) All cultivation of cannabis by a cultivation center
16 must take place in an enclosed, locked facility at the
17 physical address provided to the Department of Agriculture
18 during the licensing process. The cultivation center location
19 shall only be accessed by the agents working for the
20 cultivation center, the Department of Agriculture staff
21 performing inspections, the Department of Public Health staff
22 performing inspections, local and State law enforcement or
23 other emergency personnel, contractors working on jobs
24 unrelated to cannabis, such as installing or maintaining
25 security devices or performing electrical wiring, transporting
26 organization agents as provided in this Act, individuals in a

1 mentoring or educational program approved by the State, or
2 other individuals as provided by rule.

3 (d) A cultivation center may not sell or distribute any
4 cannabis or cannabis-infused products to any person other than
5 a dispensing organization, craft grower, infuser organization,
6 transporter, or as otherwise authorized by rule.

7 (e) A cultivation center may not either directly or
8 indirectly discriminate in price between different dispensing
9 organizations, craft growers, or infuser organizations that
10 are purchasing a like grade, strain, brand, and quality of
11 cannabis or cannabis-infused product. Nothing in this
12 subsection (e) prevents a cultivation center from pricing
13 cannabis differently based on differences in the cost of
14 manufacturing or processing, the quantities sold, such as
15 volume discounts, or the way the products are delivered.

16 (f) All cannabis harvested by a cultivation center and
17 intended for distribution to a dispensing organization must be
18 entered into a data collection system, packaged and labeled
19 under Section 55-21, and placed into a cannabis container for
20 transport. All cannabis harvested by a cultivation center and
21 intended for distribution to a craft grower or infuser
22 organization must be packaged in a labeled cannabis container
23 and entered into a data collection system before transport.

24 (g) Cultivation centers are subject to random inspections
25 by the Department of Agriculture, the Department of Public
26 Health, local safety or health inspectors, the Illinois State

1 Police, or as provided by rule.

2 (h) A cultivation center agent shall notify local law
3 enforcement, the Illinois State Police, and the Department of
4 Agriculture within 24 hours of the discovery of any loss or
5 theft. Notification shall be made by phone or in person, or by
6 written or electronic communication.

7 (i) A cultivation center shall comply with all State and
8 any applicable federal rules and regulations regarding the use
9 of pesticides on cannabis plants.

10 (j) No person or entity shall hold any legal, equitable,
11 ownership, or beneficial interest, directly or indirectly, of
12 more than 3 cultivation centers licensed under this Article.
13 Further, no person or entity that is employed by, an agent of,
14 has a contract to receive payment in any form from a
15 cultivation center, is a principal officer of a cultivation
16 center, or entity controlled by or affiliated with a principal
17 officer of a cultivation shall hold any legal, equitable,
18 ownership, or beneficial interest, directly or indirectly, in
19 a cultivation that would result in the person or entity owning
20 or controlling in combination with any cultivation center,
21 principal officer of a cultivation center, or entity
22 controlled or affiliated with a principal officer of a
23 cultivation center by which he, she, or it is employed, is an
24 agent of, or participates in the management of, more than 3
25 cultivation center licenses.

26 (k) A cultivation center may not contain more than 210,000

1 square feet of canopy space for plants in the flowering stage
2 for cultivation of adult use cannabis as provided in this Act.

3 (l) A cultivation center may process cannabis, cannabis
4 concentrates, and cannabis-infused products.

5 (m) Beginning July 1, 2020, a cultivation center shall not
6 transport cannabis or cannabis-infused products to a craft
7 grower, dispensing organization, infuser organization, or
8 laboratory licensed under this Act, unless it has obtained a
9 transporting organization license.

