VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
http://www.palatine.il.us

PLAN COMMISSION

AGENDA ● APRIL 19, 2022

Village Hall - Council Chambers | **Regular Meeting** | **7:00 PM**

I. CALL TO ORDER

2. Plan Commission - Regular Meeting - Apr 5, 2022 7:00 PM

   Plan Commission minutes - April 5, 2022 meeting.

II. CASE STAFF STATEMENTS

1. Text Amendments to Appendix A -Article 15, - Village of Palatine Zoning Ordinance -Section 15.02 and Section 15.04 (a)

2. Planned Development Amendment to the Patrick Hyuandai Phase 2 Subdivision Planned Development to Align with the B-5 Highway Business District use lists; and Special Use for an Adult Use Cannabis Dispensing Establishment for the vacant lot east of 325 E. Lake Cook Road (PIN # 02-02-102-037-0000)

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PLAN COMMISSION

MINUTES ● APRIL 5, 2022

Village Hall - Council Chambers | **Regular Meeting** | **7:00 PM**

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Dennis Dwyer	Chairman	Present	
Patrick Noonan	Plan Commissioner	Present	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Present	
Robert Kolososki	Plan Commissioner	Present	
Stephen Fedota	Plan Commissioner	Present	

II. PUBLIC HEARING

1. 780 W. Dundee Road **- Recommended to Approve**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on March 21st, 2021 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Plat of Survey
2. Petition to Annex
3. PSUB Application
4. Plat of Annexation
5. Plat of Subdivision
6. Site Plan
7. Engineering Plans
8. Tree Preservation Plan
9. Stormwater Report
10. Public Notice

Sworn in Petitioner: Michael Xu and Josh Terpstra with Hager Engineering

Mr. Terpstra explains that he is the Civil Engineer and Land Surveyor for the project. Mr. Xu is the owner of the parcel. Mr. Xu is requesting to be annexed into the Village of Palatine and to sub-divide the parcel into four lots. The property will be zoned R-1 when annexed and the goal is to rezone to R-2 zoning district as part of the final subdivision process. The four lots are on the west side of North Haven Dr., utilities and driveway access would be provided through the North Haven Dr. right of way. Each proposed lot has a driveway and each

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driveway would connect to North Haven Drive. North Haven drive right of way contains existing water and sanitary lines and the proposed lots would connect to the existing lines. He also discusses storm water management and states that the site is located in Cook County and is subject to the MWRD requirements and to the Village of Palatine requirements for storm water. A storm water management detention basin has been proposed at the SW corner of the development in the rear yard of lots one and two. The basin is designed to meet Palatine and MWRD requirements. He explains that the discharge would be through a storm pipe that connects to an existing sewer. He states that Mr. Xu is aware that permits from other relevant agencies such as IDOT, MWRD that would be required and subject to The Village of Palatine final engineering review. The plans have been designed to meet and conform to zoning codes of those agencies.

Mr. Friedman, referring to the Utilities Map, asks if there is any impact to the remaining parcels north of the development. He would like to clarify that there is nothing about the potential development of the remaining property that would influence the engineering or design of tonight's subject property and that they would remain separate solutions.
Ms. Bremanis states that the Planned Development was previously approved. Engineering looked at the neighboring properties and had no concerns. The properties have been sub-divided and zoned planned development for single family residential.
Mr. Fedota refers to the Future Land Use map and asks it the space has been annexed into the Village.
Ms. Bremanis states it is annexed into the village.

Ms. Bremanis presents the Comprehensive Plan Future Land Use Map and states that it shows the area being called out for single family residential. She also presents the Plat of Survey and states all items in red have been demolished and there is one house and small walkway remaining. The Proposed Site plan shows that once the lots are divided and zoned R-2 they will meet or exceed all of the R-2 requirements. She provides a brief overlook of the existing conditions.

Resident - Pamela Wilkinson of 770 W Misty Dr is sworn in and states her concern regarding storm sewer, grading and water flowage.
Mr. Terpstra addresses the concern and refers to the Grading and Drainage Plans. He states that the elevation at the lot line to the west of the property is at elevation 790 and is proposing to cut down the slope to install the pond. The detention basin is down to 782 and this should solve any run off issues. They will now be 8' higher than the bottom of the detention basin and all runoff should go to the pond from the backyards.

STAFF RECOMMENDATION:
The annexation and preliminary plat subdivision is consistent with the Comprehensive Plan and existing subdivision to the east. The application and

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submitted plans indicate the intention of ultimately rezoning the property to R-2 through the Final Subdivision process. The proposed lots would exceed the minimum required R-2 bulk and comply with all of the setback requirements and minimum required lot depth per the Subdivision Ordinance. The proposed subdivision is also consistent with Marks Landing Subdivision (directly east). Therefore, Staff recommends approval of the proposed request, subject to the following conditions:

1. The development shall substantially conform to the engineering plans prepared by Haeger Engineering dated 7/26/21 last revised 12/22/21 and attached hereto as Exhibit 'A' except as such plans may be revised to conform to Village Codes and Ordinances.
2. The final engineering plans, Haeger Engineering dated 7/26/21 last revised 12/22/2 and engineer's estimate of probable cost shall be revised in a manner acceptable to the Village Engineer
3. A Public Improvement letter of credit will be a required condition at Final Subdivision approval.
4. Review fees in the amount of 1.5% of the total project improvement costs (as defined in the Village Code) will be a required condition at Final Subdivision approval.
5. ~~Cash-in-lieu of detention shall be paid at Final Subdivision approval and shall be submitted in a manner acceptable to the Village Engineer.~~ The Petitioner is providing detention and this condition is not required.
6. The Final Plat of Annexation shall be submitted on Mylar with all required signatures and shall significantly conform to the Plat of Annexation prepared by Haeger Engineering and attached hereto.
7. A Subdivision Improvement Agreement shall be submitted in a manner acceptable to the Village Attorney.
8. Recording fees shall be a required condition of Final Subdivision approval
9. A construction management schedule (including a contactor parking plan and material hauling route plan) will be a required condition of Final Plat of Subdivision.
10. Extra agency permits will be required for the development and will also be a required condition of Final Plat of Subdivision. As a condition of Final Plat of Subdivision, if required by the Village,
11. HOA declarations shall be submitted in a manner acceptable to the Village Attorney, prior to the issuance of a building permit.

Ms. Williams made a motion to close the public hearing - 2nd by Mr. Noonan

DISCUSSION:

Mr. Fedota asks if because there is water detention on site will it necessitate an HOA.
Ms. Bremanis states that there is an HOA required at final subdivision approval.

Mr. Friedman clarifies and states that the HOA is for the shared storm water

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solution and not for the roadway. The roadway is a village road.
Ms. Bremanis confirms that the roadway is a village road.

Mr. Freidman states that there would not be a condition for sharing or any other amendments to another homeowner association relative to Haven Drive.

Ms. Bremanis confirms it is a public street.

Mr. Dwyer asks if there is any re-capture for the improvements on North Haven Ct.

Ms. Bremanis states none that she is aware of.

Mr. Fedota made a motion to approve subject to staff's 10 conditions;

Seconded by Mr. Noonan and unanimously approved.

RESULT:	**RECOMMENDED TO APPROVE [UNANIMOUS]**
MOVER:	Stephen Fedota, Plan Commissioner
SECONDER:	Patrick Noonan, Plan Commissioner
AYES:	Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota

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III. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Nov 2, 2021 7:00 PM **- Accepted as Amended**

RESULT:	**ACCEPTED AS AMENDED [UNANIMOUS]**
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Rodney Bettenhausen, Plan Commissioner
AYES:	Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota

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2. Plan Commission - Regular Meeting - Mar 15, 2022 7:00 PM **- Accepted as Amended**

RESULT:	**ACCEPTED AS AMENDED [UNANIMOUS]**
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Robert Kolososki, Plan Commissioner
AYES:	Dwyer, Noonan, Williams, Friedman, Bettenhausen, Kolososki, Fedota

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IV. COMMUNICATIONS

Algonquin Rd will go to Village Council this Monday April 11th

The next Plan Commission meeting will be on Tuesday April 19th.

V. ADJOURNMENT

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VILLAGE OF PALATINE

VILLAGE OF PALATINE
Plan Commission

SCHEDULED 04/19/22 07:00 PM

CASE STAFF STATEMENT (ID # 7497)

Text Amendments to Appendix A -Article 15, - Village of Palatine Zoning Ordinance -Section 15.02 and Section 15.04 (a)

CASE NUMBER: 22-15

PETITIONER: Village of Palatine

PROPOSAL:

Text amendments to Article 15 - Adult Use Cannabis of the Village of Palatine Zoning Ordinance including the following: 1) Amending Section 15.02 to include Planned Development Districts, subject to the B-5 or Manufacturing District Use lists, as eligible zoning districts to apply for a Special Use for an adult-use cannabis dispensing establishment; and 2) To eliminate the requirement, as referenced in Section 15.04 (a), that a dispensing establishment must currently be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization.

BACKGROUND:

On June 25, 2019, the State of Illinois approved the Cannabis Regulation and Tax Act ("Cannabis Act") allowing for and creating the regulations permitting the legal sale and consumption of cannabis, for adults at least 21 years old. The Village of Palatine approved the Adult Use Cannabis regulations within the Zoning Ordinance on December 9. 2019. As part of the review of the existing Ordinance requirements, Staff is recommending the following text amendments to Article 15:

1) **Amending Section 15.02 to include Planned Development Districts, subject to the B-5 or Manufacturing District Use lists, as eligible zoning districts to apply for a Special Use for an adult-use cannabis dispensing establishment; and**

2) **To eliminate the requirement, as referenced in Section 15.04 (a), that a dispensing establishment must currently be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization.**

ANALYSIS:

- When the Village Council adopted the adult use cannabis ordinance as an amendment to the Zoning Ordinance, the eligible zoning districts for Special Use review were the B-5 district (Rand Road) and the Manufacturing District. In addition to the underlying zoning district, there are numerous separation requirements from schools, residential properties, and park district properties.

- When the initial Village text amendment was drafted, Planned Development districts were not included in the eligible zoning districts for consideration. Upon review of the existing zoning designations within the Village, Staff is recommending including Planned Developments, subject to either the B-5 or Manufacturing district use lists, be included as eligible zoning districts to apply for an adult-use cannabis dispensing establishment.

- While the initial text amendments focused upon only the B-5 and Manufacturing districts, upon review, there may also be appropriate locations within properties zoned Planned Development. Therefore, Staff is recommending to expand the eligible zoning districts to those with a Planned Development designation, subject to the B-5 or Manufacturing districts.

- Since the passage of Cannabis Act, there have been approximately three years of operational history, within Illinois. The Cannabis Regulation and Tax Act outlines the various security requirements and limitations required by the state. These include electronic record keeping, video monitoring, appropriate security measures and daily reporting to the State. Within the Cannabis Act, there are 85 separate requirements relating to security, within the dispensary.

- The Village's initial inclusion of requiring adult dispensaries to also have a current license to operate a medical cannabis dispensing organization (under the Compassionate Use of Medical Cannabis Pilot Program Act) was to ensure added protection for the new program. Over the last approximately 3 years of administration of the Cannabis Act, Staff better understands both the requirements of the Act and the State limitations and restrictions upon dispensaries. Therefore, Staff is recommending a text amendment to eliminate this requirement.

RECOMMENDATION:

Staff is recommending text amendments to Article 15 - Adult use cannabis which expand the eligible zoning districts for Special Use application to include Planned Development Districts, subject to the B-5 or Manufacturing District use lists and the

elimination of the current license requirement for a medical dispensary. Staff is recommending the following text amendments:

1) **Amending Section 15.02 to include Planned Development Districts, subject to the B-5 or Manufacturing District Use lists, as eligible zoning districts to apply for a Special Use for an adult-use cannabis dispensing establishment; and**

2) **To eliminate the requirement, as referenced in Section 15.04 (a), that a dispensing establishment must currently be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization, as further described on the attached Exhibit.**

ATTACHMENTS:

- EXHIBIT - Proposed Article XV amendments
- Cannabis Regulation and Tax Act
- Public Notice

ARTICLE XV. ADULT-USE CANNABIS

15.01. Purpose and Applicability.

It is the intent and purpose of this Section Article XV to provide regulations controlling an adult-use cannabis dispensing establishment operating within the corporate limits of the Village. Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time to time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

15.02. Adult-Use Cannabis.

Adult-use cannabis dispensing establishments, as defined in Section 3.02 shall require an approval of a Special Use in ~~either~~ the B-5 Highway Business District, ~~or~~ the M Manufacturing Districts, or Planned Development Districts, subject to the B-5 or Manufacturing District Use lists, and the Special Uses shall be processed in accordance with Section 14.05 et seq. (Special Uses) of the Village Zoning Ordinance as provided herein, and shall be subject to the conditions set forth in Section 15.04.

15.03 Adult-Use Cannabis Dispensing Establishment Components.

In determining compliance with Section 14.05 (Special Uses), the following components of the adult-use cannabis dispensing establishment shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of properties:

(a) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

(b) Proposed structure in which the facility will be located, including the co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.

(c) Hours of operation and anticipated number of customers and employees.

(d) Anticipated parking demand and available private parking supply.

(e) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

(f) Site design, including access points and internal site circulation.

(g) Proposed signage plan.

(h) Compliance with all requirements provided in this Section 15.03.

(i) Other criteria determined to be necessary to assess compliance with Section 14.05 (Special Uses).

15.04 Adult-Use Cannabis Dispensing Establishment.

An adult-use cannabis dispensing establishment must comply with the following:

~~(a) Facility must be operated by an organization or business that is currently licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130 et seq.)~~

~~(b)~~(a) Facility must keep a copy of the dispensing organization agent identification card issued

pursuant to the State of Illinois requirements, ~~Compassionate Use of Medical Cannabis Pilot Program Act~~ visible and conspicuously displayed at all times.

~~(c)~~(b) An adult-use cannabis dispensing establishment building shall not be located within 1,500 feet of the building in which is located a pre-existing public or private nursery school, pre-school, primary or secondary school, or day care facility. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

~~(d)~~(c) An adult-use cannabis dispensing establishment building shall not be located within five hundred (500) feet of property either owned by a Park District or utilized for park district purposes, unless separated by railroad tracks.

(d~~e~~) An adult-use cannabis dispensing establishment shall not be located in a dwelling unit.

(e~~f~~) An adult-use cannabis dispensing establishment shall not abut nor be directly across the street from any residential use.

(f~~g~~) At least 75% of the floor area of any tenant space occupied by an adult-use cannabis dispensing establishment shall be devoted to the activities of the cannabis dispensing establishment as authorized by the Act, and other than cannabis infused food products, no cannabis dispensing establishment shall also sell food for consumption on the premises in the same tenant space.

(g~~h~~) Facility shall not conduct any sales or distribution of cannabis other than as authorized by the Act.

~~(i)~~ (h)Adult-use cannabis dispensing establishments are prohibited from allowing on-site consumption of cannabis under all circumstances.

(i~~j~~) For purposes of determining required parking, adult-use cannabis dispensing establishments shall be classified as "Business and Retail Uses" area as per Section 7.03 (b) (1), provided however that the Village may require that additional parking be provided as a result of the analysis completed through Section 14.05 (Adult-Use Cannabis: Special Use) herein.

(j~~k~~) Petitioner must submit a complete copy of their state license application and all plans submitted to the State of Illinois, or any agency thereof, as part of their special use application. Before issuance of a certificate of occupancy or otherwise opening to the public, adult-use cannabis dispensing establishments must provide a copy of their license to operate as an adult-use cannabis dispensing establishment from the respective state agency.

(k~~l~~) Petitioner shall file an affidavit with the Village affirming compliance with this Section 15.04 and all other requirements of the Act.

15.05 Additional Requirements.

Petitioner shall install building enhancements, such as security cameras, lighting or other improvements, as set forth in the Special Use permit, to ensure the safety of employees and customers of the adult-use cannabis dispensing establishments, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for an adult-use cannabis dispensing establishment and the site on which it is located, consistent with the requirements of the Act.

15.06 Violation / Penalties.

Any violation of this Article XV shall be punishable as provided in Section 1-8 of the Code of Ordinances of the Village of Palatine, Illinois.

(Ord. No. O-111-19, 12/9/19)

Attachment: EXHIBIT - Proposed Article XV amendments (Text Amendments - Article 15 Appendix A - Village of Palatine Zoning Ordinance)

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

PUBLIC HEALTH
(410 ILCS 705/) Cannabis Regulation and Tax Act.

(410 ILCS 705/Art. 1 heading)

Article 1.

Short Title; Findings; Definitions

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

(410 ILCS 705/1-1)

Sec. 1-1. Short title. This Act may be cited as the Cannabis Regulation and Tax Act.

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

(410 ILCS 705/1-5)

Sec. 1-5. Findings.

(a) In the interest of allowing law enforcement to focus on violent and property crimes, generating revenue for education, substance abuse prevention and treatment, freeing public resources to invest in communities and other public purposes, and individual freedom, the General Assembly finds and declares that the use of cannabis should be legal for persons 21 years of age or older and should be taxed in a manner similar to alcohol.

(b) In the interest of the health and public safety of the residents of Illinois, the General Assembly further finds and declares that cannabis should be regulated in a manner similar to alcohol so that:

(1) persons will have to show proof of age before purchasing cannabis;

(2) selling, distributing, or transferring cannabis to minors and other persons under 21 years of age shall remain illegal;

(3) driving under the influence of cannabis, operating a watercraft under the influence of cannabis, and operating a snowmobile under the influence of cannabis shall remain illegal;

(4) legitimate, taxpaying business people, and not criminal actors, will conduct sales of cannabis;

(5) cannabis sold in this State will be tested, labeled, and subject to additional regulation to ensure that purchasers are informed and protected; and

(6) purchasers will be informed of any known health risks associated with the use of cannabis, as concluded by evidence-based, peer reviewed research.

(c) The General Assembly further finds and declares that it is necessary to ensure consistency and fairness in the application of this Act throughout the State and that, therefore, the matters addressed by this Act are, except as specified in this Act, matters of statewide concern.

(d) The General Assembly further finds and declares that this Act shall not diminish the State's duties and commitment to seriously ill patients registered under the Compassionate Use of Medical Cannabis Program Act, nor alter the protections granted to them.

(e) The General Assembly supports and encourages labor neutrality in the cannabis industry and further finds and declares that employee workplace safety shall not be diminished and employer workplace policies shall be interpreted broadly to protect employee safety.

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

(410 ILCS 705/1-7)

Sec. 1-7. Lawful user and lawful products. For the purposes of this Act and to clarify the legislative findings on the lawful use of cannabis, a person shall not be considered an unlawful user or addicted to narcotics solely as a result of his or her possession or use of cannabis or cannabis paraphernalia in accordance with this Act.

