



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB6270

by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

New Act

Creates the Cannabis Legalization Task Force Act. Creates the Cannabis Legalization Task Force. Provides that the Task Force shall: (1) research all relevant factors related to cannabis legalization including but not limited to: economic, governmental, medical, legal, regulatory, enforcement, licensing, taxation, and other relevant factors; (2) develop legislation for the legalization of recreational cannabis for adults over the age of 21 in this State that will promote the health, safety, and well-being of the citizens of Illinois; create a balanced regulatory framework by proposing efficient and effective regulation that is clear and reasonable and not unduly burdensome and is responsive to consumer needs; create a balanced and fair taxing system needed for the licensing of entities to sell cannabis and the licensing of entities to grow cannabis; report to the General Assembly its findings and recommendations for drafting legislation on or before December 20, 2015; and (3) draft legislation based on the findings and recommendations to be presented to the General Assembly on or before December 31, 2015. Repeals the Act on January 1, 2016.

LRB098 21408 RLC 59832 b

1 AN ACT creating the Cannabis Legalization Task Force.

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
5 Cannabis Legalization Task Force Act.

6 Section 5. Findings.

7 (a) There have been 180,000 arrests for misdemeanor
8 cannabis possession in the State of Illinois from 1975 to 2009
9 and Illinois ranked 5th nationally in the number of arrests for
10 possession in 2010; from 2001 to 2010 Illinois ranked fourth in
11 the nation for the rate of arrests for cannabis possession per
12 100,000 people, more than 150% higher than the national
13 average.

14 (b) Most arrests for cannabis possession do not lead to
15 trials or prison terms. Instead, a large number of these
16 arrests are plea-bargained, continued without a finding,
17 dismissed, or otherwise handled in a manner that makes poor use
18 of limited criminal justice system resources. Cannabis-related
19 arrests in every municipality, including Chicago, result in
20 staggering costs to State and local government by virtue of the
21 necessary involvement of the county jail, Sheriff's
22 department, State's Attorney, Clerk of the Court, judiciary,
23 and often times, the Public Defender, annually costing

1 taxpayers tens of millions of dollars.

2 (c) For the last several years, while Chicago police have
3 made approximately 23,000 arrests a year for cannabis
4 possession, an astounding 97% of charges involving 2.5 grams or
5 less were dismissed between 2006 and 2010.

6 (d) Mirroring national trends, throughout this State,
7 non-whites are arrested at a higher rate than whites relative
8 to their representation in the general population. Arrest data
9 from 2007 indicated that disproportionality in drug arrests
10 occurred in 62 of the 102 counties. Illinois ranks third in the
11 nation for the black to white racial disparity of cannabis
12 possession offenders with African Americans about 7.6 times
13 more likely to be arrested than whites, despite the fact that
14 cannabis use is the same between these 2 groups. Despite the
15 fact that the City of Chicago decriminalized small amounts of
16 cannabis possession 2 years ago and the number of arrests for
17 cannabis possession have dropped to their lowest level in 12
18 years, police continue to make an average of 44 arrests a day
19 for misdemeanor possession, more than for any other offense,
20 and 78% of those arrested since August 2012 for carrying small
21 amounts of cannabis were African American, 17% were Hispanic,
22 and just 4% were Caucasian.

23 (e) Arresting people for cannabis possession does nothing
24 to reduce its use, rather it can often create barriers to
25 living a normal life by negatively impacting public housing and
26 student financial aid eligibility, employment opportunities,

1 child custody determinations, and immigration status, even if
2 as is almost always the case, the charges are dismissed.

3 (f) Existing evidence from other states and countries show
4 there is no indication that decriminalization of cannabis leads
5 to a measurable increase in its use.

6 (g) Colorado State's Joint Budget Committee expects to
7 collect approximately \$184 million in tax revenue from
8 recreational cannabis in the first 18 months of legalized sale,
9 and projects tax revenue of about \$610 million when looking at
10 both recreational and medical cannabis sales for that same time
11 period. Washington state budget officials estimate the state
12 will reap about \$134 million in tax revenue generated by
13 cannabis sales in the 2015-2017 biennium.