10 (n) It is unlawful for any person having a cultivation
11 center license or any officer, associate, member,
12 representative, or agent of such licensee to offer or deliver
13 money, or anything else of value, directly or indirectly to
14 any person having an Early Approval Adult Use Dispensing
15 Organization License, a Conditional Adult Use Dispensing
16 Organization License, an Adult Use Dispensing Organization
17 License, or a medical cannabis dispensing organization license
18 issued under the Compassionate Use of Medical Cannabis Program
19 Act, or to any person connected with or in any way
20 representing, or to any member of the family of, such person
21 holding an Early Approval Adult Use Dispensing Organization
22 License, a Conditional Adult Use Dispensing Organization
23 License, an Adult Use Dispensing Organization License, or a
24 medical cannabis dispensing organization license issued under
25 the Compassionate Use of Medical Cannabis Program Act, or to
26 any stockholders in any corporation engaged in the retail sale

1 of cannabis, or to any officer, manager, agent, or
2 representative of the Early Approval Adult Use Dispensing
3 Organization License, a Conditional Adult Use Dispensing
4 Organization License, an Adult Use Dispensing Organization
5 License, or a medical cannabis dispensing organization license
6 issued under the Compassionate Use of Medical Cannabis Program
7 Act to obtain preferential placement within the dispensing
8 organization, including, without limitation, on shelves and in
9 display cases where purchasers can view products, or on the
10 dispensing organization's website.

11 (o) A cultivation center must comply with any other
12 requirements or prohibitions set by administrative rule of the
13 Department of Agriculture.

14 (p) Cannabis business entities shall adhere to the
15 traceability and consumer protection guidelines established by
16 the Department of Agriculture when utilizing the cannabis
17 plant monitoring system or cannabis transport GPS tracking
18 system.

19 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
20 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
21 5-13-22.)

22 (410 ILCS 705/30-30)

23 Sec. 30-30. Craft grower requirements; prohibitions.

24 (a) The operating documents of a craft grower shall
25 include procedures for the oversight of the craft grower, a

1 cannabis plant monitoring system including a physical
2 inventory recorded weekly, accurate recordkeeping, and a
3 staffing plan.

4 (b) A craft grower shall implement a security plan
5 reviewed by the Illinois State Police that includes, but is
6 not limited to: facility access controls, perimeter intrusion
7 detection systems, personnel identification systems, and a
8 24-hour surveillance system to monitor the interior and
9 exterior of the craft grower facility and that is accessible
10 to authorized law enforcement and the Department of
11 Agriculture in real time.

12 (c) All cultivation of cannabis by a craft grower must
13 take place in an enclosed, locked facility at the physical
14 address provided to the Department of Agriculture during the
15 licensing process. The craft grower location shall only be
16 accessed by the agents working for the craft grower, the
17 Department of Agriculture staff performing inspections, the
18 Department of Public Health staff performing inspections,
19 State and local law enforcement or other emergency personnel,
20 contractors working on jobs unrelated to cannabis, such as
21 installing or maintaining security devices or performing
22 electrical wiring, transporting organization agents as
23 provided in this Act, or participants in the incubator
24 program, individuals in a mentoring or educational program
25 approved by the State, or other individuals as provided by
26 rule. However, if a craft grower shares a premises with an

1 infuser or dispensing organization, agents from those other
2 licensees may access the craft grower portion of the premises
3 if that is the location of common bathrooms, lunchrooms,
4 locker rooms, or other areas of the building where work or
5 cultivation of cannabis is not performed. At no time may an
6 infuser or dispensing organization agent perform work at a
7 craft grower without being a registered agent of the craft
8 grower.

9 (d) A craft grower may not sell or distribute any cannabis
10 to any person other than a cultivation center, a craft grower,
11 an infuser organization, a dispensing organization, or as
12 otherwise authorized by rule.

13 (e) A craft grower may not be located in an area zoned for
14 residential use.