(Source: P.A. 101-593, eff. 12-4-19.)

(410 ILCS 705/1-10)

(Text of Section from P.A. 102-98)

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

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

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

"Advertise" means to engage in promotional activities including, but not limited to: newspaper, radio, Internet and electronic media, and television advertising; the distribution of fliers and circulars; billboard advertising; and the display

of window and interior signs. "Advertise" does not mean exterior signage displaying only the name of the licensed cannabis business establishment.

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

"BLS Region" means a region in Illinois used by the United States Bureau of Labor Statistics to gather and categorize certain employment and wage data. The 17 such regions in Illinois are: Bloomington, Cape Girardeau, Carbondale-Marion, Champaign-Urbana, Chicago-Naperville-Elgin, Danville, Davenport-Moline-Rock Island, Decatur, Kankakee, Peoria, Rockford, St. Louis, Springfield, Northwest Illinois nonmetropolitan area, West Central Illinois nonmetropolitan area, East Central Illinois nonmetropolitan area, and South Illinois nonmetropolitan area.

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

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

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

"Cannabis concentrate" means a product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO_2, ethanol, or isopropanol and with the intended use of smoking or

making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

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

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

"Cannabis-infused product" means a beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis or cannabis concentrate that is not intended to be smoked.

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

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

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

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

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

Community College.

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

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

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

"Craft grower" means a facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization. A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering state. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity, and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area. A craft grower may share premises with a processing organization or a dispensing organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership.

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

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

"Cultivation center" means a facility operated by an organization or business that is licensed by the Department of

Agriculture to cultivate, process, transport (unless otherwise limited by this Act), and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments.

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

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

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

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

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

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

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

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

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

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

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

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

(C) at least 20% of the households in the area

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receive assistance under the Supplemental Nutrition Assistance Program; or

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

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

"Early Approval Adult Use Cultivation Center License" means a license that permits a medical cannabis cultivation center licensed under the Compassionate Use of Medical Cannabis Program Act as of the effective date of this Act to begin cultivating, infusing, packaging, transporting (unless otherwise provided in this Act), processing and selling cannabis or cannabis-infused product to cannabis business establishments for resale to purchasers as permitted by this Act as of January 1, 2020.

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

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

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

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

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

include:

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

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

"Financial institution" has the same meaning as "financial organization" as defined in Section 1501 of the Illinois Income Tax Act, and also includes the holding companies, subsidiaries, and affiliates of such financial organizations.

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

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

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

"Individual" means a natural person.

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

"Kief" means the resinous crystal-like trichomes that are found on cannabis and that are accumulated, resulting in a higher concentration of cannabinoids, untreated by heat or pressure, or extracted using a solvent.

"Labor peace agreement" means an agreement between a cannabis business establishment and any labor organization recognized under the National Labor Relations Act, referred to in this Act as a bona fide labor organization, that prohibits labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the cannabis business establishment. This agreement means that the cannabis business establishment has agreed not to disrupt efforts by the bona fide labor organization to communicate with,

and attempt to organize and represent, the cannabis business establishment's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the cannabis business establishment's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under State law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.

"Limited access area" means a room or other area under the control of a cannabis dispensing organization licensed under this Act and upon the licensed premises where cannabis sales occur with access limited to purchasers, dispensing organization owners and other dispensing organization agents, or service professionals conducting business with the dispensing organization, or, if sales to registered qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants licensed pursuant to the Compassionate Use of Medical Cannabis Program Act are also permitted at the dispensary, registered qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants.

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

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

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

"Ownership and control" means ownership of at least 51% of the business, including corporate stock if a corporation, and control over the management and day-to-day operations of the business and an interest in the capital, assets, and profits and losses of the business proportionate to percentage of ownership.

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

"Possession limit" means the amount of cannabis under Section 10-10 that may be possessed at any one time by a person

21 years of age or older or who is a registered qualifying medical cannabis patient or caregiver under the Compassionate Use of Medical Cannabis Program Act.

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

"Primary residence" means a dwelling where a person usually stays or stays more often than other locations. It may be determined by, without limitation, presence, tax filings; address on an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card; or voter registration. No person may have more than one primary residence.

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

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

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

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

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

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

Section.

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

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

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

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

(3) school records;

(4) a voter registration card;

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

(6) a paycheck stub;

(7) a utility bill;

(8) tax records; or

(9) any other proof of residency or other information necessary to establish residence as provided by rule.

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

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

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

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

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

(ii) is a member of an impacted family;

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

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

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

Nothing in this Act shall be construed to preempt or limit the duties of any employer under the Job Opportunities for Qualified Applicants Act. Nothing in this Act shall permit an

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employer to require an employee to disclose sealed or expunged offenses, unless otherwise required by law.

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

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

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

"Transporting organization" or "transporter" means an organization or business that is licensed by the Department of Agriculture to transport cannabis or cannabis-infused product on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program.

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

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

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

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

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

(2) any cannabis plant that is cultivated solely for

the purpose of propagating clones and is never used to produce cannabis.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

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

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

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

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

"BLS Region" means a region in Illinois used by the United States Bureau of Labor Statistics to gather and categorize certain employment and wage data. The 17 such regions in Illinois are: Bloomington, Cape Girardeau, Carbondale-Marion, Champaign-Urbana, Chicago-Naperville-Elgin, Danville, Davenport-Moline-Rock Island, Decatur, Kankakee, Peoria, Rockford, St. Louis, Springfield, Northwest Illinois nonmetropolitan area, West Central Illinois nonmetropolitan area, East Central Illinois nonmetropolitan area, and South Illinois nonmetropolitan area.

"Cannabis" means marijuana, hashish, and other substances that are identified as including any parts of the plant Cannabis sativa and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable

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of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means cannabis flower, concentrate, and cannabis-infused products.

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

"Cannabis concentrate" means a product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO_2, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Department of Agriculture.

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

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

"Cannabis-infused product" means a beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis or cannabis concentrate that is not intended to be smoked.

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

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

packaging.

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

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

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

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

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

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

"Craft grower" means a facility operated by an organization or business that is licensed by the Department of Agriculture to cultivate, dry, cure, and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization. A craft grower may contain up to 5,000 square feet of canopy space on its premises for plants in the flowering state. The Department of Agriculture may authorize an increase or decrease of flowering stage cultivation space in increments of 3,000 square feet by rule based on market need, craft grower capacity, and the licensee's history of compliance or noncompliance, with a maximum space of 14,000 square feet for cultivating plants in the flowering stage, which must be cultivated in all stages of growth in an enclosed and secure area. A craft grower may share premises with a processing organization or a dispensing

organization, or both, provided each licensee stores currency and cannabis or cannabis-infused products in a separate secured vault to which the other licensee does not have access or all licensees sharing a vault share more than 50% of the same ownership.

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

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

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

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

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

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

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

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

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

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

"Disproportionately Impacted Area" means a census tract or comparable geographic area that satisfies the following criteria

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as determined by the Department of Commerce and Economic Opportunity, that:

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

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

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

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

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

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

"Early Approval Adult Use Cultivation Center License" means a license that permits a medical cannabis cultivation center licensed under the Compassionate Use of Medical Cannabis Program Act as of the effective date of this Act to begin cultivating, infusing, packaging, transporting (unless otherwise provided in this Act), processing and selling cannabis or cannabis-infused product to cannabis business establishments for resale to purchasers as permitted by this Act as of January 1, 2020.

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

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

"Enclosed, locked facility" means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by cannabis business establishment agents working for the licensed cannabis business

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establishment or acting pursuant to this Act to cultivate, process, store, or distribute cannabis.

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

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

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

"Financial institution" has the same meaning as "financial organization" as defined in Section 1501 of the Illinois Income Tax Act, and also includes the holding companies, subsidiaries, and affiliates of such financial organizations.

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

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

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

"Individual" means a natural person.

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

"Kief" means the resinous crystal-like trichomes that are found on cannabis and that are accumulated, resulting in a higher concentration of cannabinoids, untreated by heat or pressure, or extracted using a solvent.

"Labor peace agreement" means an agreement between a cannabis business establishment and any labor organization recognized under the National Labor Relations Act, referred to

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in this Act as a bona fide labor organization, that prohibits labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the cannabis business establishment. This agreement means that the cannabis business establishment has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the cannabis business establishment's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the cannabis business establishment's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under State law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.

"Limited access area" means a room or other area under the control of a cannabis dispensing organization licensed under this Act and upon the licensed premises where cannabis sales occur with access limited to purchasers, dispensing organization owners and other dispensing organization agents, or service professionals conducting business with the dispensing organization, or, if sales to registered qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants licensed pursuant to the Compassionate Use of Medical Cannabis Program Act are also permitted at the dispensary, registered qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants.

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

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

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

"Ownership and control" means ownership of at least 51% of the business, including corporate stock if a corporation, and control over the management and day-to-day operations of the business and an interest in the capital, assets, and profits and losses of the business proportionate to percentage of ownership.

"Person" means a natural individual, firm, partnership,

association, joint stock company, joint venture, public or private corporation, limited liability company, or a receiver, executor, trustee, guardian, or other representative appointed by order of any court.

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

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

"Primary residence" means a dwelling where a person usually stays or stays more often than other locations. It may be determined by, without limitation, presence, tax filings; address on an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card; or voter registration. No person may have more than one primary residence.

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

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

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

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

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

"Resided" means an individual's primary residence was located within the relevant geographic area as established by 2

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of the following:

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

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

(3) school records;

(4) a voter registration card;

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

(6) a paycheck stub;

(7) a utility bill;

(8) tax records; or

(9) any other proof of residency or other information necessary to establish residence as provided by rule.

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

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

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

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

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

(ii) is a member of an impacted family;

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

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

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

Nothing in this Act shall be construed to preempt or limit the duties of any employer under the Job Opportunities for Qualified Applicants Act. Nothing in this Act shall permit an employer to require an employee to disclose sealed or expunged offenses, unless otherwise required by law.

"Tincture" means a cannabis-infused solution, typically comprised of alcohol, glycerin, or vegetable oils, derived either directly from the cannabis plant or from a processed cannabis extract. A tincture is not an alcoholic liquor as defined in the Liquor Control Act of 1934. A tincture shall

include a calibrated dropper or other similar device capable of accurately measuring servings.

"Transporting organization" or "transporter" means an organization or business that is licensed by the Department of Agriculture to transport cannabis or cannabis-infused product on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program.

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

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

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

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

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

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/Art. 5 heading)

Article 5.
Authority

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

(410 ILCS 705/5-5)

Sec. 5-5. Sharing of authority. Notwithstanding any provision of law to the contrary, any authority granted to any State agency or State employees or appointees under the Compassionate Use of Medical Cannabis Program Act shall be shared by any State agency or State employees or appointees given authority to license, discipline, revoke, regulate, or make rules under this Act.

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

(410 ILCS 705/5-10)

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

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

(410 ILCS 705/5-15)

Sec. 5-15. Department of Financial and Professional Regulation. The Department of Financial and Professional Regulation shall enforce the provisions of this Act relating to the oversight and registration of dispensing organizations and agents, including the issuance of identification cards for dispensing organization agents. The Department of Financial and Professional Regulation may suspend or revoke the license of, or otherwise discipline dispensing organizations, principal officers, agents-in-charge, and agents for violations of this Act and any rules adopted under this Act.

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

(410 ILCS 705/5-20)

Sec. 5-20. Background checks.

(a) Through the Illinois State Police, the licensing or issuing Department shall conduct a criminal history record check of the prospective principal officers, board members, and agents of a cannabis business establishment applying for a license or identification card under this Act.

Each cannabis business establishment prospective principal officer, board member, or agent shall submit his or her fingerprints to the Illinois State Police in the form and manner prescribed by the Illinois State Police.

Unless otherwise provided in this Act, such fingerprints shall be transmitted through a live scan fingerprint vendor licensed by the Department of Financial and Professional Regulation. These fingerprints shall be checked against the fingerprint records now and hereafter filed in the Illinois State Police and Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall charge a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and

shall not exceed the actual cost of the State and national criminal history record check. The Illinois State Police shall furnish, pursuant to positive identification, all Illinois conviction information and shall forward the national criminal history record information to:

(i) the Department of Agriculture, with respect to a cultivation center, craft grower, infuser organization, or transporting organization; or

(ii) the Department of Financial and Professional Regulation, with respect to a dispensing organization.

(b) When applying for the initial license or identification card, the background checks for all prospective principal officers, board members, and agents shall be completed before submitting the application to the licensing or issuing agency.

(c) All applications for licensure under this Act by applicants with criminal convictions shall be subject to Sections 2105-131, 2105-135, and 2105-205 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/5-25)

Sec. 5-25. Department of Public Health to make health warning recommendations.

(a) The Department of Public Health shall make recommendations to the Department of Agriculture and the Department of Financial and Professional Regulation on appropriate health warnings for dispensaries and advertising, which may apply to all cannabis products, including item-type specific labeling or warning requirements, regulate the facility where cannabis-infused products are made, regulate cannabis-infused products as provided in subsection (e) of Section 55-5, and facilitate the Adult Use Cannabis Health Advisory Committee.

(b) An Adult Use Cannabis Health Advisory Committee is hereby created and shall meet at least twice annually. The Chairperson may schedule meetings more frequently upon his or her initiative or upon the request of a Committee member. Meetings may be held in person or by teleconference. The Committee shall discuss and monitor changes in drug use data in Illinois and the emerging science and medical information relevant to the health effects associated with cannabis use and may provide recommendations to the Department of Human Services about public health awareness campaigns and messages. The Committee shall include the following members appointed by the Governor and shall represent the geographic, ethnic, and racial diversity of the State:

(1) The Director of Public Health, or his or her

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designee, who shall serve as the Chairperson.

(2) The Secretary of Human Services, or his or her designee, who shall serve as the Co-Chairperson.

(3) A representative of the poison control center.

(4) A pharmacologist.

(5) A pulmonologist.

(6) An emergency room physician.

(7) An emergency medical technician, paramedic, or other first responder.

(8) A nurse practicing in a school-based setting.

(9) A psychologist.

(10) A neonatologist.

(11) An obstetrician-gynecologist.

(12) A drug epidemiologist.

(13) A medical toxicologist.

(14) An addiction psychiatrist.

(15) A pediatrician.

(16) A representative of a statewide professional public health organization.

(17) A representative of a statewide hospital/health system association.

(18) An individual registered as a patient in the Compassionate Use of Medical Cannabis Program.

(19) An individual registered as a caregiver in the Compassionate Use of Medical Cannabis Program.

(20) A representative of an organization focusing on cannabis-related policy.

(21) A representative of an organization focusing on the civil liberties of individuals who reside in Illinois.

(22) A representative of the criminal defense or civil aid community of attorneys serving Disproportionately Impacted Areas.

(23) A representative of licensed cannabis business establishments.

(24) A Social Equity Applicant.

(25) A representative of a statewide community-based substance use disorder treatment provider association.

(26) A representative of a statewide community-based mental health treatment provider association.

(27) A representative of a community-based substance use disorder treatment provider.

(28) A representative of a community-based mental health treatment provider.

(29) A substance use disorder treatment patient representative.

(30) A mental health treatment patient representative.

(c) The Committee shall provide a report by September 30,

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2021, and every year thereafter, to the General Assembly. The Department of Public Health shall make the report available on its website.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/5-30)

Sec. 5-30. Department of Human Services. The Department of Human Services shall identify evidence-based programs for preventive mental health, the prevention or treatment of alcohol abuse, tobacco use, illegal drug use (including prescription drugs), and cannabis use by pregnant women, and make policy recommendations, as appropriate, to the Adult Use Cannabis Health Advisory Committee. The Department of Human Services shall develop and disseminate educational materials for purchasers based on recommendations received from the Department of Public Health and the Adult Use Cannabis Health Advisory Committee.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/5-45)

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

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

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

(1) maintain a staff;

(2) make recommendations for administrative and statutory changes;

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

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

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

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

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

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

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

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

(d) Any funding required for the Illinois Cannabis Regulation Oversight Officer, its staff, or its activities shall be drawn from the Cannabis Regulation Fund.

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

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

(f) The Illinois Cannabis Regulation Oversight Officer may compile, collect, or otherwise gather data necessary for the administration of this Act and to carry out the Officer's duty relating to the recommendation of policy changes. The Illinois Cannabis Regulation Oversight Officer may direct the Department of Agriculture, Department of Financial and Professional Regulation, Department of Public Health, Department of Human Services, and Department of Commerce and Economic Opportunity to assist in the compilation, collection, and data gathering

authorized pursuant to this subsection. The Illinois Cannabis Regulation Oversight Officer shall compile all of the data into a single report and submit the report to the Governor and the General Assembly and publish the report on its website.
(Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/Art. 7 heading)

Article 7.

Social Equity in the Cannabis Industry

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

(410 ILCS 705/7-1)

Sec. 7-1. Findings.

(a) The General Assembly finds that the medical cannabis industry, established in 2014 through the Compassionate Use of Medical Cannabis Program Act, has shown that additional efforts are needed to reduce barriers to ownership. Through that program, 55 licenses for dispensing organizations and 20 licenses for cultivation centers have been issued. Those licenses are held by only a small number of businesses, the ownership of which does not sufficiently meet the General Assembly's interest in business ownership that reflects the population of the State of Illinois and that demonstrates the need to reduce barriers to entry for individuals and communities most adversely impacted by the enforcement of cannabis-related laws.

(b) In the interest of establishing a legal cannabis industry that is equitable and accessible to those most adversely impacted by the enforcement of drug-related laws in this State, including cannabis-related laws, the General Assembly finds and declares that a social equity program should be established.

(c) The General Assembly also finds and declares that individuals who have been arrested or incarcerated due to drug laws suffer long-lasting negative consequences, including impacts to employment, business ownership, housing, health, and long-term financial well-being.

(d) The General Assembly also finds and declares that family members, especially children, and communities of those who have been arrested or incarcerated due to drug laws, suffer from emotional, psychological, and financial harms as a result of such arrests or incarcerations.

(e) Furthermore, the General Assembly finds and declares that certain communities have disproportionately suffered the harms of enforcement of cannabis-related laws. Those communities face greater difficulties accessing traditional banking systems

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and capital for establishing businesses.

(f) The General Assembly also finds that individuals who have resided in areas of high poverty suffer negative consequences, including barriers to entry in employment, business ownership, housing, health, and long-term financial well-being.

(g) The General Assembly also finds and declares that promotion of business ownership by individuals who have resided in areas of high poverty and high enforcement of cannabis-related laws furthers an equitable cannabis industry.