14 (h) Illinois is facing severe budget and financial
15 constraints and lawmakers face the undesirable choice of
16 deciding between increased taxes or substantial service cuts,
17 creating an intelligent, practical framework of cannabis
18 legalization, regulation and taxation can help address a myriad
19 of problems such as improved health and public safety, reduced
20 criminal justice and jail costs, law enforcement efficacy,
21 black market drug displacement as well as increased revenue for
22 education and treatment protocols.

23 Section 10. Cannabis Legalization Task Force.

24 (a) A Cannabis Legalization Task Force is established, to
25 consist of:

1 (1) Two senators, one each appointed by the President
2 and Minority Leader of the Senate;

3 (2) Two Representatives, one each appointed by the
4 Speaker and Minority Leader of the House of
5 Representatives;

6 (3) One representative each from the following State
7 agencies, appointed as follows:

8 (A) the Governor's office, appointed by the
9 Governor;

10 (B) the Department of Public Health, appointed by
11 the Director of Public Health;

12 (C) the Department of Revenue, appointed by the
13 Director of Revenue;

14 (D) the Department of Commerce and Economic
15 Opportunity, appointed by the Director of Commerce and
16 Economic Opportunity;

17 (E) the Illinois Liquor Control Commission,
18 appointed by the Chairman of the Commission;

19 (F) the Department of State Police, appointed by
20 the Director of State Police; and

21 (G) the Department of Corrections, appointed by
22 the Director of Corrections;

23 (4) One representative from the Office of the Attorney
24 General, appointed by the Attorney General;

25 (5) One representative from a State's Attorney's
26 Office, appointed by the Executive Director of the Office

1 of the State's Attorneys Appellate Prosecutor;

2 (6) One representative each from the following
3 stakeholders, appointed by the Governor:

4 (A) a member from academia;

5 (B) a member from cannabis legalization advocates;

6 (C) a member with expertise in the treatment of
7 drug addictions;

8 (D) a member representing cannabis consumers;

9 (E) a member from the medical cannabis and
10 cultivation industry;

11 (F) a member from the nonmedical use of cannabis
12 industry;

13 (G) a member representing the interests of
14 employers;

15 (H) a member representing the interests of
16 employees; and

17 (I) a member with expertise in legal issues related
18 to cannabis legalization.

19 (b) The Task Force must appoint its own chairperson and
20 other officers and make rules for orderly procedure.

21 (c) A member of the Task Force may not receive compensation
22 as a member of the Task Force; but is entitled to reimbursement
23 for expenses under the State travel control rules, as provided
24 by appropriation.

25 (d) Staff support for the Task Force shall be provided by
26 the Legislative Research Unit and the represented State

1 agencies.

2 Section 15. Powers and duties of the Task Force. The Task
3 Force shall:

4 (1) research all relevant factors related to cannabis
5 legalization including but not limited to: economic,
6 governmental, medical, legal, regulatory, enforcement,
7 licensing, taxation, and other relevant factors;

8 (2) develop legislation for the legalization of
9 recreational cannabis for adults over the age of 21 in this
10 State that will promote the health, safety, and well-being
11 of the citizens of Illinois; create a balanced regulatory
12 framework by proposing efficient and effective regulation
13 that is clear and reasonable and not unduly burdensome and
14 is responsive to consumer needs; create a balanced and fair
15 taxing system needed for the licensing of entities to sell
16 cannabis and the licensing of entities to grow cannabis;
17 report to the General Assembly its findings and
18 recommendations for drafting legislation on or before
19 December 20, 2015; and

20 (3) draft legislation based on the findings and
21 recommendations to be presented to the General Assembly on
22 or before December 31, 2015.

23 Section 20. Repeal. This Act is repealed on January 1,
24 2016.