

FACT SHEET

ILLINOIS BUSINESSES

FOR ADULT USE CANNABIS

Starting January 1, 2020 adults aged 21 and older will be able to legally purchase cannabis for recreational use from dispensaries licensed within the state.

COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM

The legalization of adult-use marijuana for recreational purposes in Illinois does not modify the state's medical cannabis pilot program.

SMOKE-FREE ILLINOIS ACT

Property owners may impose the restrictions of the Smoke Free Illinois Act on smoking cannabis. Property owners may ban the use of cannabis by any guest, tenant, customer or visitor. Additionally, renters may prohibit cultivation of cannabis for their tenants.

QUANTITIES ALLOWED

Illinois residents will be permitted to possess the following:

- 30 grams of cannabis flower;
- 5 grams of cannabis concentrate;
- 500 milligrams of THC contained in a cannabis-infused product;

Non-Residents of Illinois will be permitted to possess the following:

- 15 grams of cannabis flower;
- 2.5 grams of cannabis concentrate;
- 250 milligrams of THC contained in a cannabis-infused product.

The possession limits are to be considered cumulative.

LOCAL REGULATION OF CONSUMPTION

Private consumption is authorized by the Act and therefore municipalities may not restrict this right.

The Act does prohibit the use of cannabis in public locations, including schools and child care facilities.

Municipalities have the right to adopt and enforce local ordinances to regulate possession and public consumption of cannabis as long as the regulations and penalties are consistent with the Act.

Municipalities will have the right to permit on-premise use of cannabis at locations to be decided locally.

Municipalities may require the inspection of cannabis-related businesses.

Municipalities may also enact and enforce civil penalties for violations of local business licensing ordinances and regulations.

LOCAL ORDINANCES

Ordinances prohibiting the establishments of dispensaries within their jurisdiction may be passed by municipalities. These opt out ordinances must be adopted within one year of the effective date of the statute, or they will be limited to opt out provisions via a local referendum.

Reasonable zoning restrictions may be enacted by municipalities regarding licensed cultivation centers, craft growers, processing organizations, and dispensaries.

EMPLOYMENT – DRUG FREE WORKPLACE

Nothing in the Act prohibits employers from following equitable employment policies regarding smoking, consuming, storage or use of cannabis in the workplace or while on-call. These policies must be applied in a nondiscriminatory manner.

Nothing in the Act prohibits employers from disciplining an employee or terminating employment of an employee for violation of the employer's employment policies or workplace drug policy.

HOME GROW

Home grown cannabis is authorized only for participants in the medical cannabis program and is limited to five plants in a residence owned by the grower or with permission from the owner. The grower must be 21 years of age or over and must keep the cannabis in a securely locked room away from residents under the age of 21.

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Ordinances prohibiting the establishments of dispensaries within their jurisdiction may be passed by municipalities. These opt out ordinances must be adopted within one year of the effective date of the statute, or they will be limited to opt out provisions via a local referendum.

Reasonable zoning restrictions may be enacted by municipalities regarding licensed cultivation centers, craft growers, processing organizations, and dispensaries.

STATE REVENUE

State revenues obtained from the Cannabis Regulation and Tax Act will be deposited into the Cannabis Regulation Fund. The funds will be allotted to multiple state agencies for implementation of the Act. The legalization of adult cannabis also includes a new source of Local Government Distributive Fund (LGDF) dollars. A portion of the Cannabis Regulation Fund (8% of deposits) will go to local governments as LGDF to be used to fund crime prevention programs, training and interdiction efforts. The Cannabis Regulation Fund is composed from moneys collected from state taxes, license fees and other amounts required to be transferred into the Fund.

EXPUNGEMENTS

A substantial piece of the Act focuses on the decriminalization of cannabis through mandatory and discretionary expungements of criminal convictions relating to non-violent cannabis offenses.



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