(h) Therefore, in the interest of remedying the harms resulting from the disproportionate enforcement of cannabis-related laws, the General Assembly finds and declares that a social equity program should offer, among other things, financial assistance and license application benefits to individuals most directly and adversely impacted by the enforcement of cannabis-related laws who are interested in starting cannabis business establishments.

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

(410 ILCS 705/7-10)

Sec. 7-10. Cannabis Business Development Fund.

(a) There is created in the State treasury a special fund, which shall be held separate and apart from all other State moneys, to be known as the Cannabis Business Development Fund. The Cannabis Business Development Fund shall be exclusively used for the following purposes:

(1) to provide low-interest rate loans to Qualified Social Equity Applicants to pay for ordinary and necessary expenses to start and operate a cannabis business establishment permitted by this Act;

(2) to provide grants to Qualified Social Equity Applicants to pay for ordinary and necessary expenses to start and operate a cannabis business establishment permitted by this Act;

(3) to compensate the Department of Commerce and Economic Opportunity for any costs related to the provision of low-interest loans and grants to Qualified Social Equity Applicants;

(4) to pay for outreach that may be provided or targeted to attract and support Social Equity Applicants and Qualified Social Equity Applicants;

(5) (blank);

(6) to conduct any study or research concerning the participation of minorities, women, veterans, or people with disabilities in the cannabis industry, including, without limitation, barriers to such individuals entering

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the industry as equity owners of cannabis business establishments;

(7) (blank); and

(8) to assist with job training and technical assistance for residents in Disproportionately Impacted Areas.

(b) All moneys collected under Sections 15-15 and 15-20 for Early Approval Adult Use Dispensing Organization Licenses issued before January 1, 2021 and remunerations made as a result of transfers of permits awarded to Qualified Social Equity Applicants shall be deposited into the Cannabis Business Development Fund.

(c) As soon as practical after July 1, 2019, the Comptroller shall order and the Treasurer shall transfer $12,000,000 from the Compassionate Use of Medical Cannabis Fund to the Cannabis Business Development Fund.

(d) Notwithstanding any other law to the contrary, the Cannabis Business Development Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the Cannabis Business Development Fund into any other fund of the State.

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

(410 ILCS 705/7-15)

Sec. 7-15. Loans and grants to Social Equity Applicants.

(a) The Department of Commerce and Economic Opportunity shall establish grant and loan programs, subject to appropriations from the Cannabis Business Development Fund, for the purposes of providing financial assistance, loans, grants, and technical assistance to Social Equity Applicants.

(b) The Department of Commerce and Economic Opportunity has the power to:

(1) provide Cannabis Social Equity loans and grants from appropriations from the Cannabis Business Development Fund to assist Qualified Social Equity Applicants in gaining entry to, and successfully operating in, the State's regulated cannabis marketplace;

(2) enter into agreements that set forth terms and conditions of the financial assistance, accept funds or grants, and engage in cooperation with private entities and agencies of State or local government to carry out the purposes of this Section;

(3) fix, determine, charge, and collect any premiums, fees, charges, costs and expenses, including application fees, commitment fees, program fees, financing charges, or publication fees in connection with its activities under this Section;

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(4) coordinate assistance under these loan programs with activities of the Illinois Department of Financial and Professional Regulation, the Illinois Department of Agriculture, and other agencies as needed to maximize the effectiveness and efficiency of this Act;

(5) provide staff, administration, and related support required to administer this Section;

(6) take whatever actions are necessary or appropriate to protect the State's interest in the event of bankruptcy, default, foreclosure, or noncompliance with the terms and conditions of financial assistance provided under this Section, including the ability to recapture funds if the recipient is found to be noncompliant with the terms and conditions of the financial assistance agreement;

(7) establish application, notification, contract, and other forms, procedures, or rules deemed necessary and appropriate; and

(8) utilize vendors or contract work to carry out the purposes of this Act.

(c) Loans made under this Section:

(1) shall only be made if, in the Department's judgment, the project furthers the goals set forth in this Act; and

(2) shall be in such principal amount and form and contain such terms and provisions with respect to security, insurance, reporting, delinquency charges, default remedies, and other matters as the Department shall determine appropriate to protect the public interest and to be consistent with the purposes of this Section. The terms and provisions may be less than required for similar loans not covered by this Section.

(d) Grants made under this Section shall be awarded on a competitive and annual basis under the Grant Accountability and Transparency Act. Grants made under this Section shall further and promote the goals of this Act, including promotion of Social Equity Applicants, job training and workforce development, and technical assistance to Social Equity Applicants.

(e) Beginning January 1, 2021 and each year thereafter, the Department shall annually report to the Governor and the General Assembly on the outcomes and effectiveness of this Section that shall include the following:

(1) the number of persons or businesses receiving financial assistance under this Section;

(2) the amount in financial assistance awarded in the aggregate, in addition to the amount of loans made that are outstanding and the amount of grants awarded;

(3) the location of the project engaged in by the person or business; and

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(4) if applicable, the number of new jobs and other forms of economic output created as a result of the financial assistance.

(f) The Department of Commerce and Economic Opportunity shall include engagement with individuals with limited English proficiency as part of its outreach provided or targeted to attract and support Social Equity Applicants.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/7-20)
Sec. 7-20. Fee waivers.

(a) For Social Equity Applicants, the Department of Financial and Professional Regulation and the Department of Agriculture shall waive 50% of any nonrefundable license application fees, any nonrefundable fees associated with purchasing a license to operate a cannabis business establishment, and any surety bond or other financial requirements, provided a Social Equity Applicant meets the following qualifications at the time the payment is due:

(1) the applicant, including all individuals and entities with 10% or greater ownership and all parent companies, subsidiaries, and affiliates, has less than a total of $750,000 of income in the previous calendar year; and

(2) the applicant, including all individuals and entities with 10% or greater ownership and all parent companies, subsidiaries, and affiliates, has no more than 2 other licenses for cannabis business establishments in the State of Illinois.

(b) The Department of Financial and Professional Regulation and the Department of Agriculture may require Social Equity Applicants to attest that they meet the requirements for a fee waiver as provided in subsection (a) and to provide evidence of annual total income in the previous calendar year.

(c) If the Department of Financial and Professional Regulation or the Department of Agriculture determines that an applicant who applied as a Social Equity Applicant is not eligible for such status, the applicant shall be provided an additional 10 days to provide alternative evidence that he or she qualifies as a Social Equity Applicant. Alternatively, the applicant may pay the remainder of the waived fee and be considered as a non-Social Equity Applicant. If the applicant cannot do either, then the Departments may keep the initial application fee and the application shall not be graded.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/7-25)
Sec. 7-25. Transfer of license awarded to Qualified Social

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Equity Applicant.

(a) In the event a Qualified Social Equity Applicant seeks to transfer, sell, or grant a cannabis business establishment license within 5 years after it was issued to a person or entity that does not qualify as a Social Equity Applicant, the transfer agreement shall require the new license holder to pay the Cannabis Business Development Fund an amount equal to:

(1) any fees that were waived by any State agency based on the applicant's status as a Social Equity Applicant, if applicable;

(2) any outstanding amount owed by the Qualified Social Equity Applicant for a loan through the Cannabis Business Development Fund, if applicable; and

(3) the full amount of any grants that the Qualified Social Equity Applicant received from the Department of Commerce and Economic Opportunity, if applicable.

(b) Transfers of cannabis business establishment licenses awarded to a Social Equity Applicant are subject to all other provisions of this Act, the Compassionate Use of Medical Cannabis Program Act, and rules regarding transfers.

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

(410 ILCS 705/7-30)

Sec. 7-30. Reporting. By January 1, 2021, and on January 1 of every year thereafter, or upon request by the Illinois Cannabis Regulation Oversight Officer, each cannabis business establishment licensed under this Act and the Compassionate Use of Medical Cannabis Program Act shall report to the Illinois Cannabis Regulation Oversight Officer, on a form to be provided by the Illinois Cannabis Regulation Oversight Officer, information that will allow it to assess the extent of diversity in the medical and adult use cannabis industry and methods for reducing or eliminating any identified barriers to entry, including access to capital. Failure of a cannabis business establishment to respond to the request of the Cannabis Regulation Oversight Officer to complete the form, report, and any other request for information may be grounds for disciplinary action by the Department of Financial and Professional Regulation or the Department of Agriculture. The information to be collected shall be designed to identify the following:

(1) the number and percentage of licenses provided to Social Equity Applicants and to businesses owned by minorities, women, veterans, and people with disabilities;

(2) the total number and percentage of employees in the cannabis industry who meet the criteria in (3)(i) or (3)(ii) in the definition of Social Equity Applicant or who

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are minorities, women, veterans, or people with disabilities;

(3) the total number and percentage of contractors and subcontractors in the cannabis industry that meet the definition of a Social Equity Applicant or who are owned by minorities, women, veterans, or people with disabilities, if known to the cannabis business establishment; and

(4) recommendations on reducing or eliminating any identified barriers to entry, including access to capital, in the cannabis industry.

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

(410 ILCS 705/Art. 10 heading)

Article 10.

Personal Use of Cannabis

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

(410 ILCS 705/10-5)

Sec. 10-5. Personal use of cannabis; restrictions on cultivation; penalties.

(a) Beginning January 1, 2020, notwithstanding any other provision of law, and except as otherwise provided in this Act, the following acts are not a violation of this Act and shall not be a criminal or civil offense under State law or the ordinances of any unit of local government of this State or be a basis for seizure or forfeiture of assets under State law for persons other than natural individuals under 21 years of age:

(1) possession, consumption, use, purchase, obtaining, or transporting cannabis paraphernalia or an amount of cannabis for personal use that does not exceed the possession limit under Section 10-10 or otherwise in accordance with the requirements of this Act;

(2) cultivation of cannabis for personal use in accordance with the requirements of this Act; and

(3) controlling property if actions that are authorized by this Act occur on the property in accordance with this Act.

(a-1) Beginning January 1, 2020, notwithstanding any other provision of law, and except as otherwise provided in this Act, possessing, consuming, using, purchasing, obtaining, or transporting cannabis paraphernalia or an amount of cannabis purchased or produced in accordance with this Act that does not exceed the possession limit under subsection (a) of Section 10-10 shall not be a basis for seizure or forfeiture of assets under State law.

(b) Cultivating cannabis for personal use is subject to the

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following limitations:

(1) An Illinois resident 21 years of age or older who is a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act may cultivate cannabis plants, with a limit of 5 plants that are more than 5 inches tall, per household without a cultivation center or craft grower license. In this Section, "resident" means a person who has been domiciled in the State of Illinois for a period of 30 days before cultivation.

(2) Cannabis cultivation must take place in an enclosed, locked space.

(3) Adult registered qualifying patients may purchase cannabis seeds from a dispensary for the purpose of home cultivation. Seeds may not be given or sold to any other person.

(4) Cannabis plants shall not be stored or placed in a location where they are subject to ordinary public view, as defined in this Act. A registered qualifying patient who cultivates cannabis under this Section shall take reasonable precautions to ensure the plants are secure from unauthorized access, including unauthorized access by a person under 21 years of age.

(5) Cannabis cultivation may occur only on residential property lawfully in possession of the cultivator or with the consent of the person in lawful possession of the property. An owner or lessor of residential property may prohibit the cultivation of cannabis by a lessee.

(6) (Blank).

(7) A dwelling, residence, apartment, condominium unit, enclosed, locked space, or piece of property not divided into multiple dwelling units shall not contain more than 5 plants at any one time.

(8) Cannabis plants may only be tended by registered qualifying patients who reside at the residence, or their authorized agent attending to the residence for brief periods, such as when the qualifying patient is temporarily away from the residence.

(9) A registered qualifying patient who cultivates more than the allowable number of cannabis plants, or who sells or gives away cannabis plants, cannabis, or cannabis-infused products produced under this Section, is liable for penalties as provided by law, including the Cannabis Control Act, in addition to loss of home cultivation privileges as established by rule.

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

(410 ILCS 705/10-10)

Sec. 10-10. Possession limit.

(a) Except if otherwise authorized by this Act, for a person who is 21 years of age or older and a resident of this State, the possession limit is as follows:

(1) 30 grams of cannabis flower;

(2) no more than 500 milligrams of THC contained in cannabis-infused product;

(3) 5 grams of cannabis concentrate; and

(4) for registered qualifying patients, any cannabis produced by cannabis plants grown under subsection (b) of Section 10-5, provided any amount of cannabis produced in excess of 30 grams of raw cannabis or its equivalent must remain secured within the residence or residential property in which it was grown.

(b) For a person who is 21 years of age or older and who is not a resident of this State, the possession limit is:

(1) 15 grams of cannabis flower;

(2) 2.5 grams of cannabis concentrate; and

(3) 250 milligrams of THC contained in a cannabis-infused product.

(c) The possession limits found in subsections (a) and (b) of this Section are to be considered cumulative.

(d) No person shall knowingly obtain, seek to obtain, or possess an amount of cannabis from a dispensing organization or craft grower that would cause him or her to exceed the possession limit under this Section, including cannabis that is cultivated by a person under this Act or obtained under the Compassionate Use of Medical Cannabis Program Act.

(e) Cannabis and cannabis-derived substances regulated under the Industrial Hemp Act are not covered by this Act.

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

(410 ILCS 705/10-15)

Sec. 10-15. Persons under 21 years of age.

(a) Nothing in this Act is intended to permit the transfer of cannabis, with or without remuneration, to a person under 21 years of age, or to allow a person under 21 years of age to purchase, possess, use, process, transport, grow, or consume cannabis except where authorized by the Compassionate Use of Medical Cannabis Program Act or by the Community College Cannabis Vocational Pilot Program.

(b) Notwithstanding any other provisions of law authorizing the possession of medical cannabis, nothing in this Act authorizes a person who is under 21 years of age to possess cannabis. A person under 21 years of age with cannabis in his or her possession is guilty of a civil law violation as outlined in

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paragraph (a) of Section 4 of the Cannabis Control Act.

(c) If the person under the age of 21 was in a motor vehicle at the time of the offense, the Secretary of State may suspend or revoke the driving privileges of any person for a violation of this Section under Section 6-206 of the Illinois Vehicle Code and the rules adopted under it.

(d) It is unlawful for any parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the age of 21, in a manner that constitutes a violation of this Section. A parent or guardian is deemed to have knowingly permitted his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used in violation of this Section if he or she knowingly authorizes or permits consumption of cannabis by underage invitees. Any person who violates this subsection (d) is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than $500. If a violation of this subsection (d) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection is guilty of a Class 4 felony. In this subsection (d), where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

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

(410 ILCS 705/10-20)

Sec. 10-20. Identification; false identification; penalty.

(a) To protect personal privacy, the Department of Financial and Professional Regulation shall not require a purchaser to provide a dispensing organization with personal information other than government-issued identification to determine the purchaser's age, and a dispensing organization shall not obtain and record personal information about a purchaser without the purchaser's consent. A dispensing organization shall use an electronic reader or electronic scanning device to scan a purchaser's government-issued identification, if applicable, to determine the purchaser's age and the validity of the identification. Any identifying or personal information of a purchaser obtained or received in accordance with this Section shall not be retained, used, shared or disclosed for any purpose except as authorized by this Act.

(b) A person who is under 21 years of age may not present or offer to a cannabis business establishment or the cannabis business establishment's principal or employee any written or

oral evidence of age that is false, fraudulent, or not actually the person's own, for the purpose of:

(1) purchasing, attempting to purchase, or otherwise obtaining or attempting to obtain cannabis or any cannabis product; or

(2) gaining access to a cannabis business establishment.

(c) A violation of this Section is a Class A misdemeanor consistent with Section 6-20 of the Liquor Control Act of 1934.

(d) The Secretary of State may suspend or revoke the driving privileges of any person for a violation of this Section under Section 6-206 of the Illinois Vehicle Code and the rules adopted under it.

(e) No agent or employee of the licensee shall be disciplined or discharged for selling or furnishing cannabis or cannabis products to a person under 21 years of age if the agent or employee demanded and was shown, before furnishing cannabis or cannabis products to a person under 21 years of age, adequate written evidence of age and identity of the person. This subsection (e) does not apply if the agent or employee accepted the written evidence knowing it to be false or fraudulent. Adequate written evidence of age and identity of the person is a document issued by a federal, State, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Military Selective Service Act, or an identification card issued to a member of the Armed Forces. Proof that the licensee or his or her employee or agent was shown and reasonably relied upon such written evidence in any transaction forbidden by this Section is an affirmative defense in any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/10-25)

Sec. 10-25. Immunities and presumptions related to the use of cannabis by purchasers.

(a) A purchaser who is 21 years of age or older is not subject to arrest, prosecution, denial of any right or privilege, or other punishment including, but not limited to, any civil penalty or disciplinary action taken by an occupational or professional licensing board, based solely on the use of cannabis if (1) the purchaser possesses an amount of cannabis that does not exceed the possession limit under Section 10-10 and, if the purchaser is licensed, certified, or registered to practice any trade or profession under any Act and (2) the use of cannabis does not impair that person when he or she is engaged in the practice of the profession for which he or

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she is licensed, certified, or registered.

(b) A purchaser 21 years of age or older is not subject to arrest, prosecution, denial of any right or privilege, or other punishment, including, but not limited to, any civil penalty or disciplinary action taken by an occupational or professional licensing board, based solely for (i) selling cannabis paraphernalia if employed and licensed as a dispensing agent by a dispensing organization; (ii) being in the presence or vicinity of the use of cannabis or cannabis paraphernalia as allowed under this Act; or (iii) possessing cannabis paraphernalia.

(c) Mere possession of, or application for, an agent identification card or license does not constitute probable cause or reasonable suspicion to believe that a crime has been committed, nor shall it be used as the sole basis to support the search of the person, property, or home of the person possessing or applying for the agent identification card. The possession of, or application for, an agent identification card does not preclude the existence of probable cause if probable cause exists based on other grounds.

(d) No person employed by the State of Illinois shall be subject to criminal or civil penalties for taking any action in good faith in reliance on this Act when acting within the scope of his or her employment. Representation and indemnification shall be provided to State employees as set forth in Section 2 of the State Employee Indemnification Act.

(e) No law enforcement or correctional agency, nor any person employed by a law enforcement or correctional agency, shall be subject to criminal or civil liability, except for willful and wanton misconduct, as a result of taking any action within the scope of the official duties of the agency or person to prohibit or prevent the possession or use of cannabis by a person incarcerated at a correctional facility, jail, or municipal lockup facility, on parole or mandatory supervised release, or otherwise under the lawful jurisdiction of the agency or person.

(f) For purposes of receiving medical care, including organ transplants, a person's use of cannabis under this Act does not constitute the use of an illicit substance or otherwise disqualify a person from medical care.