15 (f) A craft grower may not either directly or indirectly
16 discriminate in price between different cannabis business
17 establishments that are purchasing a like grade, strain,
18 brand, and quality of cannabis or cannabis-infused product.
19 Nothing in this subsection (f) prevents a craft grower from
20 pricing cannabis differently based on differences in the cost
21 of manufacturing or processing, the quantities sold, such as
22 volume discounts, or the way the products are delivered.

23 (g) All cannabis harvested by a craft grower and intended
24 for distribution to a dispensing organization must be entered
25 into a data collection system, packaged and labeled under
26 Section 55-21, and, if distribution is to a dispensing

1 organization that does not share a premises with the
2 dispensing organization receiving the cannabis, placed into a
3 cannabis container for transport. All cannabis harvested by a
4 craft grower and intended for distribution to a cultivation
5 center, to an infuser organization, or to a craft grower with
6 which it does not share a premises, must be packaged in a
7 labeled cannabis container and entered into a data collection
8 system before transport.

9 (h) Craft growers are subject to random inspections by the
10 Department of Agriculture, local safety or health inspectors,
11 the Illinois State Police, or as provided by rule.

12 (i) A craft grower agent shall notify local law
13 enforcement, the Illinois State Police, and the Department of
14 Agriculture within 24 hours of the discovery of any loss or
15 theft. Notification shall be made by phone, in person, or
16 written or electronic communication.

17 (j) A craft grower shall comply with all State and any
18 applicable federal rules and regulations regarding the use of
19 pesticides.

20 (k) A craft grower or craft grower agent shall not
21 transport cannabis or cannabis-infused products to any other
22 cannabis business establishment without a transport
23 organization license unless:

24 (i) If the craft grower is located in a county with a
25 population of 3,000,000 or more, the cannabis business
26 establishment receiving the cannabis is within 2,000 feet

1 of the property line of the craft grower;

2 (ii) If the craft grower is located in a county with a
3 population of more than 700,000 but fewer than 3,000,000,
4 the cannabis business establishment receiving the cannabis
5 is within 2 miles of the craft grower; or

6 (iii) If the craft grower is located in a county with a
7 population of fewer than 700,000, the cannabis business
8 establishment receiving the cannabis is within 15 miles of
9 the craft grower.

10 (l) A craft grower may enter into a contract with a
11 transporting organization to transport cannabis to a
12 consolidated transport center, a different transporting
13 organization at the consolidated transport center, a
14 cultivation center, a craft grower, an infuser organization, a
15 dispensing organization, or a laboratory. All products
16 received and shipped to and from a consolidated transport
17 center shall be tracked within the cannabis plant monitoring
18 system.

19 (m) No person or entity shall hold any legal, equitable,
20 ownership, or beneficial interest, directly or indirectly, of
21 more than 3 craft grower licenses. Further, no person or
22 entity that is employed by, an agent of, or has a contract to
23 receive payment from or participate in the management of a
24 craft grower, is a principal officer of a craft grower, or
25 entity controlled by or affiliated with a principal officer of
26 a craft grower shall hold any legal, equitable, ownership, or

1 beneficial interest, directly or indirectly, in a craft grower
2 license that would result in the person or entity owning or
3 controlling in combination with any craft grower, principal
4 officer of a craft grower, or entity controlled or affiliated
5 with a principal officer of a craft grower by which he, she, or
6 it is employed, is an agent of, or participates in the
7 management of more than 3 craft grower licenses.

8 (n) It is unlawful for any person having a craft grower
9 license or any officer, associate, member, representative, or
10 agent of the licensee to offer or deliver money, or anything
11 else of value, directly or indirectly, to any person having an
12 Early Approval Adult Use Dispensing Organization License, a
13 Conditional Adult Use Dispensing Organization License, an
14 Adult Use Dispensing Organization License, or a medical
15 cannabis dispensing organization license issued under the
16 Compassionate Use of Medical Cannabis Program Act, or to any
17 person connected with or in any way representing, or to any
18 member of the family of, the person holding an Early Approval
19 Adult Use Dispensing Organization License, a Conditional Adult
20 Use Dispensing Organization License, an Adult Use Dispensing
21 Organization License, or a medical cannabis dispensing
22 organization license issued under the Compassionate Use of
23 Medical Cannabis Program Act, or to any stockholders in any
24 corporation engaged in the retail sale of cannabis, or to any
25 officer, manager, agent, or representative of the Early
26 Approval Adult Use Dispensing Organization License, a

