



Rep. La Shawn K. Ford

**Filed: 5/24/2023**

10300SB1559ham003

LRB103 29878 AWJ 62448 a

1 AMENDMENT TO SENATE BILL 1559

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1559, AS AMENDED,  
3 with reference to page and line numbers of House Amendment No.  
4 1, as follows:

5 on page 53, line 1, by replacing "of" with "in close proximity  
6 to"; and

7 on page 53, by replacing lines 9 through 11 with the following:

8 "Section 15-85. For purposes of this paragraph:

9 "Drive-through window in close proximity" means an  
10 area contiguous to the restricted access area.

11 "Pickup-location in close proximity" means an area  
12 contiguous to the real property of the dispensary, such as  
13 a sidewalk or parking lot;"; and

14 on page 147, line 2, by replacing "2" with "3"; and

1 on page 147, line 15, by replacing "Section 40-5" with  
2 "Sections 5-45 and 40-5"; and

3 on page 147, immediately below line 15, by inserting the  
4 following:

5 "(410 ILCS 705/5-45)

6 Sec. 5-45. Illinois Cannabis Regulation Oversight Officer.

7 (a) The position of Illinois Cannabis Regulation Oversight  
8 Officer is created within the Department of Financial and  
9 Professional Regulation under the Secretary of Financial and  
10 Professional Regulation. The Cannabis Regulation Oversight  
11 Officer serves a coordinating role among State agencies  
12 regarding this Act and the Compassionate Use of Medical  
13 Cannabis Program Act. The Illinois Cannabis Regulation  
14 Oversight Officer shall be appointed by the Governor with the  
15 advice and consent of the Senate. The term of office of the  
16 Officer shall expire on the third Monday of January in  
17 odd-numbered years provided that he or she shall hold office  
18 until a successor is appointed and qualified. In case of  
19 vacancy in office during the recess of the Senate, the  
20 Governor shall make a temporary appointment until the next  
21 meeting of the Senate, when the Governor shall nominate some  
22 person to fill the office, and any person so nominated who is  
23 confirmed by the Senate shall hold office during the remainder  
24 of the term and until his or her successor is appointed and

1 qualified.

2 (b) The Illinois Cannabis Regulation Oversight Officer has  
3 the authority to:

4 (1) maintain a staff;

5 (2) make recommendations for administrative and  
6 statutory changes;

7 (3) collect data both in Illinois and outside Illinois  
8 regarding the regulation of cannabis;

9 (4) compile or assist in the compilation of any  
10 reports required by this Act;

11 (5) ensure the coordination of efforts between various  
12 State agencies involved in regulating and taxing the sale  
13 of cannabis in Illinois; and

14 (6) encourage, promote, suggest, and report best  
15 practices for ensuring diversity in the cannabis industry  
16 in Illinois.

17 (c) The Illinois Cannabis Regulation Oversight Officer and  
18 the Officer's staff shall not:

19 (1) participate in the issuance or award of any  
20 cannabis business establishment license; or

21 (2) participate in discipline related to any cannabis  
22 business establishment.

23 The Illinois Cannabis Regulation Officer is not prohibited  
24 from coordinating with and making recommendations to agencies  
25 regarding licensing and disciplinary policies and procedures.

26 (d) Any funding required for the Illinois Cannabis

1 Regulation Oversight Officer, its staff, or its activities  
2 shall be drawn from the Cannabis Regulation Fund.

3 (e) The Illinois Cannabis Regulation Oversight Officer  
4 shall commission and publish one or more disparity and  
5 availability studies that: (1) evaluates whether there exists  
6 discrimination in the State's cannabis industry; and (2) if  
7 so, evaluates the impact of such discrimination on the State  
8 and includes recommendations to the Department of Financial  
9 and Professional Regulation and the Department of Agriculture  
10 for reducing or eliminating any identified barriers to entry  
11 in the cannabis market. Such disparity and availability  
12 studies shall examine each license type issued pursuant to  
13 Sections 15-25, 15-30.1, or 15-35.20, subsection (a) of  
14 Section 30-5, or subsection (a) of Section 35-5, and shall be  
15 initiated within 180 days from the issuance of the first of  
16 each license authorized by those Sections and completed by  
17 January 31, 2024. The results of each disparity and  
18 availability study shall be reported to the General Assembly  
19 and the Governor no later than 12 months after the commission  
20 of each study.

21 The Illinois Cannabis Regulation Oversight Officer shall  
22 forward a copy of its findings and recommendations to the  
23 Department of Financial and Professional Regulation, the  
24 Department of Agriculture, the Department of Commerce and  
25 Economic Opportunity, the General Assembly, and the Governor.

26 (f) The Illinois Cannabis Regulation Oversight Officer may

1 compile, collect, or otherwise gather data necessary for the  
2 administration of this Act and to carry out the Officer's duty  
3 relating to the recommendation of policy changes. The Illinois  
4 Cannabis Regulation Oversight Officer may direct the  
5 Department of Agriculture, Department of Financial and  
6 Professional Regulation, Department of Public Health,  
7 Department of Human Services, and Department of Commerce and  
8 Economic Opportunity to assist in the compilation, collection,  
9 and data gathering authorized pursuant to this subsection. The  
10 Illinois Cannabis Regulation Oversight Officer shall compile  
11 all of the data into a single report and submit the report to  
12 the Governor and the General Assembly and publish the report  
13 on its website.

14 (Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21.);  
15 and

16 on page 148, by replacing lines 1 through 6 with "15, 2020. ~~The~~  
17 ~~Department of Agriculture shall make available such~~  
18 ~~applications on every January 7 thereafter or if that date~~  
19 ~~falls on a weekend or holiday, the business day immediately~~  
20 ~~succeeding the weekend or holiday and shall receive such~~  
21 ~~applications no later than March 15 or the succeeding business~~  
22 ~~day thereafter.~~"; and

23 on page 148, immediately below line 10, by inserting the  
24 following:

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