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

(410 ILCS 705/10-30)

Sec. 10-30. Discrimination prohibited.

(a) Neither the presence of cannabinoid components or metabolites in a person's bodily fluids nor possession of cannabis-related paraphernalia, nor conduct related to the use of cannabis or the participation in cannabis-related activities

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lawful under this Act by a custodial or noncustodial parent, grandparent, legal guardian, foster parent, or other person charged with the well-being of a child, shall form the sole or primary basis or supporting basis for any action or proceeding by a child welfare agency or in a family or juvenile court, any adverse finding, adverse evidence, or restriction of any right or privilege in a proceeding related to adoption of a child, acting as a foster parent of a child, or a person's fitness to adopt a child or act as a foster parent of a child, or serve as the basis of any adverse finding, adverse evidence, or restriction of any right of privilege in a proceeding related to guardianship, conservatorship, trusteeship, the execution of a will, or the management of an estate, unless the person's actions in relation to cannabis created an unreasonable danger to the safety of the minor or otherwise show the person to not be competent as established by clear and convincing evidence. This subsection applies only to conduct protected under this Act.

(b) No landlord may be penalized or denied any benefit under State law for leasing to a person who uses cannabis under this Act.

(c) Nothing in this Act may be construed to require any person or establishment in lawful possession of property to allow a guest, client, lessee, customer, or visitor to use cannabis on or in that property, including on any land owned in whole or in part or managed in whole or in part by the State.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/10-35)

Sec. 10-35. Limitations and penalties.

(a) This Act does not permit any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for engaging in, any of the following conduct:

(1) undertaking any task under the influence of cannabis when doing so would constitute negligence, professional malpractice, or professional misconduct;

(2) possessing cannabis:

(A) in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;

(B) on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;

(C) in any correctional facility;

(D) in a vehicle not open to the public unless the cannabis is in a reasonably secured, sealed or resealable container and reasonably inaccessible while

the vehicle is moving; or

(E) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;

(3) using cannabis:

(A) in a school bus, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;

(B) on the grounds of any preschool or primary or secondary school, unless permitted for a qualifying patient or caregiver pursuant to the Compassionate Use of Medical Cannabis Program Act;

(C) in any correctional facility;

(D) in any motor vehicle;

(E) in a private residence that is used at any time to provide licensed child care or other similar social service care on the premises;

(F) in any public place; or

(G) knowingly in close physical proximity to anyone under 21 years of age who is not a registered medical cannabis patient under the Compassionate Use of Medical Cannabis Program Act;

(4) smoking cannabis in any place where smoking is prohibited under the Smoke Free Illinois Act;

(5) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, watercraft, or snowmobile while using or under the influence of cannabis in violation of Section 11-501 or 11-502.1 of the Illinois Vehicle Code, Section 5-16 of the Boat Registration and Safety Act, or Section 5-7 of the Snowmobile Registration and Safety Act;

(6) facilitating the use of cannabis by any person who is not allowed to use cannabis under this Act or the Compassionate Use of Medical Cannabis Program Act;

(7) transferring cannabis to any person contrary to this Act or the Compassionate Use of Medical Cannabis Program Act;

(8) the use of cannabis by a law enforcement officer, corrections officer, probation officer, or firefighter while on duty; nothing in this Act prevents a public employer of law enforcement officers, corrections officers, probation officers, paramedics, or firefighters from prohibiting or taking disciplinary action for the consumption, possession, sales, purchase, or delivery of cannabis or cannabis-infused substances while on or off duty, unless provided for in the employer's policies. However, an employer may not take adverse employment action against an employee based solely on the lawful possession

or consumption of cannabis or cannabis-infused substances by members of the employee's household. To the extent that this Section conflicts with any applicable collective bargaining agreement, the provisions of the collective bargaining agreement shall prevail. Further, nothing in this Act shall be construed to limit in any way the right to collectively bargain over the subject matters contained in this Act; or

(9) the use of cannabis by a person who has a school bus permit or a Commercial Driver's License while on duty.

As used in this Section, "public place" means any place where a person could reasonably be expected to be observed by others. "Public place" includes all parts of buildings owned in whole or in part, or leased, by the State or a unit of local government. "Public place" includes all areas in a park, recreation area, wildlife area, or playground owned in whole or in part, leased, or managed by the State or a unit of local government. "Public place" does not include a private residence unless the private residence is used to provide licensed child care, foster care, or other similar social service care on the premises.

(b) Nothing in this Act shall be construed to prevent the arrest or prosecution of a person for reckless driving or driving under the influence of cannabis, operating a watercraft under the influence of cannabis, or operating a snowmobile under the influence of cannabis if probable cause exists.

(c) Nothing in this Act shall prevent a private business from restricting or prohibiting the use of cannabis on its property, including areas where motor vehicles are parked.

(d) Nothing in this Act shall require an individual or business entity to violate the provisions of federal law, including colleges or universities that must abide by the Drug-Free Schools and Communities Act Amendments of 1989, that require campuses to be drug free.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/10-40)

Sec. 10-40. Restore, Reinvest, and Renew Program.

(a) The General Assembly finds that in order to address the disparities described below, aggressive approaches and targeted resources to support local design and control of community-based responses to these outcomes are required. To carry out this intent, the Restore, Reinvest, and Renew (R3) Program is created for the following purposes:

(1) to directly address the impact of economic disinvestment, violence, and the historical overuse of criminal justice responses to community and individual

needs by providing resources to support local design and control of community-based responses to these impacts;

(2) to substantially reduce both the total amount of gun violence and concentrated poverty in this State;

(3) to protect communities from gun violence through targeted investments and intervention programs, including economic growth and improving family violence prevention, community trauma treatment rates, gun injury victim services, and public health prevention activities;

(4) to promote employment infrastructure and capacity building related to the social determinants of health in the eligible community areas.

(b) In this Section, "Authority" means the Illinois Criminal Justice Information Authority in coordination with the Justice, Equity, and Opportunity Initiative of the Lieutenant Governor's Office.

(c) Eligibility of R3 Areas. Within 180 days after the effective date of this Act, the Authority shall identify as eligible, areas in this State by way of historically recognized geographic boundaries, to be designated by the Restore, Reinvest, and Renew Program Board as R3 Areas and therefore eligible to apply for R3 funding. Local groups within R3 Areas will be eligible to apply for State funding through the Restore, Reinvest, and Renew Program Board. Qualifications for designation as an R3 Area are as follows:

(1) Based on an analysis of data, communities in this State that are high need, underserved, disproportionately impacted by historical economic disinvestment, and ravaged by violence as indicated by the highest rates of gun injury, unemployment, child poverty rates, and commitments to and returns from the Illinois Department of Corrections.

(2) The Authority shall send to the Legislative Audit Commission and make publicly available its analysis and identification of eligible R3 Areas and shall recalculate the eligibility data every 4 years. On an annual basis, the Authority shall analyze data and indicate if data covering any R3 Area or portion of an Area has, for 4 consecutive years, substantially deviated from the average of statewide data on which the original calculation was made to determine the Areas, including disinvestment, violence, gun injury, unemployment, child poverty rates, or commitments to or returns from the Illinois Department of Corrections.

(d) The Restore, Reinvest, and Renew Program Board shall encourage collaborative partnerships within each R3 Area to minimize multiple partnerships per Area.

(e) The Restore, Reinvest, and Renew Program Board is created and shall reflect the diversity of the State of Illinois, including geographic, racial, and ethnic diversity.

Using the data provided by the Authority, the Restore, Reinvest, and Renew Program Board shall be responsible for designating the R3 Area boundaries and for the selection and oversight of R3 Area grantees. The Restore, Reinvest, and Renew Program Board ex officio members shall, within 4 months after the effective date of this Act, convene the Board to appoint a full Restore, Reinvest, and Renew Program Board and oversee, provide guidance to, and develop an administrative structure for the R3 Program.

(1) The ex officio members are:

(A) The Lieutenant Governor, or his or her designee, who shall serve as chair.

(B) The Attorney General, or his or her designee.

(C) The Director of Commerce and Economic Opportunity, or his or her designee.

(D) The Director of Public Health, or his or her designee.

(E) The Director of Corrections, or his or her designee.

(F) The Director of Juvenile Justice, or his or her designee.

(G) The Director of Children and Family Services, or his or her designee.

(H) The Executive Director of the Illinois Criminal Justice Information Authority, or his or her designee.

(I) The Director of Employment Security, or his or her designee.

(J) The Secretary of Human Services, or his or her designee.

(K) A member of the Senate, designated by the President of the Senate.

(L) A member of the House of Representatives, designated by the Speaker of the House of Representatives.

(M) A member of the Senate, designated by the Minority Leader of the Senate.

(N) A member of the House of Representatives, designated by the Minority Leader of the House of Representatives.

(2) Within 90 days after the R3 Areas have been designated by the Restore, Reinvest, and Renew Program Board, the following members shall be appointed to the Board by the R3 board chair:

(A) Eight public officials of municipal geographic jurisdictions in the State that include an R3 Area, or their designees;

(B) Four community-based providers or community

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development organization representatives who provide services to treat violence and address the social determinants of health, or promote community investment, including, but not limited to, services such as job placement and training, educational services, workforce development programming, and wealth building. The community-based organization representatives shall work primarily in jurisdictions that include an R3 Area and no more than 2 representatives shall work primarily in Cook County. At least one of the community-based providers shall have expertise in providing services to an immigrant population;

(C) Two experts in the field of violence reduction;

(D) One male who has previously been incarcerated and is over the age of 24 at the time of appointment;

(E) One female who has previously been incarcerated and is over the age of 24 at the time of appointment;

(F) Two individuals who have previously been incarcerated and are between the ages of 17 and 24 at the time of appointment; and

(G) Eight individuals who live or work in an R3 Area.

As used in this paragraph (2), "an individual who has been previously incarcerated" means a person who has been convicted of or pled guilty to one or more felonies, who was sentenced to a term of imprisonment, and who has completed his or her sentence. Board members shall serve without compensation and may be reimbursed for reasonable expenses incurred in the performance of their duties from funds appropriated for that purpose. Once all its members have been appointed as outlined in items (A) through (F) of this paragraph (2), the Board may exercise any power, perform any function, take any action, or do anything in furtherance of its purposes and goals upon the appointment of a quorum of its members. The Board terms of the non-ex officio and General Assembly Board members shall end 4 years from the date of appointment. The R3 board chair may remove an individual appointed to the Board who does not regularly attend Board meetings, based on criteria approved by the Board.

(f) Within 12 months after the effective date of this Act, the Board shall:

(1) develop a process to solicit applications from eligible R3 Areas;

(2) develop a standard template for both planning and implementation activities to be submitted by R3 Areas to

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the State;

(3) identify resources sufficient to support the full administration and evaluation of the R3 Program, including building and sustaining core program capacity at the community and State levels;

(4) review R3 Area grant applications and proposed agreements and approve the distribution of resources;

(5) develop a performance measurement system that focuses on positive outcomes;

(6) develop a process to support ongoing monitoring and evaluation of R3 programs; and

(7) deliver an annual report to the General Assembly and to the Governor to be posted on the Governor's Office and General Assembly websites and provide to the public an annual report on its progress.

(g) R3 Area grants.

(1) Grant funds shall be awarded by the Illinois Criminal Justice Information Authority, in coordination with the R3 board, based on the likelihood that the plan will achieve the outcomes outlined in subsection (a) and consistent with the requirements of the Grant Accountability and Transparency Act. The R3 Program shall also facilitate the provision of training and technical assistance for capacity building within and among R3 Areas.

(2) R3 Program Board grants shall be used to address economic development, violence prevention services, re-entry services, youth development, and civil legal aid.

(3) The Restore, Reinvest, and Renew Program Board and the R3 Area grantees shall, within a period of no more than 120 days from the completion of planning activities described in this Section, finalize an agreement on the plan for implementation. Implementation activities may:

(A) have a basis in evidence or best practice research or have evaluations demonstrating the capacity to address the purpose of the program in subsection (a);

(B) collect data from the inception of planning activities through implementation, with data collection technical assistance when needed, including cost data and data related to identified meaningful short-term, mid-term, and long-term goals and metrics;

(C) report data to the Restore, Reinvest, and Renew Program Board biannually; and

(D) report information as requested by the R3 Program Board.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

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(410 ILCS 705/10-45)

Sec. 10-45. Cannabis Equity Commission.

(a) The Cannabis Equity Commission is created and shall reflect the diversity of the State of Illinois, including geographic, racial, and ethnic diversity. The Cannabis Equity Commission shall be responsible for the following:

(1) Ensuring that equity goals in the Illinois cannabis industry, as stated in Section 10-40, are met.

(2) Tracking and analyzing minorities in the marketplace.

(3) Ensuring that revenue is being invested properly into R3 areas under Section 10-40.

(4) Recommending changes to make the law more equitable to communities harmed the most by the war on drugs.

(5) Create standards to protect true social equity applicants from predatory businesses.

(b) The Cannabis Equity Commission's ex officio members shall, within 4 months after the effective date of this amendatory Act of the 101st General Assembly, convene the Commission to appoint a full Cannabis Equity Commission and oversee, provide guidance to, and develop an administrative structure for the Cannabis Equity Commission. The ex officio members are:

(1) The Governor, or his or her designee, who shall serve as chair.

(2) The Attorney General, or his or her designee.

(3) The Director of Commerce and Economic Opportunity, or his or her designee.

(4) The Director of Public Health, or his or her designee.

(5) The Director of Corrections, or his or her designee.

(6) The Director of Financial and Professional Regulation, or his or her designee.

(7) The Director of Agriculture, or his or her designee.

(8) The Executive Director of the Illinois Criminal Justice Information Authority, or his or her designee.

(9) The Secretary of Human Services, or his or her designee.

(10) A member of the Senate, designated by the President of the Senate.

(11) A member of the House of Representatives, designated by the Speaker of the House of Representatives.

(12) A member of the Senate, designated by the Minority Leader of the Senate.

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(13) A member of the House of Representatives, designated by the Minority Leader of the House of Representatives.

(c) Within 90 days after the ex officio members convene, the following members shall be appointed to the Commission by the chair:

(1) Four community-based providers or community development organization representatives who provide services to treat violence and address the social determinants of health, or promote community investment, including, but not limited to, services such as job placement and training, educational services, workforce development programming, and wealth building. No more than 2 community-based organization representatives shall work primarily in Cook County. At least one of the community-based providers shall have expertise in providing services to an immigrant population.

(2) Two experts in the field of violence reduction.

(3) One male who has previously been incarcerated and is over the age of 24 at the time of appointment.

(4) One female who has previously been incarcerated and is over the age of 24 at the time of appointment.

(5) Two individuals who have previously been incarcerated and are between the ages of 17 and 24 at the time of appointment.

As used in this subsection (c), "an individual who has been previously incarcerated" has the same meaning as defined in paragraph (2) of subsection (e) of Section 10-40.
(Source: P.A. 101-658, eff. 3-23-21.)

(410 ILCS 705/10-50)

Sec. 10-50. Employment; employer liability.

(a) Nothing in this Act shall prohibit an employer from adopting reasonable zero tolerance or drug free workplace policies, or employment policies concerning drug testing, smoking, consumption, storage, or use of cannabis in the workplace or while on call provided that the policy is applied in a nondiscriminatory manner.

(b) Nothing in this Act shall require an employer to permit an employee to be under the influence of or use cannabis in the employer's workplace or while performing the employee's job duties or while on call.

(c) Nothing in this Act shall limit or prevent an employer from disciplining an employee or terminating employment of an employee for violating an employer's employment policies or workplace drug policy.

(d) An employer may consider an employee to be impaired or under the influence of cannabis if the employer has a good faith

belief that an employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery; disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a production or manufacturing process; or carelessness that results in any injury to the employee or others. If an employer elects to discipline an employee on the basis that the employee is under the influence or impaired by cannabis, the employer must afford the employee a reasonable opportunity to contest the basis of the determination.

(e) Nothing in this Act shall be construed to create or imply a cause of action for any person against an employer for:

(1) actions taken pursuant to an employer's reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, and discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test;

(2) actions based on the employer's good faith belief that an employee used or possessed cannabis in the employer's workplace or while performing the employee's job duties or while on call in violation of the employer's employment policies;

(3) actions, including discipline or termination of employment, based on the employer's good faith belief that an employee was impaired as a result of the use of cannabis, or under the influence of cannabis, while at the employer's workplace or while performing the employee's job duties or while on call in violation of the employer's workplace drug policy; or

(4) injury, loss, or liability to a third party if the employer neither knew nor had reason to know that the employee was impaired.

(f) Nothing in this Act shall be construed to enhance or diminish protections afforded by any other law, including but not limited to the Compassionate Use of Medical Cannabis Program Act or the Opioid Alternative Pilot Program.

(g) Nothing in this Act shall be construed to interfere with any federal, State, or local restrictions on employment including, but not limited to, the United States Department of Transportation regulation 49 CFR 40.151(e) or impact an employer's ability to comply with federal or State law or cause

it to lose a federal or State contract or funding.

(h) As used in this Section, "workplace" means the employer's premises, including any building, real property, and parking area under the control of the employer or area used by an employee while in the performance of the employee's job duties, and vehicles, whether leased, rented, or owned. "Workplace" may be further defined by the employer's written employment policy, provided that the policy is consistent with this Section.

(i) For purposes of this Section, an employee is deemed "on call" when such employee is scheduled with at least 24 hours' notice by his or her employer to be on standby or otherwise responsible for performing tasks related to his or her employment either at the employer's premises or other previously designated location by his or her employer or supervisor to perform a work-related task.

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

(410 ILCS 705/Art. 15 heading)

Article 15.

License and Regulation of Dispensing Organizations

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

(410 ILCS 705/15-5)

Sec. 15-5. Authority.

(a) In this Article, "Department" means the Department of Financial and Professional Regulation.

(b) It is the duty of the Department to administer and enforce the provisions of this Act relating to the licensure and oversight of dispensing organizations and dispensing organization agents unless otherwise provided in this Act.

(c) No person shall operate a dispensing organization for the purpose of serving purchasers of cannabis or cannabis products without a license issued under this Article by the Department. No person shall be an officer, director, manager, or employee of a dispensing organization without having been issued a dispensing organization agent card by the Department.

(d) Subject to the provisions of this Act, the Department may exercise the following powers and duties:

(1) Prescribe forms to be issued for the administration and enforcement of this Article.

(2) Examine, inspect, and investigate the premises, operations, and records of dispensing organization applicants and licensees.

(3) Conduct investigations of possible violations of this Act pertaining to dispensing organizations and

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dispensing organization agents.