1 Conditional Adult Use Dispensing Organization License, an
2 Adult Use Dispensing Organization License, or a medical
3 cannabis dispensing organization license issued under the
4 Compassionate Use of Medical Cannabis Program Act to obtain
5 preferential placement within the dispensing organization,
6 including, without limitation, on shelves and in display cases
7 where purchasers can view products, or on the dispensing
8 organization's website.

9 (o) A craft grower shall not be located within 1,500 feet
10 of another craft grower or a cultivation center.

11 (p) A craft grower may process cannabis, cannabis
12 concentrates, and cannabis-infused products.

13 (q) A craft grower must comply with any other requirements
14 or prohibitions set by administrative rule of the Department
15 of Agriculture.

16 (r) Cannabis business entities shall adhere to the
17 traceability and consumer protection guidelines established by
18 the Department of Agriculture when utilizing the cannabis
19 plant monitoring system or cannabis transport GPS tracking
20 system.

21 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
22 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
23 5-13-22.)

24 (410 ILCS 705/35-25)

25 Sec. 35-25. Infuser organization requirements;

1 prohibitions.

2 (a) The operating documents of an infuser shall include
3 procedures for the oversight of the infuser, an inventory
4 monitoring system including a physical inventory recorded
5 weekly, accurate recordkeeping, and a staffing plan.

6 (b) An infuser shall implement a security plan reviewed by
7 the Illinois State Police that includes, but is not limited
8 to: facility access controls, perimeter intrusion detection
9 systems, personnel identification systems, and a 24-hour
10 surveillance system to monitor the interior and exterior of
11 the infuser facility and that is accessible to authorized law
12 enforcement, the Department of Public Health, and the
13 Department of Agriculture in real time.

14 (c) All processing of cannabis by an infuser must take
15 place in an enclosed, locked facility at the physical address
16 provided to the Department of Agriculture during the licensing
17 process. The infuser location shall only be accessed by the
18 agents working for the infuser, the Department of Agriculture
19 staff performing inspections, the Department of Public Health
20 staff performing inspections, State and local law enforcement
21 or other emergency personnel, contractors working on jobs
22 unrelated to cannabis, such as installing or maintaining
23 security devices or performing electrical wiring, transporting
24 organization agents as provided in this Act, participants in
25 the incubator program, individuals in a mentoring or
26 educational program approved by the State, local safety or

1 health inspectors, or other individuals as provided by rule.
2 However, if an infuser shares a premises with a craft grower or
3 dispensing organization, agents from these other licensees may
4 access the infuser portion of the premises if that is the
5 location of common bathrooms, lunchrooms, locker rooms, or
6 other areas of the building where processing of cannabis is
7 not performed. At no time may a craft grower or dispensing
8 organization agent perform work at an infuser without being a
9 registered agent of the infuser.

10 (d) An infuser may not sell or distribute any cannabis to
11 any person other than a dispensing organization, or as
12 otherwise authorized by rule.

13 (e) An infuser may not either directly or indirectly
14 discriminate in price between different cannabis business
15 establishments that are purchasing a like grade, strain,
16 brand, and quality of cannabis or cannabis-infused product.
17 Nothing in this subsection (e) prevents an infuser from
18 pricing cannabis differently based on differences in the cost
19 of manufacturing or processing, the quantities sold, such
20 volume discounts, or the way the products are delivered.

