

## FAQ on Marijuana in Illinois

**1) When will recreational marijuana be legal in Illinois?** January 1, 2020. The Act was passed by legislature on June 6, 2019 and signed into law by Governor JB Pritzker on June 25, 2019.

**2) Who will be able to purchase marijuana legally?** Adults age 21 and older.

**3) How much marijuana can be legally purchased or possessed?**

Medical Cannabis Law – registered users 2 ½ oz = 70 grams over 14 day period or 5 grams per day.

IL Residents – 30 grams of flower, 500 milligrams of THC in cannabis-infused products, 5 grams of Cannabis concentrate.

Non-Residents – Up to 15 grams of flower., 250 milligrams of THC in cannabis-infused products, 2.5 grams of cannabis concentrate.

**4) How will marijuana be taxed?** There is a graduated tax set up for recreational marijuana in Illinois:

- Marijuana and cannabis-infused products with less than 35% THC will be taxed at 10% of the gross receipts.
- Cannabis-infused products with more than 35% THC will be taxed at 20% of the gross receipts.
- Marijuana with more than 35% THC will be taxed at 25% of the gross receipts.

Medical marijuana is exempted from these taxes. Individual municipalities can also assess additional taxes on recreational marijuana if they so choose, in .25% increments not exceeding 3.75% in unincorporated areas of a county, .75% in a municipality located in a non-home rule county, and 3% in municipalities located in home rule counties.

**5) Will I be allowed to grow my own marijuana?** Home grow will only be allowed for medical marijuana patients to grow plants at home. The limit for home grow is limited to five plants.

**6) Is it permissible to smoke marijuana anywhere in Illinois?** No, public consumption of marijuana will not be allowed. It will be legal to consume cannabis products in private residences. Each local jurisdiction will be allowed to decide for themselves if dispensaries may permit smoking of marijuana on-site.

**7) Where will marijuana be sold?** On January 1, the existing medical marijuana cultivators and dispensaries may begin selling to adults until new licenses are approved. Municipalities with medical dispensaries operating within their jurisdiction may limit or

prohibit adult-use cannabis using local ordinances. As stated in the Act, the state will begin receiving and processing new licenses on March 15, 2020 and new dispensary licenses will be issued beginning on May 1, 2020. No additional licenses will be issued until after the state completes a disparity and market study of the industry. The second round of licenses must consider the study's findings.

- 8) Can an employer keep its drug-free workplace policies in place?** Employers may enforce drug testing policies, including zero tolerance and drug free workplace, if applied in a non-discriminatory manner. Employers may prohibit employees from using, possessing, or being impaired while in the workplace, performing their job, or while on call. Employers may discipline or terminate an employee for violating an employer's employment policies or workplace drug policy.
  
- 9) Of what other issues should employers be aware?** The law focuses on impairment . . . while current drug testing is focused on use. The law does not provide for Employer immunity or limit civil claims against Employers if an Employee with THC in their system harms themselves or others.