(4) Conduct hearings on proceedings to refuse to issue or renew licenses or to revoke, suspend, place on probation, reprimand, or otherwise discipline a license under this Article or take other nondisciplinary action.

(5) Adopt rules required for the administration of this Article.

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

(410 ILCS 705/15-10)

Sec. 15-10. Medical cannabis dispensing organization exemption. This Article does not apply to medical cannabis dispensing organizations registered under the Compassionate Use of Medical Cannabis Pilot Program Act, except where otherwise specified.

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

(410 ILCS 705/15-15)

Sec. 15-15. Early Approval Adult Use Dispensing Organization License.

(a) Any medical cannabis dispensing organization holding a valid registration under the Compassionate Use of Medical Cannabis Program Act as of the effective date of this Act may, within 60 days of the effective date of this Act, apply to the Department for an Early Approval Adult Use Dispensing Organization License to serve purchasers at any medical cannabis dispensing location in operation on the effective date of this Act, pursuant to this Section.

(b) A medical cannabis dispensing organization seeking issuance of an Early Approval Adult Use Dispensing Organization License to serve purchasers at any medical cannabis dispensing location in operation as of the effective date of this Act shall submit an application on forms provided by the Department. The application must be submitted by the same person or entity that holds the medical cannabis dispensing organization registration and include the following:

(1) Payment of a nonrefundable fee of $30,000 to be deposited into the Cannabis Regulation Fund;

(2) Proof of registration as a medical cannabis dispensing organization that is in good standing;

(3) Certification that the applicant will comply with the requirements contained in the Compassionate Use of Medical Cannabis Program Act except as provided in this Act;

(4) The legal name of the dispensing organization;

(5) The physical address of the dispensing organization;

(6) The name, address, social security number, and

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date of birth of each principal officer and board member of the dispensing organization, each of whom must be at least 21 years of age;

(7) A nonrefundable Cannabis Business Development Fee equal to 3% of the dispensing organization's total sales between June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to be deposited into the Cannabis Business Development Fund; and

(8) Identification of one of the following Social Equity Inclusion Plans to be completed by March 31, 2021:

(A) Make a contribution of 3% of total sales from June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to the Cannabis Business Development Fund. This is in addition to the fee required by item (7) of this subsection (b);

(B) Make a grant of 3% of total sales from June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to a cannabis industry training or education program at an Illinois community college as defined in the Public Community College Act;

(C) Make a donation of $100,000 or more to a program that provides job training services to persons recently incarcerated or that operates in a Disproportionately Impacted Area;

(D) Participate as a host in a cannabis business establishment incubator program approved by the Department of Commerce and Economic Opportunity, and in which an Early Approval Adult Use Dispensing Organization License holder agrees to provide a loan of at least $100,000 and mentorship to incubate, for at least a year, a Social Equity Applicant intending to seek a license or a licensee that qualifies as a Social Equity Applicant. As used in this Section, "incubate" means providing direct financial assistance and training necessary to engage in licensed cannabis industry activity similar to that of the host licensee. The Early Approval Adult Use Dispensing Organization License holder or the same entity holding any other licenses issued pursuant to this Act shall not take an ownership stake of greater than 10% in any business receiving incubation services to comply with this subsection. If an Early Approval Adult Use Dispensing Organization License holder fails to find a business to incubate to comply with this subsection before its Early Approval Adult Use Dispensing Organization License expires, it may opt to meet the requirement of this subsection by completing another item from this subsection; or

(E) Participate in a sponsorship program for at

least 2 years approved by the Department of Commerce and Economic Opportunity in which an Early Approval Adult Use Dispensing Organization License holder agrees to provide an interest-free loan of at least $200,000 to a Social Equity Applicant. The sponsor shall not take an ownership stake in any cannabis business establishment receiving sponsorship services to comply with this subsection.

(b-5) Beginning 90 days after the effective date of this amendatory Act of the 102nd General Assembly, an Early Approval Adult Use Dispensing Organization licensee whose license was issued pursuant to this Section may apply to relocate within the same geographic district where its existing associated medical cannabis dispensing organization dispensary licensed under the Compassionate Use of Medical Cannabis Act is authorized to operate. A request to relocate under this subsection is subject to approval by the Department. An Early Approval Adult Use Dispensing Organization's application to relocate its license under this subsection shall be deemed approved 30 days following the submission of a complete application to relocate, unless sooner approved or denied in writing by the Department. If an application to relocate is denied, the Department shall provide, in writing, the specific reason for denial.

An Early Approval Adult Use Dispensing Organization may request to relocate under this subsection if:

(1) its existing location is within the boundaries of a unit of local government that prohibits the sale of adult use cannabis; or

(2) the Early Approval Adult Use Dispensing Organization has obtained the approval of the municipality or, if outside the boundaries of a municipality in an unincorporated area of the county, the approval of the county where the existing license is located to move to another location within that unit of local government.

At no time may an Early Approval Adult Use Dispensing Organization dispensary licensed under this Section operate in a separate facility from its associated medical cannabis dispensing organization dispensary licensed under the Compassionate Use of Medical Cannabis Act. The relocation of an Early Approval Adult Use Dispensing Organization License under this subsection shall be subject to Sections 55-25 and 55-28 of this Act.

(c) The license fee required by paragraph (1) of subsection (b) of this Section shall be in addition to any license fee required for the renewal of a registered medical cannabis dispensing organization license.

(d) Applicants must submit all required information, including the requirements in subsection (b) of this Section, to

the Department. Failure by an applicant to submit all required information may result in the application being disqualified.

(e) If the Department receives an application that fails to provide the required elements contained in subsection (b), the Department shall issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to submit complete information. Applications that are still incomplete after this opportunity to cure may be disqualified.

(f) If an applicant meets all the requirements of subsection (b) of this Section, the Department shall issue the Early Approval Adult Use Dispensing Organization License within 14 days of receiving a completed application unless:

(1) The licensee or a principal officer is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois;

(2) The Secretary of Financial and Professional Regulation determines there is reason, based on documented compliance violations, the licensee is not entitled to an Early Approval Adult Use Dispensing Organization License; or

(3) Any principal officer fails to register and remain in compliance with this Act or the Compassionate Use of Medical Cannabis Program Act.

(g) A registered medical cannabis dispensing organization that obtains an Early Approval Adult Use Dispensing Organization License may begin selling cannabis, cannabis-infused products, paraphernalia, and related items to purchasers under the rules of this Act no sooner than January 1, 2020.

(h) A dispensing organization holding a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act must maintain an adequate supply of cannabis and cannabis-infused products for purchase by qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants. For the purposes of this subsection, "adequate supply" means a monthly inventory level that is comparable in type and quantity to those medical cannabis products provided to patients and caregivers on an average monthly basis for the 6 months before the effective date of this Act.

(i) If there is a shortage of cannabis or cannabis-infused products, a dispensing organization holding both a dispensing organization license under the Compassionate Use of Medical Cannabis Program Act and this Act shall prioritize serving qualifying patients, caregivers, provisional patients, and Opioid Alternative Pilot Program participants before serving purchasers.

(j) Notwithstanding any law or rule to the contrary, a

person that holds a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act and an Early Approval Adult Use Dispensing Organization License may permit purchasers into a limited access area as that term is defined in administrative rules made under the authority in the Compassionate Use of Medical Cannabis Program Act.

(k) An Early Approval Adult Use Dispensing Organization License is valid until March 31, 2021. A dispensing organization that obtains an Early Approval Adult Use Dispensing Organization License shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and that informs the license holder that it may apply to renew its Early Approval Adult Use Dispensing Organization License on forms provided by the Department. The Department shall renew the Early Approval Adult Use Dispensing Organization License within 60 days of the renewal application being deemed complete if:

(1) the dispensing organization submits an application and the required nonrefundable renewal fee of $30,000, to be deposited into the Cannabis Regulation Fund;

(2) the Department has not suspended or permanently revoked the Early Approval Adult Use Dispensing Organization License or a medical cannabis dispensing organization license on the same premises for violations of this Act, the Compassionate Use of Medical Cannabis Program Act, or rules adopted pursuant to those Acts;

(3) the dispensing organization has completed a Social Equity Inclusion Plan as provided by parts (A), (B), and (C) of paragraph (8) of subsection (b) of this Section or has made substantial progress toward completing a Social Equity Inclusion Plan as provided by parts (D) and (E) of paragraph (8) of subsection (b) of this Section; and

(4) the dispensing organization is in compliance with this Act and rules.

(l) The Early Approval Adult Use Dispensing Organization License renewed pursuant to subsection (k) of this Section shall expire March 31, 2022. The Early Approval Adult Use Dispensing Organization Licensee shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and that informs the license holder that it may apply for an Adult Use Dispensing Organization License on forms provided by the Department. The Department shall grant an Adult Use Dispensing Organization License within 60 days of an application being deemed complete if the applicant has met all of the criteria in Section 15-36.

(m) If a dispensing organization fails to submit an application for renewal of an Early Approval Adult Use

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Dispensing Organization License or for an Adult Use Dispensing Organization License before the expiration dates provided in subsections (k) and (l) of this Section, the dispensing organization shall cease serving purchasers and cease all operations until it receives a renewal or an Adult Use Dispensing Organization License, as the case may be.

(n) A dispensing organization agent who holds a valid dispensing organization agent identification card issued under the Compassionate Use of Medical Cannabis Program Act and is an officer, director, manager, or employee of the dispensing organization licensed under this Section may engage in all activities authorized by this Article to be performed by a dispensing organization agent.

(o) If the Department suspends, permanently revokes, or otherwise disciplines the Early Approval Adult Use Dispensing Organization License of a dispensing organization that also holds a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, the Department may consider the suspension, permanent revocation, or other discipline of the medical cannabis dispensing organization license.

(p) All fees collected pursuant to this Section shall be deposited into the Cannabis Regulation Fund, unless otherwise specified.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/15-20)

Sec. 15-20. Early Approval Adult Use Dispensing Organization License; secondary site.

(a) Any medical cannabis dispensing organization holding a valid registration under the Compassionate Use of Medical Cannabis Program Act as of the effective date of this Act may, within 60 days of the effective date of this Act, apply to the Department for an Early Approval Adult Use Dispensing Organization License to operate a dispensing organization to serve purchasers at a secondary site not within 1,500 feet of another medical cannabis dispensing organization or adult use dispensing organization. The Early Approval Adult Use Dispensing Organization secondary site shall be within any BLS Region that shares territory with the dispensing organization district to which the medical cannabis dispensing organization is assigned under the administrative rules for dispensing organizations under the Compassionate Use of Medical Cannabis Program Act.

(a-5) If, within 360 days of the effective date of this Act, a dispensing organization is unable to find a location within the BLS Regions prescribed in subsection (a) of this Section in which to operate an Early Approval Adult Use Dispensing

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Organization at a secondary site because no jurisdiction within the prescribed area allows the operation of an Adult Use Cannabis Dispensing Organization, the Department of Financial and Professional Regulation may waive the geographic restrictions of subsection (a) of this Section and specify another BLS Region into which the dispensary may be placed.

(b) (Blank).

(c) A medical cannabis dispensing organization seeking issuance of an Early Approval Adult Use Dispensing Organization License at a secondary site to serve purchasers at a secondary site as prescribed in subsection (a) of this Section shall submit an application on forms provided by the Department. The application must meet or include the following qualifications:

(1) a payment of a nonrefundable application fee of $30,000;

(2) proof of registration as a medical cannabis dispensing organization that is in good standing;

(3) submission of the application by the same person or entity that holds the medical cannabis dispensing organization registration;

(4) the legal name of the medical cannabis dispensing organization;

(5) the physical address of the medical cannabis dispensing organization and the proposed physical address of the secondary site;

(6) a copy of the current local zoning ordinance Sections relevant to dispensary operations and documentation of the approval, the conditional approval or the status of a request for zoning approval from the local zoning office that the proposed dispensary location is in compliance with the local zoning rules;

(7) a plot plan of the dispensary drawn to scale. The applicant shall submit general specifications of the building exterior and interior layout;

(8) a statement that the dispensing organization agrees to respond to the Department's supplemental requests for information;

(9) for the building or land to be used as the proposed dispensary:

(A) if the property is not owned by the applicant, a written statement from the property owner and landlord, if any, certifying consent that the applicant may operate a dispensary on the premises; or

(B) if the property is owned by the applicant, confirmation of ownership;

(10) a copy of the proposed operating bylaws;

(11) a copy of the proposed business plan that complies with the requirements in this Act, including, at a

minimum, the following:

(A) a description of services to be offered; and

(B) a description of the process of dispensing cannabis;

(12) a copy of the proposed security plan that complies with the requirements in this Article, including:

(A) a description of the delivery process by which cannabis will be received from a transporting organization, including receipt of manifests and protocols that will be used to avoid diversion, theft, or loss at the dispensary acceptance point; and

(B) the process or controls that will be implemented to monitor the dispensary, secure the premises, agents, patients, and currency, and prevent the diversion, theft, or loss of cannabis; and

(C) the process to ensure that access to the restricted access areas is restricted to, registered agents, service professionals, transporting organization agents, Department inspectors, and security personnel;

(13) a proposed inventory control plan that complies with this Section;

(14) the name, address, social security number, and date of birth of each principal officer and board member of the dispensing organization; each of those individuals shall be at least 21 years of age;

(15) a nonrefundable Cannabis Business Development Fee equal to $200,000, to be deposited into the Cannabis Business Development Fund; and

(16) a commitment to completing one of the following Social Equity Inclusion Plans in subsection (d).

(d) Before receiving an Early Approval Adult Use Dispensing Organization License at a secondary site, a dispensing organization shall indicate the Social Equity Inclusion Plan that the applicant plans to achieve before the expiration of the Early Approval Adult Use Dispensing Organization License from the list below:

(1) make a contribution of 3% of total sales from June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to the Cannabis Business Development Fund. This is in addition to the fee required by paragraph (16) of subsection (c) of this Section;

(2) make a grant of 3% of total sales from June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to a cannabis industry training or education program at an Illinois community college as defined in the Public Community College Act;

(3) make a donation of $100,000 or more to a program that provides job training services to persons recently

incarcerated or that operates in a Disproportionately Impacted Area;

(4) participate as a host in a cannabis business establishment incubator program approved by the Department of Commerce and Economic Opportunity, and in which an Early Approval Adult Use Dispensing Organization License at a secondary site holder agrees to provide a loan of at least $100,000 and mentorship to incubate, for at least a year, a Social Equity Applicant intending to seek a license or a licensee that qualifies as a Social Equity Applicant. In this paragraph (4), "incubate" means providing direct financial assistance and training necessary to engage in licensed cannabis industry activity similar to that of the host licensee. The Early Approval Adult Use Dispensing Organization License holder or the same entity holding any other licenses issued under this Act shall not take an ownership stake of greater than 10% in any business receiving incubation services to comply with this subsection. If an Early Approval Adult Use Dispensing Organization License at a secondary site holder fails to find a business to incubate in order to comply with this subsection before its Early Approval Adult Use Dispensing Organization License at a secondary site expires, it may opt to meet the requirement of this subsection by completing another item from this subsection before the expiration of its Early Approval Adult Use Dispensing Organization License at a secondary site to avoid a penalty; or

(5) participate in a sponsorship program for at least 2 years approved by the Department of Commerce and Economic Opportunity in which an Early Approval Adult Use Dispensing Organization License at a secondary site holder agrees to provide an interest-free loan of at least $200,000 to a Social Equity Applicant. The sponsor shall not take an ownership stake of greater than 10% in any business receiving sponsorship services to comply with this subsection.

(e) The license fee required by paragraph (1) of subsection (c) of this Section is in addition to any license fee required for the renewal of a registered medical cannabis dispensing organization license.

(f) Applicants must submit all required information, including the requirements in subsection (c) of this Section, to the Department. Failure by an applicant to submit all required information may result in the application being disqualified. Principal officers shall not be required to submit to the fingerprint and background check requirements of Section 5-20.

(g) If the Department receives an application that fails to provide the required elements contained in subsection (c), the

Department shall issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to submit complete information. Applications that are still incomplete after this opportunity to cure may be disqualified.

(h) Once all required information and documents have been submitted, the Department will review the application. The Department may request revisions and retains final approval over dispensary features. Once the application is complete and meets the Department's approval, the Department shall conditionally approve the license. Final approval is contingent on the build-out and Department inspection.

(i) Upon submission of the Early Approval Adult Use Dispensing Organization at a secondary site application, the applicant shall request an inspection and the Department may inspect the Early Approval Adult Use Dispensing Organization's secondary site to confirm compliance with the application and this Act.

(j) The Department shall only issue an Early Approval Adult Use Dispensing Organization License at a secondary site after the completion of a successful inspection.

(k) If an applicant passes the inspection under this Section, the Department shall issue the Early Approval Adult Use Dispensing Organization License at a secondary site within 10 business days unless:

(1) The licensee, any principal officer or board member of the licensee, or any person having a financial or voting interest of 5% or greater in the licensee is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois; or

(2) The Secretary of Financial and Professional Regulation determines there is reason, based on documented compliance violations, the licensee is not entitled to an Early Approval Adult Use Dispensing Organization License at its secondary site.

(l) Once the Department has issued a license, the dispensing organization shall notify the Department of the proposed opening date.

(m) A registered medical cannabis dispensing organization that obtains an Early Approval Adult Use Dispensing Organization License at a secondary site may begin selling cannabis, cannabis-infused products, paraphernalia, and related items to purchasers under the rules of this Act no sooner than January 1, 2020.

(n) If there is a shortage of cannabis or cannabis-infused products, a dispensing organization holding both a dispensing organization license under the Compassionate Use of Medical Cannabis Program Act and this Article shall prioritize serving

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qualifying patients and caregivers before serving purchasers.

(o) An Early Approval Adult Use Dispensing Organization License at a secondary site is valid until March 31, 2021. A dispensing organization that obtains an Early Approval Adult Use Dispensing Organization License at a secondary site shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and inform the license holder that it may renew its Early Approval Adult Use Dispensing Organization License at a secondary site. The Department shall renew an Early Approval Adult Use Dispensing Organization License at a secondary site within 60 days of submission of the renewal application being deemed complete if:

(1) the dispensing organization submits an application and the required nonrefundable renewal fee of $30,000, to be deposited into the Cannabis Regulation Fund;

(2) the Department has not suspended or permanently revoked the Early Approval Adult Use Dispensing Organization License or a medical cannabis dispensing organization license held by the same person or entity for violating this Act or rules adopted under this Act or the Compassionate Use of Medical Cannabis Program Act or rules adopted under that Act; and

(3) the dispensing organization has completed a Social Equity Inclusion Plan provided by paragraph (1), (2), or (3) of subsection (d) of this Section or has made substantial progress toward completing a Social Equity Inclusion Plan provided by paragraph (4) or (5) of subsection (d) of this Section.