21 (f) All cannabis infused by an infuser and intended for
22 distribution to a dispensing organization must be entered into
23 a data collection system, packaged and labeled under Section
24 55-21, and, if distribution is to a dispensing organization
25 that does not share a premises with the infuser, placed into a
26 cannabis container for transport. All cannabis produced by an

1 infuser and intended for distribution to a cultivation center,
2 infuser organization, or craft grower with which it does not
3 share a premises, must be packaged in a labeled cannabis
4 container and entered into a data collection system before
5 transport.

6 (g) Infusers are subject to random inspections by the
7 Department of Agriculture, the Department of Public Health,
8 the Illinois State Police, local law enforcement, or as
9 provided by rule.

10 (h) An infuser agent shall notify local law enforcement,
11 the Illinois State Police, and the Department of Agriculture
12 within 24 hours of the discovery of any loss or theft.
13 Notification shall be made by phone, in person, or by written
14 or electronic communication.

15 (i) An infuser organization may not be located in an area
16 zoned for residential use.

17 (j) An infuser or infuser agent shall not transport
18 cannabis or cannabis-infused products to any other cannabis
19 business establishment without a transport organization
20 license unless:

21 (i) If the infuser is located in a county with a
22 population of 3,000,000 or more, the cannabis business
23 establishment receiving the cannabis or cannabis-infused
24 product is within 2,000 feet of the property line of the
25 infuser;

26 (ii) If the infuser is located in a county with a

1 population of more than 700,000 but fewer than 3,000,000,
2 the cannabis business establishment receiving the cannabis
3 or cannabis-infused product is within 2 miles of the
4 infuser; or

5 (iii) If the infuser is located in a county with a
6 population of fewer than 700,000, the cannabis business
7 establishment receiving the cannabis or cannabis-infused
8 product is within 15 miles of the infuser.

9 (k) An infuser may enter into a contract with a
10 transporting organization to transport cannabis to a
11 consolidated transport center, a different transporting
12 organization at a consolidated transport center, a dispensing
13 organization, or a laboratory. All products received and
14 shipped to and from a consolidated transport center shall be
15 tracked within the cannabis plant monitoring system.

16 (l) An infuser organization may share premises with a
17 craft grower or a dispensing organization, or both, provided
18 each licensee stores currency and cannabis or cannabis-infused
19 products in a separate secured vault to which the other
20 licensee does not have access or all licensees sharing a vault
21 share more than 50% of the same ownership.

22 (m) It is unlawful for any person or entity having an
23 infuser organization license or any officer, associate,
24 member, representative or agent of such licensee to offer or
25 deliver money, or anything else of value, directly or
26 indirectly to any person having an Early Approval Adult Use

1 Dispensing Organization License, a Conditional Adult Use
2 Dispensing Organization License, an Adult Use Dispensing
3 Organization License, or a medical cannabis dispensing
4 organization license issued under the Compassionate Use of
5 Medical Cannabis Program Act, or to any person connected with
6 or in any way representing, or to any member of the family of,
7 such person holding an Early Approval Adult Use Dispensing
8 Organization License, a Conditional Adult Use Dispensing
9 Organization License, an Adult Use Dispensing Organization
10 License, or a medical cannabis dispensing organization license
11 issued under the Compassionate Use of Medical Cannabis Program
12 Act, or to any stockholders in any corporation engaged the
13 retail sales of cannabis, or to any officer, manager, agent,
14 or representative of the Early Approval Adult Use Dispensing
15 Organization License, a Conditional Adult Use Dispensing
16 Organization License, an Adult Use Dispensing Organization
17 License, or a medical cannabis dispensing organization license
18 issued under the Compassionate Use of Medical Cannabis Program
19 Act to obtain preferential placement within the dispensing
20 organization, including, without limitation, on shelves and in
21 display cases where purchasers can view products, or on the
22 dispensing organization's website.

23 (n) At no time shall an infuser organization or an infuser
24 agent perform the extraction of cannabis concentrate from
25 cannabis flower.