(p) The Early Approval Adult Use Dispensing Organization Licensee at a secondary site renewed pursuant to subsection (o) shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and that informs the license holder that it may apply for an Adult Use Dispensing Organization License on forms provided by the Department. The Department shall grant an Adult Use Dispensing Organization License within 60 days of an application being deemed complete if the applicant has meet all of the criteria in Section 15-36.

(q) If a dispensing organization fails to submit an application for renewal of an Early Approval Adult Use Dispensing Organization License or for an Adult Use Dispensing Organization License before the expiration dates provided in subsections (o) and (p) of this Section, the dispensing organization shall cease serving purchasers until it receives a renewal or an Adult Use Dispensing Organization License.

(r) A dispensing organization agent who holds a valid dispensing organization agent identification card issued under

the Compassionate Use of Medical Cannabis Program Act and is an officer, director, manager, or employee of the dispensing organization licensed under this Section may engage in all activities authorized by this Article to be performed by a dispensing organization agent.

(s) If the Department suspends, permanently revokes, or otherwise disciplines the Early Approval Adult Use Dispensing Organization License of a dispensing organization that also holds a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, the Department may consider the suspension, permanent revocation, or other discipline as grounds to take disciplinary action against the medical cannabis dispensing organization.

(t) All fees collected pursuant to this Section shall be deposited into the Cannabis Regulation Fund, unless otherwise specified.

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

(410 ILCS 705/15-25)

(Text of Section from P.A. 102-98)

Sec. 15-25. Awarding of Conditional Adult Use Dispensing Organization Licenses prior to January 1, 2021.

(a) The Department shall issue up to 75 Conditional Adult Use Dispensing Organization Licenses before May 1, 2020.

(b) The Department shall make the application for a Conditional Adult Use Dispensing Organization License available no later than October 1, 2019 and shall accept applications no later than January 1, 2020.

(c) To ensure the geographic dispersion of Conditional Adult Use Dispensing Organization License holders, the following number of licenses shall be awarded in each BLS Region as determined by each region's percentage of the State's population:

(1) Bloomington: 1
(2) Cape Girardeau: 1
(3) Carbondale-Marion: 1
(4) Champaign-Urbana: 1
(5) Chicago-Naperville-Elgin: 47
(6) Danville: 1
(7) Davenport-Moline-Rock Island: 1
(8) Decatur: 1
(9) Kankakee: 1
(10) Peoria: 3
(11) Rockford: 2
(12) St. Louis: 4
(13) Springfield: 1
(14) Northwest Illinois nonmetropolitan: 3

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(15) West Central Illinois nonmetropolitan: 3
(16) East Central Illinois nonmetropolitan: 2
(17) South Illinois nonmetropolitan: 2

(d) An applicant seeking issuance of a Conditional Adult Use Dispensing Organization License shall submit an application on forms provided by the Department. An applicant must meet the following requirements:

(1) Payment of a nonrefundable application fee of $5,000 for each license for which the applicant is applying, which shall be deposited into the Cannabis Regulation Fund;

(2) Certification that the applicant will comply with the requirements contained in this Act;

(3) The legal name of the proposed dispensing organization;

(4) A statement that the dispensing organization agrees to respond to the Department's supplemental requests for information;

(5) From each principal officer, a statement indicating whether that person:

(A) has previously held or currently holds an ownership interest in a cannabis business establishment in Illinois; or

(B) has held an ownership interest in a dispensing organization or its equivalent in another state or territory of the United States that had the dispensing organization registration or license suspended, revoked, placed on probationary status, or subjected to other disciplinary action;

(6) Disclosure of whether any principal officer has ever filed for bankruptcy or defaulted on spousal support or child support obligation;

(7) A resume for each principal officer, including whether that person has an academic degree, certification, or relevant experience with a cannabis business establishment or in a related industry;

(8) A description of the training and education that will be provided to dispensing organization agents;

(9) A copy of the proposed operating bylaws;

(10) A copy of the proposed business plan that complies with the requirements in this Act, including, at a minimum, the following:

(A) A description of services to be offered; and

(B) A description of the process of dispensing cannabis;

(11) A copy of the proposed security plan that complies with the requirements in this Article, including:

(A) The process or controls that will be

implemented to monitor the dispensary, secure the premises, agents, and currency, and prevent the diversion, theft, or loss of cannabis; and

(B) The process to ensure that access to the restricted access areas is restricted to, registered agents, service professionals, transporting organization agents, Department inspectors, and security personnel;

(12) A proposed inventory control plan that complies with this Section;

(13) A proposed floor plan, a square footage estimate, and a description of proposed security devices, including, without limitation, cameras, motion detectors, servers, video storage capabilities, and alarm service providers;

(14) The name, address, social security number, and date of birth of each principal officer and board member of the dispensing organization; each of those individuals shall be at least 21 years of age;

(15) Evidence of the applicant's status as a Social Equity Applicant, if applicable, and whether a Social Equity Applicant plans to apply for a loan or grant issued by the Department of Commerce and Economic Opportunity;

(16) The address, telephone number, and email address of the applicant's principal place of business, if applicable. A post office box is not permitted;

(17) Written summaries of any information regarding instances in which a business or not-for-profit that a prospective board member previously managed or served on were fined or censured, or any instances in which a business or not-for-profit that a prospective board member previously managed or served on had its registration suspended or revoked in any administrative or judicial proceeding;

(18) A plan for community engagement;

(19) Procedures to ensure accurate recordkeeping and security measures that are in accordance with this Article and Department rules;

(20) The estimated volume of cannabis it plans to store at the dispensary;

(21) A description of the features that will provide accessibility to purchasers as required by the Americans with Disabilities Act;

(22) A detailed description of air treatment systems that will be installed to reduce odors;

(23) A reasonable assurance that the issuance of a license will not have a detrimental impact on the community in which the applicant wishes to locate;

(24) The dated signature of each principal officer;

(25) A description of the enclosed, locked facility where cannabis will be stored by the dispensing organization;

(26) Signed statements from each dispensing organization agent stating that he or she will not divert cannabis;

(27) The number of licenses it is applying for in each BLS Region;

(28) A diversity plan that includes a narrative of at least 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity;

(29) A contract with a private security contractor agency that is licensed under Section 10-5 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 in order for the dispensary to have adequate security at its facility; and

(30) Other information deemed necessary by the Illinois Cannabis Regulation Oversight Officer to conduct the disparity and availability study referenced in subsection (e) of Section 5-45.

(e) An applicant who receives a Conditional Adult Use Dispensing Organization License under this Section has 180 days from the date of award to identify a physical location for the dispensing organization retail storefront. The applicant shall provide evidence that the location is not within 1,500 feet of an existing dispensing organization, unless the applicant is a Social Equity Applicant or Social Equity Justice Involved Applicant located or seeking to locate within 1,500 feet of a dispensing organization licensed under Section 15-15 or Section 15-20. If an applicant is unable to find a suitable physical address in the opinion of the Department within 180 days of the issuance of the Conditional Adult Use Dispensing Organization License, the Department may extend the period for finding a physical address another 180 days if the Conditional Adult Use Dispensing Organization License holder demonstrates concrete attempts to secure a location and a hardship. If the Department denies the extension or the Conditional Adult Use Dispensing Organization License holder is unable to find a location or become operational within 360 days of being awarded a conditional license, the Department shall rescind the conditional license and award it to the next highest scoring applicant in the BLS Region for which the license was assigned, provided the applicant receiving the license: (i) confirms a continued interest in operating a dispensing organization; (ii) can provide evidence that the applicant continues to meet all requirements for holding a Conditional Adult Use Dispensing

Organization License set forth in this Act; and (iii) has not otherwise become ineligible to be awarded a dispensing organization license. If the new awardee is unable to accept the Conditional Adult Use Dispensing Organization License, the Department shall award the Conditional Adult Use Dispensing Organization License to the next highest scoring applicant in the same manner. The new awardee shall be subject to the same required deadlines as provided in this subsection.

(e-5) If, within 180 days of being awarded a Conditional Adult Use Dispensing Organization License, a dispensing organization is unable to find a location within the BLS Region in which it was awarded a Conditional Adult Use Dispensing Organization License because no jurisdiction within the BLS Region allows for the operation of an Adult Use Dispensing Organization, the Department of Financial and Professional Regulation may authorize the Conditional Adult Use Dispensing Organization License holder to transfer its license to a BLS Region specified by the Department.

(f) A dispensing organization that is awarded a Conditional Adult Use Dispensing Organization License pursuant to the criteria in Section 15-30 shall not purchase, possess, sell, or dispense cannabis or cannabis-infused products until the person has received an Adult Use Dispensing Organization License issued by the Department pursuant to Section 15-36 of this Act.

(g) The Department shall conduct a background check of the prospective organization agents in order to carry out this Article. The Department of State Police shall charge the applicant a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Department of State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Department of State Police and Federal Bureau of Identification criminal history records databases. The Department of State Police shall furnish, following positive identification, all Illinois conviction information to the Department.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

Sec. 15-25. Awarding of Conditional Adult Use Dispensing Organization Licenses prior to January 1, 2021.

(a) The Department shall issue up to 75 Conditional Adult Use Dispensing Organization Licenses before May 1, 2020.

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(b) The Department shall make the application for a Conditional Adult Use Dispensing Organization License available no later than October 1, 2019 and shall accept applications no later than January 1, 2020.

(c) To ensure the geographic dispersion of Conditional Adult Use Dispensing Organization License holders, the following number of licenses shall be awarded in each BLS Region as determined by each region's percentage of the State's population:

(1) Bloomington: 1
(2) Cape Girardeau: 1
(3) Carbondale-Marion: 1
(4) Champaign-Urbana: 1
(5) Chicago-Naperville-Elgin: 47
(6) Danville: 1
(7) Davenport-Moline-Rock Island: 1
(8) Decatur: 1
(9) Kankakee: 1
(10) Peoria: 3
(11) Rockford: 2
(12) St. Louis: 4
(13) Springfield: 1
(14) Northwest Illinois nonmetropolitan: 3
(15) West Central Illinois nonmetropolitan: 3
(16) East Central Illinois nonmetropolitan: 2
(17) South Illinois nonmetropolitan: 2

(d) An applicant seeking issuance of a Conditional Adult Use Dispensing Organization License shall submit an application on forms provided by the Department. An applicant must meet the following requirements:

(1) Payment of a nonrefundable application fee of $5,000 for each license for which the applicant is applying, which shall be deposited into the Cannabis Regulation Fund;

(2) Certification that the applicant will comply with the requirements contained in this Act;

(3) The legal name of the proposed dispensing organization;

(4) A statement that the dispensing organization agrees to respond to the Department's supplemental requests for information;

(5) From each principal officer, a statement indicating whether that person:

(A) has previously held or currently holds an ownership interest in a cannabis business establishment in Illinois; or

(B) has held an ownership interest in a

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dispensing organization or its equivalent in another state or territory of the United States that had the dispensing organization registration or license suspended, revoked, placed on probationary status, or subjected to other disciplinary action;

(6) Disclosure of whether any principal officer has ever filed for bankruptcy or defaulted on spousal support or child support obligation;

(7) A resume for each principal officer, including whether that person has an academic degree, certification, or relevant experience with a cannabis business establishment or in a related industry;

(8) A description of the training and education that will be provided to dispensing organization agents;

(9) A copy of the proposed operating bylaws;

(10) A copy of the proposed business plan that complies with the requirements in this Act, including, at a minimum, the following:

(A) A description of services to be offered; and

(B) A description of the process of dispensing cannabis;

(11) A copy of the proposed security plan that complies with the requirements in this Article, including:

(A) The process or controls that will be implemented to monitor the dispensary, secure the premises, agents, and currency, and prevent the diversion, theft, or loss of cannabis; and

(B) The process to ensure that access to the restricted access areas is restricted to, registered agents, service professionals, transporting organization agents, Department inspectors, and security personnel;

(12) A proposed inventory control plan that complies with this Section;

(13) A proposed floor plan, a square footage estimate, and a description of proposed security devices, including, without limitation, cameras, motion detectors, servers, video storage capabilities, and alarm service providers;

(14) The name, address, social security number, and date of birth of each principal officer and board member of the dispensing organization; each of those individuals shall be at least 21 years of age;

(15) Evidence of the applicant's status as a Social Equity Applicant, if applicable, and whether a Social Equity Applicant plans to apply for a loan or grant issued by the Department of Commerce and Economic Opportunity;

(16) The address, telephone number, and email address of the applicant's principal place of business, if

applicable. A post office box is not permitted;

(17) Written summaries of any information regarding instances in which a business or not-for-profit that a prospective board member previously managed or served on were fined or censured, or any instances in which a business or not-for-profit that a prospective board member previously managed or served on had its registration suspended or revoked in any administrative or judicial proceeding;

(18) A plan for community engagement;

(19) Procedures to ensure accurate recordkeeping and security measures that are in accordance with this Article and Department rules;

(20) The estimated volume of cannabis it plans to store at the dispensary;

(21) A description of the features that will provide accessibility to purchasers as required by the Americans with Disabilities Act;

(22) A detailed description of air treatment systems that will be installed to reduce odors;

(23) A reasonable assurance that the issuance of a license will not have a detrimental impact on the community in which the applicant wishes to locate;

(24) The dated signature of each principal officer;

(25) A description of the enclosed, locked facility where cannabis will be stored by the dispensing organization;

(26) Signed statements from each dispensing organization agent stating that he or she will not divert cannabis;

(27) The number of licenses it is applying for in each BLS Region;

(28) A diversity plan that includes a narrative of at least 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity;

(29) A contract with a private security contractor that is licensed under Section 10-5 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 in order for the dispensary to have adequate security at its facility; and

(30) Other information deemed necessary by the Illinois Cannabis Regulation Oversight Officer to conduct the disparity and availability study referenced in subsection (e) of Section 5-45.

(e) An applicant who receives a Conditional Adult Use Dispensing Organization License under this Section has 180 days

from the date of award to identify a physical location for the dispensing organization retail storefront. Before a conditional licensee receives an authorization to build out the dispensing organization from the Department, the Department shall inspect the physical space selected by the conditional licensee. The Department shall verify the site is suitable for public access, the layout promotes the safe dispensing of cannabis, the location is sufficient in size, power allocation, lighting, parking, handicapped accessible parking spaces, accessible entry and exits as required by the Americans with Disabilities Act, product handling, and storage. The applicant shall also provide a statement of reasonable assurance that the issuance of a license will not have a detrimental impact on the community. The applicant shall also provide evidence that the location is not within 1,500 feet of an existing dispensing organization. If an applicant is unable to find a suitable physical address in the opinion of the Department within 180 days of the issuance of the Conditional Adult Use Dispensing Organization License, the Department may extend the period for finding a physical address another 180 days if the Conditional Adult Use Dispensing Organization License holder demonstrates concrete attempts to secure a location and a hardship. If the Department denies the extension or the Conditional Adult Use Dispensing Organization License holder is unable to find a location or become operational within 360 days of being awarded a conditional license, the Department shall rescind the conditional license and award it to the next highest scoring applicant in the BLS Region for which the license was assigned, provided the applicant receiving the license: (i) confirms a continued interest in operating a dispensing organization; (ii) can provide evidence that the applicant continues to meet all requirements for holding a Conditional Adult Use Dispensing Organization License set forth in this Act; and (iii) has not otherwise become ineligible to be awarded a dispensing organization license. If the new awardee is unable to accept the Conditional Adult Use Dispensing Organization License, the Department shall award the Conditional Adult Use Dispensing Organization License to the next highest scoring applicant in the same manner. The new awardee shall be subject to the same required deadlines as provided in this subsection.

(e-5) If, within 180 days of being awarded a Conditional Adult Use Dispensing Organization License, a dispensing organization is unable to find a location within the BLS Region in which it was awarded a Conditional Adult Use Dispensing Organization License because no jurisdiction within the BLS Region allows for the operation of an Adult Use Dispensing Organization, the Department of Financial and Professional Regulation may authorize the Conditional Adult Use Dispensing Organization License holder to transfer its license to a BLS

Region specified by the Department.

(f) A dispensing organization that is awarded a Conditional Adult Use Dispensing Organization License pursuant to the criteria in Section 15-30 shall not purchase, possess, sell, or dispense cannabis or cannabis-infused products until the person has received an Adult Use Dispensing Organization License issued by the Department pursuant to Section 15-36 of this Act.

(g) The Department shall conduct a background check of the prospective organization agents in order to carry out this Article. The Illinois State Police shall charge the applicant a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Illinois State Police and Federal Bureau of Identification criminal history records databases. The Illinois State Police shall furnish, following positive identification, all Illinois conviction information to the Department.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-30)

(Text of Section from P.A. 102-98)

Sec. 15-30. Selection criteria for conditional licenses awarded under Section 15-25.

(a) Applicants for a Conditional Adult Use Dispensing Organization License must submit all required information, including the information required in Section 15-25, to the Department. Failure by an applicant to submit all required information may result in the application being disqualified.

(b) If the Department receives an application that fails to provide the required elements contained in this Section, the Department shall issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

(c) The Department will award up to 250 points to complete applications based on the sufficiency of the applicant's responses to required information. Applicants will be awarded points based on a determination that the application satisfactorily includes the following elements:

(1) Suitability of Employee Training Plan (15 points). The plan includes an employee training plan that

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demonstrates that employees will understand the rules and laws to be followed by dispensary employees, have knowledge of any security measures and operating procedures of the dispensary, and are able to advise purchasers on how to safely consume cannabis and use individual products offered by the dispensary.

(2) Security and Recordkeeping (65 points).

(A) The security plan accounts for the prevention of the theft or diversion of cannabis. The security plan demonstrates safety procedures for dispensing organization agents and purchasers, and safe delivery and storage of cannabis and currency. It demonstrates compliance with all security requirements in this Act and rules.

(B) A plan for recordkeeping, tracking, and monitoring inventory, quality control, and other policies and procedures that will promote standard recordkeeping and discourage unlawful activity. This plan includes the applicant's strategy to communicate with the Department and the Department of State Police on the destruction and disposal of cannabis. The plan must also demonstrate compliance with this Act and rules.

(C) The security plan shall also detail which private security contractor licensed under Section 10-5 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 the dispensary will contract with in order to provide adequate security at its facility.

(3) Applicant's Business Plan, Financials, Operating and Floor Plan (65 points).

(A) The business plan shall describe, at a minimum, how the dispensing organization will be managed on a long-term basis. This shall include a description of the dispensing organization's point-of-sale system, purchases and denials of sale, confidentiality, and products and services to be offered. It will demonstrate compliance with this Act and rules.

(B) The operating plan shall include, at a minimum, best practices for day-to-day dispensary operation and staffing. The operating plan may also include information about employment practices, including information about the percentage of full-time employees who will be provided a living wage.

(C) The proposed floor plan is suitable for public access, the layout promotes safe dispensing of cannabis, is compliant with the Americans with

Disabilities Act and the Environmental Barriers Act, and facilitates safe product handling and storage.

(4) Knowledge and Experience (30 points).

(A) The applicant's principal officers must demonstrate experience and qualifications in business management or experience with the cannabis industry. This includes ensuring optimal safety and accuracy in the dispensing and sale of cannabis.

(B) The applicant's principal officers must demonstrate knowledge of various cannabis product strains or varieties and describe the types and quantities of products planned to be sold. This includes confirmation of whether the dispensing organization plans to sell cannabis paraphernalia or edibles.

(C) Knowledge and experience may be demonstrated through experience in other comparable industries that reflect on the applicant's ability to operate a cannabis business establishment.

(5) Status as a Social Equity Applicant (50 points).

The applicant meets the qualifications for a Social Equity Applicant as set forth in this Act.

(6) Labor and employment practices (5 points): The applicant may describe plans to provide a safe, healthy, and economically beneficial working environment for its agents, including, but not limited to, codes of conduct, health care benefits, educational benefits, retirement benefits, living wage standards, and entering a labor peace agreement with employees.

(7) Environmental Plan (5 points): The applicant may demonstrate an environmental plan of action to minimize the carbon footprint, environmental impact, and resource needs for the dispensary, which may include, without limitation, recycling cannabis product packaging.

(8) Illinois owner (5 points): The applicant is 51% or more owned and controlled by an Illinois resident, who can prove residency in each of the past 5 years with tax records or 2 of the following:

(A) a signed lease agreement that includes the applicant's name;

(B) a property deed that includes the applicant's name;

(C) school records;

(D) a voter registration card;

(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

(F) a paycheck stub;

(G) a utility bill; or

(H) any other proof of residency or other information necessary to establish residence as provided by rule.

(9) Status as veteran (5 points): The applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined by Section 45-57 of the Illinois Procurement Code.

(10) A diversity plan (5 points): that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity.

(d) The Department may also award up to 2 bonus points for a plan to engage with the community. The applicant may demonstrate a desire to engage with its community by participating in one or more of, but not limited to, the following actions: (i) establishment of an incubator program designed to increase participation in the cannabis industry by persons who would qualify as Social Equity Applicants; (ii) providing financial assistance to substance abuse treatment centers; (iii) educating children and teens about the potential harms of cannabis use; or (iv) other measures demonstrating a commitment to the applicant's community. Bonus points will only be awarded if the Department receives applications that receive an equal score for a particular region.

(e) The Department may verify information contained in each application and accompanying documentation to assess the applicant's veracity and fitness to operate a dispensing organization.

(f) The Department may, in its discretion, refuse to issue an authorization to any applicant:

(1) Who is unqualified to perform the duties required of the applicant;

(2) Who fails to disclose or states falsely any information called for in the application;

(3) Who has been found guilty of a violation of this Act, who has had any disciplinary order entered against it by the Department, who has entered into a disciplinary or nondisciplinary agreement with the Department, or whose medical cannabis dispensing organization, medical cannabis cultivation organization, or Early Approval Adult Use Dispensing Organization License, or Early Approval Adult Use Dispensing Organization License at a secondary site, or Early Approval Cultivation Center License was suspended, restricted, revoked, or denied for just cause, or the applicant's cannabis business establishment license was suspended, restricted, revoked, or denied in any other state; or

(4) Who has engaged in a pattern or practice of unfair or illegal practices, methods, or activities in the conduct of owning a cannabis business establishment or other business.

(g) The Department shall deny the license if any principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(h) The Department shall verify an applicant's compliance with the requirements of this Article and rules before issuing a dispensing organization license.

(i) Should the applicant be awarded a license, the information and plans provided in the application, including any plans submitted for bonus points, shall become a condition of the Conditional Adult Use Dispensing Organization Licenses and any Adult Use Dispensing Organization License issued to the holder of the Conditional Adult Use Dispensing Organization License, except as otherwise provided by this Act or rule. Dispensing organizations have a duty to disclose any material changes to the application. The Department shall review all material changes disclosed by the dispensing organization, and may re-evaluate its prior decision regarding the awarding of a license, including, but not limited to, suspending or permanently revoking a license. Failure to comply with the conditions or requirements in the application may subject the dispensing organization to discipline, up to and including suspension or permanent revocation of its authorization or license by the Department.

(j) If an applicant has not begun operating as a dispensing organization within one year of the issuance of the Conditional Adult Use Dispensing Organization License, the Department may permanently revoke the Conditional Adult Use Dispensing Organization License and award it to the next highest scoring applicant in the BLS Region if a suitable applicant indicates a continued interest in the license or begin a new selection process to award a Conditional Adult Use Dispensing Organization License.

(k) The Department shall deny an application if granting that application would result in a single person or entity having a direct or indirect financial interest in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, or Adult Use Dispensing Organization Licenses. Any entity that is awarded a license that results in a single person or entity having a direct or indirect financial interest in more than 10 licenses shall forfeit the most recently issued license and suffer a penalty to be determined by the Department, unless the entity

declines the license at the time it is awarded.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

Sec. 15-30. Selection criteria for conditional licenses awarded under Section 15-25.

(a) Applicants for a Conditional Adult Use Dispensing Organization License must submit all required information, including the information required in Section 15-25, to the Department. Failure by an applicant to submit all required information may result in the application being disqualified.

(b) If the Department receives an application that fails to provide the required elements contained in this Section, the Department shall issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

(c) The Department will award up to 250 points to complete applications based on the sufficiency of the applicant's responses to required information. Applicants will be awarded points based on a determination that the application satisfactorily includes the following elements:

(1) Suitability of Employee Training Plan (15 points).

The plan includes an employee training plan that demonstrates that employees will understand the rules and laws to be followed by dispensary employees, have knowledge of any security measures and operating procedures of the dispensary, and are able to advise purchasers on how to safely consume cannabis and use individual products offered by the dispensary.

(2) Security and Recordkeeping (65 points).

(A) The security plan accounts for the prevention of the theft or diversion of cannabis. The security plan demonstrates safety procedures for dispensing organization agents and purchasers, and safe delivery and storage of cannabis and currency. It demonstrates compliance with all security requirements in this Act and rules.

(B) A plan for recordkeeping, tracking, and monitoring inventory, quality control, and other policies and procedures that will promote standard recordkeeping and discourage unlawful activity. This plan includes the applicant's strategy to communicate with the Department and the Illinois State Police on the destruction and disposal of cannabis. The plan must also demonstrate compliance with this Act and rules.

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(C) The security plan shall also detail which private security contractor licensed under Section 10-5 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 the dispensary will contract with in order to provide adequate security at its facility.

(3) Applicant's Business Plan, Financials, Operating and Floor Plan (65 points).

(A) The business plan shall describe, at a minimum, how the dispensing organization will be managed on a long-term basis. This shall include a description of the dispensing organization's point-of-sale system, purchases and denials of sale, confidentiality, and products and services to be offered. It will demonstrate compliance with this Act and rules.

(B) The operating plan shall include, at a minimum, best practices for day-to-day dispensary operation and staffing. The operating plan may also include information about employment practices, including information about the percentage of full-time employees who will be provided a living wage.

(C) The proposed floor plan is suitable for public access, the layout promotes safe dispensing of cannabis, is compliant with the Americans with Disabilities Act and the Environmental Barriers Act, and facilitates safe product handling and storage.

(4) Knowledge and Experience (30 points).

(A) The applicant's principal officers must demonstrate experience and qualifications in business management or experience with the cannabis industry. This includes ensuring optimal safety and accuracy in the dispensing and sale of cannabis.

(B) The applicant's principal officers must demonstrate knowledge of various cannabis product strains or varieties and describe the types and quantities of products planned to be sold. This includes confirmation of whether the dispensing organization plans to sell cannabis paraphernalia or edibles.

(C) Knowledge and experience may be demonstrated through experience in other comparable industries that reflect on the applicant's ability to operate a cannabis business establishment.

(5) Status as a Social Equity Applicant (50 points).

The applicant meets the qualifications for a Social Equity Applicant as set forth in this Act.

(6) Labor and employment practices (5 points): The applicant may describe plans to provide a safe, healthy, and economically beneficial working environment for its

agents, including, but not limited to, codes of conduct, health care benefits, educational benefits, retirement benefits, living wage standards, and entering a labor peace agreement with employees.

(7) Environmental Plan (5 points): The applicant may demonstrate an environmental plan of action to minimize the carbon footprint, environmental impact, and resource needs for the dispensary, which may include, without limitation, recycling cannabis product packaging.

(8) Illinois owner (5 points): The applicant is 51% or more owned and controlled by an Illinois resident, who can prove residency in each of the past 5 years with tax records or 2 of the following:

(A) a signed lease agreement that includes the applicant's name;

(B) a property deed that includes the applicant's name;

(C) school records;

(D) a voter registration card;

(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

(F) a paycheck stub;

(G) a utility bill; or

(H) any other proof of residency or other information necessary to establish residence as provided by rule.

(9) Status as veteran (5 points): The applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined by Section 45-57 of the Illinois Procurement Code.

(10) A diversity plan (5 points): that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity.

(d) The Department may also award up to 2 bonus points for a plan to engage with the community. The applicant may demonstrate a desire to engage with its community by participating in one or more of, but not limited to, the following actions: (i) establishment of an incubator program designed to increase participation in the cannabis industry by persons who would qualify as Social Equity Applicants; (ii) providing financial assistance to substance abuse treatment centers; (iii) educating children and teens about the potential harms of cannabis use; or (iv) other measures demonstrating a commitment to the applicant's community. Bonus points will only be awarded if the Department receives applications that receive an equal score for

a particular region.

(e) The Department may verify information contained in each application and accompanying documentation to assess the applicant's veracity and fitness to operate a dispensing organization.

(f) The Department may, in its discretion, refuse to issue an authorization to any applicant:

(1) Who is unqualified to perform the duties required of the applicant;

(2) Who fails to disclose or states falsely any information called for in the application;

(3) Who has been found guilty of a violation of this Act, or whose medical cannabis dispensing organization, medical cannabis cultivation organization, or Early Approval Adult Use Dispensing Organization License, or Early Approval Adult Use Dispensing Organization License at a secondary site, or Early Approval Cultivation Center License was suspended, restricted, revoked, or denied for just cause, or the applicant's cannabis business establishment license was suspended, restricted, revoked, or denied in any other state; or

(4) Who has engaged in a pattern or practice of unfair or illegal practices, methods, or activities in the conduct of owning a cannabis business establishment or other business.

(g) The Department shall deny the license if any principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(h) The Department shall verify an applicant's compliance with the requirements of this Article and rules before issuing a dispensing organization license.

(i) Should the applicant be awarded a license, the information and plans provided in the application, including any plans submitted for bonus points, shall become a condition of the Conditional Adult Use Dispensing Organization Licenses and any Adult Use Dispensing Organization License issued to the holder of the Conditional Adult Use Dispensing Organization License, except as otherwise provided by this Act or rule. Dispensing organizations have a duty to disclose any material changes to the application. The Department shall review all material changes disclosed by the dispensing organization, and may re-evaluate its prior decision regarding the awarding of a license, including, but not limited to, suspending or permanently revoking a license. Failure to comply with the conditions or requirements in the application may subject the dispensing organization to discipline, up to and including

suspension or permanent revocation of its authorization or license by the Department.

(j) If an applicant has not begun operating as a dispensing organization within one year of the issuance of the Conditional Adult Use Dispensing Organization License, the Department may permanently revoke the Conditional Adult Use Dispensing Organization License and award it to the next highest scoring applicant in the BLS Region if a suitable applicant indicates a continued interest in the license or begin a new selection process to award a Conditional Adult Use Dispensing Organization License.

(k) The Department shall deny an application if granting that application would result in a single person or entity having a direct or indirect financial interest in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, or Adult Use Dispensing Organization Licenses. Any entity that is awarded a license that results in a single person or entity having a direct or indirect financial interest in more than 10 licenses shall forfeit the most recently issued license and suffer a penalty to be determined by the Department, unless the entity declines the license at the time it is awarded.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-30.20)

Sec. 15-30.20. Tied Applicant Lottery; additional requirements; timing.

(a) If awarding a license in a Tied Applicant Lottery would result in a Tied Applicant possessing more than 10 Early Approval Adult Use Dispensing Organization Licenses, Early Approval Adult Use Dispensing Organization Licenses at a secondary site, Conditional Adult Use Dispensing Organization Licenses, Adult Use Dispensing Organization Licenses, or any combination thereof, the Tied Applicant must choose which license to abandon pursuant to subsection (d) of Section 15-36 and notify the Department in writing within 5 business days after the date that the Tied Applicant Lottery is conducted.

(b) The Department shall publish the certified results of a Tied Applicant Lottery within 2 business days after the Tied Applicant Lottery is conducted.

(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/15-35)

Sec. 15-35. Qualifying Applicant Lottery for Conditional Adult Use Dispensing Organization Licenses.

(a) In addition to any of the licenses issued under Section 15-15, Section 15-20, Section 15-25, Section 15-30.20, or

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Section 15-35.10 of this Act, within 10 business days after the resulting final scores for all scored applications pursuant to Sections 15-25 and 15-30 are released, the Department shall issue up to 55 Conditional Adult Use Dispensing Organization Licenses by lot, pursuant to the application process adopted under this Section. In order to be eligible to be awarded a Conditional Adult Use Dispensing Organization License by lot under this Section, a Dispensary Applicant must be a Qualifying Applicant.

The licenses issued under this Section shall be awarded in each BLS Region in the following amounts:

(1) Bloomington: 1.
(2) Cape Girardeau: 1.
(3) Carbondale-Marion: 1.
(4) Champaign-Urbana: 1.
(5) Chicago-Naperville-Elgin: 36.
(6) Danville: 1.
(7) Davenport-Moline-Rock Island: 1.
(8) Decatur: 1.
(9) Kankakee: 1.
(10) Peoria: 2.
(11) Rockford: 1.
(12) St. Louis: 3.
(13) Springfield: 1.
(14) Northwest Illinois nonmetropolitan: 1.
(15) West Central Illinois nonmetropolitan: 1.
(16) East Central Illinois nonmetropolitan: 1.
(17) South Illinois nonmetropolitan: 1.

(a-5) Prior to issuing licenses under subsection (a), the Department may adopt rules through emergency rulemaking in accordance with subsection (kk) of Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare.

(b) The Department shall distribute the available licenses established under this Section subject to the following:

(1) The drawing by lot for all available licenses issued under this Section shall occur on the same day when practicable.

(2) Within each BLS Region, the first Qualifying Applicant drawn will have the first right to an available license. The second Qualifying Applicant drawn will have the second right to an available license. The same pattern will continue for each subsequent Qualifying Applicant drawn.

(3) The process for distributing available licenses

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under this Section shall be recorded by the Department in a format selected by the Department.

(4) A Dispensary Applicant is prohibited from becoming a Qualifying Applicant if a principal officer resigns after the resulting final scores for all scored applications pursuant to Sections 15-25 and 15-30 are released.

(5) No Qualifying Applicant may be awarded more than 2 Conditional Adult Use Dispensing Organization Licenses at the conclusion of a lottery conducted under this Section.

(6) No individual may be listed as a principal officer of more than 2 Conditional Adult Use Dispensing Organization Licenses awarded under this Section.

(7) If, upon being selected for an available license established under this Section, a Qualifying Applicant exceeds the limits under paragraph (5) or (6), the Qualifying Applicant must choose which license to abandon and notify the Department in writing within 5 business days. If the Qualifying Applicant does not notify the Department as required, the Department shall refuse to issue the Qualifying Applicant all available licenses established under this Section obtained by lot in all BLS Regions.

(8) If, upon being selected for an available license established under this Section, a Qualifying Applicant has a principal officer who is a principal officer in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, Adult Use Dispensing Organization Licenses, or any combination thereof, the licensees and the Qualifying Applicant listing that principal officer must choose which license to abandon pursuant to subsection (d) of Section 15-36 and notify the Department in writing within 5 business days. If the Qualifying Applicant or licensees do not notify the Department as required, the Department shall refuse to issue the Qualifying Applicant all available licenses established under this Section obtained by lot in all BLS Regions.

(9) All available licenses that have been abandoned under paragraph (7) or (8) shall be distributed to the next Qualifying Applicant drawn by lot.

Any and all rights conferred or obtained under this Section shall be limited to the provisions of this Section.

(c) An applicant who receives a Conditional Adult Use Dispensing Organization License under this Section has 180 days from the date it is awarded to identify a physical location for the dispensing organization's retail storefront. The applicant

shall provide evidence that the location is not within 1,500 feet of an existing dispensing organization, unless the applicant is a Social Equity Applicant or Social Equity Justice Involved Applicant located or seeking to locate within 1,500 feet of a dispensing organization licensed under Section 15-15 or Section 15-20. If an applicant is unable to find a suitable physical address in the opinion of the Department within 180 days from the issuance of the Conditional Adult Use Dispensing Organization License, the Department may extend the period for finding a physical address another 180 days if the Conditional Adult Use Dispensing Organization License holder demonstrates a concrete attempt to secure a location and a hardship. If the Department denies the extension or the Conditional Adult Use Dispensing Organization License holder is unable to find a location or become operational within 360 days of being awarded a Conditional Adult Use Dispensing Organization License under this Section, the Department shall rescind the Conditional Adult Use Dispensing Organization License and award it pursuant to subsection (b), provided the applicant receiving the Conditional Adult Use Dispensing Organization License: (i) confirms a continued interest in operating a dispensing organization; (ii) can provide evidence that the applicant continues to meet all requirements for holding a Conditional Adult Use Dispensing Organization License set forth in this Act; and (iii) has not otherwise become ineligible to be awarded a Conditional Adult Use Dispensing Organization License. If the new awardee is unable to accept the Conditional Adult Use Dispensing Organization License, the Department shall award the Conditional Adult Use Dispensing Organization License pursuant to subsection (b). The new awardee shall be subject to the same required deadlines as provided in this subsection.

(d) If, within 180 days of being awarded a Conditional Adult Use Dispensing Organization License, a dispensing organization is unable to find a location within the BLS Region in which it was awarded a Conditional Adult Use Dispensing Organization License because no jurisdiction within the BLS Region allows for the operation of an Adult Use Dispensing Organization, the Department may authorize the Conditional Adult Use Dispensing Organization License holder to transfer its Conditional Adult Use Dispensing Organization License to a BLS Region specified by the Department.