26 (o) Cannabis business entities shall adhere to the

1 traceability and consumer protection guidelines established by
2 the Department of Agriculture when utilizing the cannabis
3 plant monitoring system or cannabis transport GPS tracking
4 system.

5 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
6 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
7 5-13-22.)

8 (410 ILCS 705/40-5)

9 Sec. 40-5. Issuance of licenses.

10 (a) The Department shall issue transporting licenses
11 through a process provided for in this Article no later than
12 July 1, 2020. Entities awarded a license under this Section
13 may defer paying the associated license fee for a period of no
14 more than 3 years.

15 (b) The Department shall make the application for
16 transporting organization licenses available on January 7,
17 2020 and shall receive such applications no later than March
18 15, 2020. ~~The Department of Agriculture shall make available~~
19 ~~such applications on every January 7 thereafter or if that~~
20 ~~date falls on a weekend or holiday, the business day~~
21 ~~immediately succeeding the weekend or holiday and shall~~
22 ~~receive such applications no later than March 15 or the~~
23 ~~succeeding business day thereafter.~~

24 (c) From January 1, 2024 through January 1, 2026, the
25 Department shall not issue any transporting licenses other

1 than those issued under subsection (a) before the effective
2 date of this amendatory Act of the 103rd General Assembly.

3 (d) Upon completion of the disparity and availability
4 study published by the Illinois Cannabis Regulation Oversight
5 Officer under subsection (e) of Section 5-45, the Department
6 of Agriculture may modify or change the licensing application
7 process to reduce or eliminate barriers and remedy
8 discrimination identified in the study. Beginning January 1,
9 2026, the Department of Agriculture shall make the
10 applications available on every January 7 thereafter or, if
11 that date falls on a weekend or holiday, the business day
12 immediately succeeding the weekend or holiday and shall
13 receive the applications no later than March 15 or the
14 succeeding business day thereafter.

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

16 (410 ILCS 705/40-25)

17 Sec. 40-25. Transporting organization requirements;
18 prohibitions.

19 (a) The operating documents of a transporting organization
20 shall include procedures for the oversight of the transporter,
21 an inventory monitoring system including a physical inventory
22 recorded weekly, accurate recordkeeping, and a staffing plan.

23 (b) A transporting organization may not transport cannabis
24 or cannabis-infused products to any person other than a
25 cultivation center, a craft grower, an infuser organization, a

1 dispensing organization, a testing facility, a consolidated
2 transport center, or as otherwise authorized by rule.

3 (c) All cannabis transported by a transporting
4 organization must be entered into a data collection system and
5 placed into a cannabis container for transport.

6 (d) Transporters are subject to random inspections by the
7 Department of Agriculture, the Department of Public Health,
8 the Illinois State Police, or as provided by rule.

9 (e) A transporting organization agent shall notify local
10 law enforcement, the Illinois State Police, and the Department
11 of Agriculture within 24 hours of the discovery of any loss or
12 theft. Notification shall be made by phone, in person, or by
13 written or electronic communication.

14 (f) No person under the age of 21 years shall be in a
15 commercial vehicle or trailer transporting cannabis goods.

16 (g) No person or individual who is not a transporting
17 organization agent shall be in a vehicle while transporting
18 cannabis goods.

19 (h) Transporters may not use commercial motor vehicles
20 with a weight rating of over 10,001 pounds.

21 (i) It is unlawful for any person to offer or deliver
22 money, or anything else of value, directly or indirectly, to
23 any of the following persons to obtain preferential placement
24 within the dispensing organization, including, without
25 limitation, on shelves and in display cases where purchasers
26 can view products, or on the dispensing organization's

1 website:

2 (1) a person having a transporting organization
3 license, or any officer, associate, member,
4 representative, or agent of the licensee;

5 (2) a person having an Early Applicant Adult Use
6 Dispensing Organization License, an Adult Use Dispensing
7 Organization License, or a medical cannabis dispensing
8 organization license issued under the Compassionate Use of
9 Medical Cannabis Program Act;

10 (3) a person connected with or in any way
11 representing, or a member of the family of, a person
12 holding an Early Applicant Adult Use Dispensing
13 Organization License, an Adult Use Dispensing Organization
14 License, or a medical cannabis dispensing organization
15 license issued under the Compassionate Use of Medical
16 Cannabis Program Act; or

17 (4) a stockholder, officer, manager, agent, or
18 representative of a corporation engaged in the retail sale
19 of cannabis, an Early Applicant Adult Use Dispensing
20 Organization License, an Adult Use Dispensing Organization
21 License, or a medical cannabis dispensing organization
22 license issued under the Compassionate Use of Medical
23 Cannabis Program Act.

24 (j) A transporting organization agent must keep his or her
25 identification card visible at all times when on the property
26 of a cannabis business establishment and during the

1 transporting of cannabis when acting under his or her duties
2 as a transportation organization agent. During these times,
3 the transporting organization agent must also provide the
4 identification card upon request of any law enforcement
5 officer engaged in his or her official duties.

6 (k) A copy of the transporting organization's registration
7 and a manifest for the delivery shall be present in any vehicle
8 transporting cannabis.

9 (l) Cannabis shall be transported so it is not visible or
10 recognizable from outside the vehicle.

11 (m) A vehicle transporting cannabis must not bear any
12 markings to indicate the vehicle contains cannabis or bear the
13 name or logo of the cannabis business establishment.

14 (n) Cannabis must be transported in an enclosed, locked
15 storage compartment that is secured or affixed to the vehicle.

16 (o) The Department of Agriculture may, by rule, impose any
17 other requirements or prohibitions on the transportation of
18 cannabis.

19 (p) No person, cannabis business establishment, or entity
20 other than a licensed transportation organization shall
21 transport cannabis or cannabis-infused products on behalf of a
22 cannabis business establishment to or from a consolidated
23 transport center, unless otherwise authorized by rule.

24 (q) Cannabis business entities shall adhere to the
25 traceability and consumer protection guidelines established by
26 the Department of Agriculture when utilizing the cannabis

1 plant monitoring system or cannabis transport GPS tracking
2 system.

3 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
4 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; 102-813, eff.
5 5-13-22.)

6 (410 ILCS 705/40-50 new)

7 Sec. 40-50. Consolidated transport center requirements;
8 prohibitions.

9 (a) The operating documents of a consolidated transport
10 center shall include procedures for the oversight of the
11 consolidated transport center and a cannabis or
12 cannabis-infused products monitoring system, including, a
13 physical inventory recorded weekly, accurate recordkeeping,
14 and a staffing plan that is available to the Department of
15 Revenue, the Department of Agriculture, the Department of
16 Financial and Professional Regulation, and the Illinois State
17 Police.

18 (b) A consolidated transport center shall implement a
19 security plan reviewed by the Illinois State Police that
20 includes, but is not limited to, facility access controls,
21 perimeter intrusion detection systems, personnel
22 identification systems, 24-hour surveillance system to monitor
23 the interior and exterior of the consolidated transport
24 center, and accessibility to authorized law enforcement and
25 the Department of Agriculture in real time.

1 (c) All consolidating transport center activities by a
2 consolidated transport center must take place in an enclosed,
3 fenced, and locked facility at the physical address provided
4 to the Department of Agriculture during the licensing process.
5 The consolidated transport center location shall only be
6 accessed by the agents working for the consolidated transport
7 center, the Department of Agriculture staff performing
8 inspections, local and State law enforcement or other
9 emergency personnel, contractors working on jobs unrelated to
10 cannabis, such as installing or maintaining security devices
11 or performing electrical wiring, transporting organization
12 agents as provided in this Act, individuals in a mentoring or
13 educational program approved by the State, or other
14 individuals as provided by rule.

15 (d) A consolidated transport center may not distribute any
16 cannabis or cannabis-infused products to any person other than
17 a dispensing organization, craft grower, infuser organization,
18 transporter, consolidated transport center, or as otherwise
19 authorized by rule.

20 (e) All cannabis or cannabis-infused products received by
21 a consolidated transport center for distribution to a cannabis
22 business establishment must be entered into the cannabis plant
23 monitoring system, packaged and labeled under Section 55-21,
24 and placed into a cannabis container for transport.

25 (f) Consolidated transport centers are subject to random
26 inspections by the Department of Agriculture, local safety or

1 health inspectors, and the Illinois State Police.

2 (g) A consolidated transport center agent shall notify
3 local law enforcement, the Illinois State Police, and the
4 Department of Agriculture within 24 hours of the discovery of
5 any loss or theft. Notification shall be made by phone, in
6 person, or by written or electronic communication.

7 (h) No person or entity shall hold any legal, equitable,
8 ownership, or beneficial interest, directly or indirectly, of
9 more than 3 consolidated transport center licenses under this
10 Act. Further, no person or entity that is employed by a
11 cannabis business establishment, an agent of a cannabis
12 business establishment, has a contract to receive payment in
13 any form from a cannabis business establishment, is a
14 principal officer of a cannabis business establishment, or is
15 an entity controlled by or affiliated with a principal officer
16 of a cannabis business establishment shall hold any legal,
17 equitable, ownership, or beneficial interest, directly or
18 indirectly, in a cannabis business establishment that would
19 result in the person or entity owning or controlling in
20 combination with any cannabis business establishment,
21 principal officer of a cannabis business establishment, or
22 entity controlled or affiliated with a principal officer of a
23 cannabis business establishment by which he, she, or it is
24 employed, is an agent of, or participates in the management
25 of, more than 3 consolidated transport center licenses.

26 (i) It is unlawful for any person having a consolidated

1 transport center license or any officer, associate, member,
2 representative, or agent of such licensee to offer or deliver
3 money, or anything else of value, directly or indirectly to
4 any person having an Early Approval Adult Use Dispensing
5 Organization License, a Conditional Adult Use Dispensing
6 Organization License, an Adult Use Dispensing Organization
7 License, or a medical cannabis dispensing organization license
8 issued under the Compassionate Use of Medical Cannabis Program
9 Act, or to any person connected with or in any way
10 representing, or to any member of the family of, such person
11 holding an Early Approval Adult Use Dispensing Organization
12 License, a Conditional Adult Use Dispensing Organization
13 License, an Adult Use Dispensing Organization License, or a
14 medical cannabis dispensing organization license issued under
15 the Compassionate Use of Medical Cannabis Program Act, or to
16 any stockholders in any corporation engaged in the retail sale
17 of cannabis, or to any officer, manager, agent, or
18 representative of the Early Approval Adult Use Dispensing
19 Organization License, a Conditional Adult Use Dispensing
20 Organization License, an Adult Use Dispensing Organization
21 License, or a medical cannabis dispensing organization license
22 issued under the Compassionate Use of Medical Cannabis Program
23 Act to obtain preferential placement within the dispensing
24 organization, including, without limitation, on shelves and in
25 display cases where purchasers can view products, or on the
26 dispensing organization's website.

1 (j) A consolidated transport center must comply with the
2 application process, mandatory fees, compliance requirements,
3 and prohibitions set by administrative rules of the Department
4 of Agriculture.

5 (k) All fees and fines collected under this Section shall
6 be deposited into the Cannabis Regulation Fund, unless
7 otherwise specified by rule by the Department of Agriculture.

8 (l) A consolidated transport center may not transfer an
9 ownership interest in a license without prior Department
10 approval. Such approval may be withheld if the person or
11 entity to whom the license is being transferred does not meet
12 the definition of independent social equity transporting
13 organization under this Act.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.