(e) A dispensing organization that is awarded a Conditional Adult Use Dispensing Organization License under this Section shall not purchase, possess, sell, or dispense cannabis or cannabis-infused products until the dispensing organization has received an Adult Use Dispensing Organization License issued by the Department pursuant to Section 15-36.

(f) The Department shall conduct a background check of the prospective dispensing organization agents in order to carry out

this Article. The Illinois State Police shall charge the applicant a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed with the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall furnish, following positive identification, all Illinois conviction information to the Department.

(g) The Department may verify information contained in each application and accompanying documentation to assess the applicant's veracity and fitness to operate a dispensing organization.

(h) The Department may, in its discretion, refuse to issue authorization to an applicant who meets any of the following criteria:

(1) An applicant who is unqualified to perform the duties required of the applicant.

(2) An applicant who fails to disclose or states falsely any information called for in the application.

(3) An applicant who has been found guilty of a violation of this Act, who has had any disciplinary order entered against the applicant by the Department, who has entered into a disciplinary or nondisciplinary agreement with the Department, whose medical cannabis dispensing organization, medical cannabis cultivation organization, Early Approval Adult Use Dispensing Organization License, Early Approval Adult Use Dispensing Organization License at a secondary site, Early Approval Cultivation Center License, Conditional Adult Use Dispensing Organization License, or Adult Use Dispensing Organization License was suspended, restricted, revoked, or denied for just cause, or whose cannabis business establishment license was suspended, restricted, revoked, or denied in any other state.

(4) An applicant who has engaged in a pattern or practice of unfair or illegal practices, methods, or activities in the conduct of owning a cannabis business establishment or other business.

(i) The Department shall deny issuance of a license under this Section if any principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee is delinquent in filing any required tax return or

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paying any amount owed to the State of Illinois.

(j) The Department shall verify an applicant's compliance with the requirements of this Article and rules adopted under this Article before issuing a Conditional Adult Use Dispensing Organization License under this Section.

(k) If an applicant is awarded a Conditional Adult Use Dispensing Organization License under this Section, the information and plans provided in the application, including any plans submitted for bonus points, shall become a condition of the Conditional Adult Use Dispensing Organization License and any Adult Use Dispensing Organization License issued to the holder of the Conditional Adult Use Dispensing Organization License, except as otherwise provided by this Act or by rule. A dispensing organization has a duty to disclose any material changes to the application. The Department shall review all material changes disclosed by the dispensing organization and may reevaluate its prior decision regarding the awarding of a Conditional Adult Use Dispensing Organization License, including, but not limited to, suspending or permanently revoking a Conditional Adult Use Dispensing Organization License. Failure to comply with the conditions or requirements in the application may subject the dispensing organization to discipline up to and including suspension or permanent revocation of its authorization or Conditional Adult Use Dispensing Organization License by the Department.

(l) If an applicant has not begun operating as a dispensing organization within one year after the issuance of the Conditional Adult Use Dispensing Organization License under this Section, the Department may permanently revoke the Conditional Adult Use Dispensing Organization License and award it to the next highest scoring applicant in the BLS Region if a suitable applicant indicates a continued interest in the Conditional Adult Use Dispensing Organization License or may begin a new selection process to award a Conditional Adult Use Dispensing Organization License.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/15-35.10)

Sec. 15-35.10. Social Equity Justice Involved Lottery for Conditional Adult Use Dispensing Organization Licenses.

(a) In addition to any of the licenses issued under Section 15-15, Section 15-20, Section 15-25, Section 15-30.20, or Section 15-35, within 10 business days after the resulting final scores for all scored applications pursuant to Sections 15-25 and 15-30 are released, the Department shall issue up to 55 Conditional Adult Use Dispensing Organization Licenses by lot, pursuant to the application process adopted under this Section.

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In order to be eligible to be awarded a Conditional Adult Use Dispensing Organization License by lot, a Dispensary Applicant must be a Qualifying Social Equity Justice Involved Applicant.

The licenses issued under this Section shall be awarded in each BLS Region in the following amounts:

(1) Bloomington: 1.
(2) Cape Girardeau: 1.
(3) Carbondale-Marion: 1.
(4) Champaign-Urbana: 1.
(5) Chicago-Naperville-Elgin: 36.
(6) Danville: 1.
(7) Davenport-Moline-Rock Island: 1.
(8) Decatur: 1.
(9) Kankakee: 1.
(10) Peoria: 2.
(11) Rockford: 1.
(12) St. Louis: 3.
(13) Springfield: 1.
(14) Northwest Illinois nonmetropolitan: 1.
(15) West Central Illinois nonmetropolitan: 1.
(16) East Central Illinois nonmetropolitan: 1.
(17) South Illinois nonmetropolitan: 1.

(a-5) Prior to issuing licenses under subsection (a), the Department may adopt rules through emergency rulemaking in accordance with subsection (kk) of Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare.

(b) The Department shall distribute the available licenses established under this Section subject to the following:

(1) The drawing by lot for all available licenses established under this Section shall occur on the same day when practicable.

(2) Within each BLS Region, the first Qualifying Social Equity Justice Involved Applicant drawn will have the first right to an available license. The second Qualifying Social Equity Justice Involved Applicant drawn will have the second right to an available license. The same pattern will continue for each subsequent applicant drawn.

(3) The process for distributing available licenses under this Section shall be recorded by the Department in a format selected by the Department.

(4) A Dispensary Applicant is prohibited from becoming a Qualifying Social Equity Justice Involved Applicant if a principal officer resigns after the

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resulting final scores for all scored applications pursuant to Sections 15-25 and 15-30 are released.

(5) No Qualifying Social Equity Justice Involved Applicant may be awarded more than 2 Conditional Adult Use Dispensing Organization Licenses at the conclusion of a lottery conducted under this Section.

(6) No individual may be listed as a principal officer of more than 2 Conditional Adult Use Dispensing Organization Licenses awarded under this Section.

(7) If, upon being selected for an available license established under this Section, a Qualifying Social Equity Justice Involved Applicant exceeds the limits under paragraph (5) or (6), the Qualifying Social Equity Justice Involved Applicant must choose which license to abandon and notify the Department in writing within 5 business days on forms prescribed by the Department. If the Qualifying Social Equity Justice Involved Applicant does not notify the Department as required, the Department shall refuse to issue the Qualifying Social Equity Justice Involved Applicant all available licenses established under this Section obtained by lot in all BLS Regions.

(8) If, upon being selected for an available license established under this Section, a Qualifying Social Equity Justice Involved Applicant has a principal officer who is a principal officer in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, Adult Use Dispensing Organization Licenses, or any combination thereof, the licensees and the Qualifying Social Equity Justice Involved Applicant listing that principal officer must choose which license to abandon pursuant to subsection (d) of Section 15-36 and notify the Department in writing within 5 business days on forms prescribed by the Department. If the Dispensary Applicant or licensees do not notify the Department as required, the Department shall refuse to issue the Qualifying Social Equity Justice Involved Applicant all available licenses established under this Section obtained by lot in all BLS Regions.

(9) All available licenses that have been abandoned under paragraph (7) or (8) shall be distributed to the next Qualifying Social Equity Justice Involved Applicant drawn by lot.

Any and all rights conferred or obtained under this subsection shall be limited to the provisions of this subsection.

(c) An applicant who receives a Conditional Adult Use Dispensing Organization License under this Section has 180 days from the date of the award to identify a physical location for

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the dispensing organization's retail storefront. The applicant shall provide evidence that the location is not within 1,500 feet of an existing dispensing organization, unless the applicant is a Social Equity Applicant or Social Equity Justice Involved Applicant located or seeking to locate within 1,500 feet of a dispensing organization licensed under Section 15-15 or Section 15-20. If an applicant is unable to find a suitable physical address in the opinion of the Department within 180 days from the issuance of the Conditional Adult Use Dispensing Organization License, the Department may extend the period for finding a physical address another 180 days if the Conditional Adult Use Dispensing Organization License holder demonstrates a concrete attempt to secure a location and a hardship. If the Department denies the extension or the Conditional Adult Use Dispensing Organization License holder is unable to find a location or become operational within 360 days of being awarded a Conditional Adult Use Dispensing Organization License under this Section, the Department shall rescind the Conditional Adult Use Dispensing Organization License and award it pursuant to subsection (b) and notify the new awardee at the email address provided in the awardee's application, provided the applicant receiving the Conditional Adult Use Dispensing Organization License: (i) confirms a continued interest in operating a dispensing organization; (ii) can provide evidence that the applicant continues to meet all requirements for holding a Conditional Adult Use Dispensing Organization License set forth in this Act; and (iii) has not otherwise become ineligible to be awarded a Conditional Adult Use Dispensing Organization License. If the new awardee is unable to accept the Conditional Adult Use Dispensing Organization License, the Department shall award the Conditional Adult Use Dispensing Organization License pursuant to subsection (b). The new awardee shall be subject to the same required deadlines as provided in this subsection.

(d) If, within 180 days of being awarded a Conditional Adult Use Dispensing Organization License, a dispensing organization is unable to find a location within the BLS Region in which it was awarded a Conditional Adult Use Dispensing Organization License under this Section because no jurisdiction within the BLS Region allows for the operation of an Adult Use Dispensing Organization, the Department may authorize the Conditional Adult Use Dispensing Organization License holder to transfer its Conditional Adult Use Dispensing Organization License to a BLS Region specified by the Department.

(e) A dispensing organization that is awarded a Conditional Adult Use Dispensing Organization License under this Section shall not purchase, possess, sell, or dispense cannabis or cannabis-infused products until the dispensing organization has received an Adult Use Dispensing Organization License issued by the Department pursuant to Section 15-36.

(f) The Department shall conduct a background check of the prospective dispensing organization agents in order to carry out this Article. The Illinois State Police shall charge the applicant a fee for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. Each person applying as a dispensing organization agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed with the Illinois State Police and the Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall furnish, following positive identification, all Illinois conviction information to the Department.

(g) The Department may verify information contained in each application and accompanying documentation to assess the applicant's veracity and fitness to operate a dispensing organization.

(h) The Department may, in its discretion, refuse to issue an authorization to an applicant who meets any of the following criteria:

(1) An applicant who is unqualified to perform the duties required of the applicant.

(2) An applicant who fails to disclose or states falsely any information called for in the application.

(3) An applicant who has been found guilty of a violation of this Act, who has had any disciplinary order entered against the applicant by the Department, who has entered into a disciplinary or nondisciplinary agreement with the Department, whose medical cannabis dispensing organization, medical cannabis cultivation organization, Early Approval Adult Use Dispensing Organization License, Early Approval Adult Use Dispensing Organization License at a secondary site, Early Approval Cultivation Center License, Conditional Adult Use Dispensing Organization License, or Adult Use Dispensing Organization License was suspended, restricted, revoked, or denied for just cause, or whose cannabis business establishment license was suspended, restricted, revoked, or denied in any other state.

(4) An applicant who has engaged in a pattern or practice of unfair or illegal practices, methods, or activities in the conduct of owning a cannabis business establishment or other business.

(i) The Department shall deny the license if any principal officer, board member, or person having a financial or voting

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interest of 5% or greater in the licensee is delinquent in filing any required tax return or paying any amount owed to the State of Illinois.

(j) The Department shall verify an applicant's compliance with the requirements of this Article and rules adopted under this Article before issuing a Conditional Adult Use Dispensing Organization License.

(k) If an applicant is awarded a Conditional Adult Use Dispensing Organization License under this Section, the information and plans provided in the application, including any plans submitted for bonus points, shall become a condition of the Conditional Adult Use Dispensing Organization License and any Adult Use Dispensing Organization License issued to the holder of the Conditional Adult Use Dispensing Organization License, except as otherwise provided by this Act or by rule. Dispensing organizations have a duty to disclose any material changes to the application. The Department shall review all material changes disclosed by the dispensing organization and may reevaluate its prior decision regarding the awarding of a Conditional Adult Use Dispensing Organization License, including, but not limited to, suspending or permanently revoking a Conditional Adult Use Dispensing Organization License. Failure to comply with the conditions or requirements in the application may subject the dispensing organization to discipline up to and including suspension or permanent revocation of its authorization or Conditional Adult Use Dispensing Organization License by the Department.

(l) If an applicant has not begun operating as a dispensing organization within one year after the issuance of the Conditional Adult Use Dispensing Organization License under this Section, the Department may permanently revoke the Conditional Adult Use Dispensing Organization License and award it to the next highest scoring applicant in the BLS Region if a suitable applicant indicates a continued interest in the Conditional Adult Use Dispensing Organization License or may begin a new selection process to award a Conditional Adult Use Dispensing Organization License.

(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/15-35.20)

Sec. 15-35.20. Conditional Adult Use Dispensing Organization Licenses on or after January 1, 2022.

(a) In addition to any of the licenses issued under Section 15-15, Section 15-20, Section 15-25, Section 15-35, or Section 15-35.10, by January 1, 2022, the Department may publish an application to issue additional Conditional Adult Use Dispensing Organization Licenses, pursuant to the application process adopted under this Section. The Department may adopt rules to

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issue any Conditional Adult Use Dispensing Organization Licenses under this Section. Such rules may:

(1) Modify or change the BLS Regions as they apply to this Article or modify or raise the number of Adult Conditional Use Dispensing Organization Licenses assigned to each BLS Region based on the following factors:

(A) Purchaser wait times.

(B) Travel time to the nearest dispensary for potential purchasers.

(C) Percentage of cannabis sales occurring in Illinois not in the regulated market using data from the Substance Abuse and Mental Health Services Administration, National Survey on Drug Use and Health, Illinois Behavioral Risk Factor Surveillance System, and tourism data from the Illinois Office of Tourism to ascertain total cannabis consumption in Illinois compared to the amount of sales in licensed dispensing organizations.

(D) Whether there is an adequate supply of cannabis and cannabis-infused products to serve registered medical cannabis patients.

(E) Population increases or shifts.

(F) Density of dispensing organizations in a region.

(G) The Department's capacity to appropriately regulate additional licenses.

(H) The findings and recommendations from the disparity and availability study commissioned by the Illinois Cannabis Regulation Oversight Officer in subsection (e) of Section 5-45 to reduce or eliminate any identified barriers to entry in the cannabis industry.

(I) Any other criteria the Department deems relevant.

(2) Modify or change the licensing application process to reduce or eliminate the barriers identified in the disparity and availability study commissioned by the Illinois Cannabis Regulation Oversight Officer and make modifications to remedy evidence of discrimination.

(b) At no time shall the Department issue more than 500 Adult Use Dispensing Organization Licenses.

(c) The Department shall issue at least 50 additional Conditional Adult Use Dispensing Organization Licenses on or before December 21, 2022.

(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/15-36)

Sec. 15-36. Adult Use Dispensing Organization License.

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(a) A person is only eligible to receive an Adult Use Dispensing Organization if the person has been awarded a Conditional Adult Use Dispensing Organization License pursuant to this Act or has renewed its license pursuant to subsection (k) of Section 15-15 or subsection (p) of Section 15-20.

(b) The Department shall not issue an Adult Use Dispensing Organization License until:

(1) the Department has inspected the dispensary site and proposed operations and verified that they are in compliance with this Act and local zoning laws;

(2) the Conditional Adult Use Dispensing Organization License holder has paid a license fee of $60,000 or a prorated amount accounting for the difference of time between when the Adult Use Dispensing Organization License is issued and March 31 of the next even-numbered year; and

(3) the Conditional Adult Use Dispensing Organization License holder has met all the requirements in this Act and rules.

(c) No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, of more than 10 dispensing organizations licensed under this Article. Further, no person or entity that is:

(1) employed by, is an agent of, or participates in the management of a dispensing organization or registered medical cannabis dispensing organization;

(2) a principal officer of a dispensing organization or registered medical cannabis dispensing organization; or

(3) an entity controlled by or affiliated with a principal officer of a dispensing organization or registered medical cannabis dispensing organization;

shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in a dispensing organization that would result in such person or entity owning or participating in the management of more than 10 Early Approval Adult Use Dispensing Organization Licenses, Early Approval Adult Use Dispensing Organization Licenses at a secondary site, Conditional Adult Use Dispensing Organization Licenses, or Adult Use Dispensing Organization Licenses. For the purpose of this subsection, participating in management may include, without limitation, controlling decisions regarding staffing, pricing, purchasing, marketing, store design, hiring, and website design.

(d) The Department shall deny an application if granting that application would result in a person or entity obtaining direct or indirect financial interest in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, Adult Use Dispensing Organization Licenses, or any combination thereof. If a person or entity is awarded a Conditional Adult Use Dispensing

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Organization License that would cause the person or entity to be in violation of this subsection, he, she, or it shall choose which license application it wants to abandon and such licenses shall become available to the next qualified applicant in the region in which the abandoned license was awarded.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/15-40)
(Text of Section from P.A. 102-98)
Sec. 15-40. Dispensing organization agent identification card; agent training.
(a) The Department shall:
(1) verify the information contained in an application or renewal for a dispensing organization agent identification card submitted under this Article, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;
(2) issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal;
(3) enter the registry identification number of the dispensing organization where the agent works;
(4) within one year from the effective date of this Act, allow for an electronic application process and provide a confirmation by electronic or other methods that an application has been submitted; and
(5) collect a $100 nonrefundable fee from the applicant to be deposited into the Cannabis Regulation Fund.
(b) A dispensing organization agent must keep his or her identification card visible at all times when in the dispensary.
(c) The dispensing organization agent identification cards shall contain the following:
(1) the name of the cardholder;
(2) the date of issuance and expiration date of the dispensing organization agent identification cards;
(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the cardholder; and
(4) a photograph of the cardholder.
(d) The dispensing organization agent identification cards shall be immediately returned to the dispensing organization upon termination of employment.
(e) The Department shall not issue an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.
(f) Any card lost by a dispensing organization agent shall

be reported to the Department of State Police and the Department immediately upon discovery of the loss.

(g) An applicant shall be denied a dispensing organization agent identification card renewal if he or she fails to complete the training provided for in this Section.

(h) A dispensing organization agent shall only be required to hold one card for the same employer regardless of what type of dispensing organization license the employer holds.

(i) Cannabis retail sales training requirements.

(1) Within 90 days of September 1, 2019, or 90 days of employment, whichever is later, all owners, managers, employees, and agents involved in the handling or sale of cannabis or cannabis-infused product employed by an adult use dispensing organization or medical cannabis dispensing organization as defined in Section 10 of the Compassionate Use of Medical Cannabis Program Act shall attend and successfully complete a Responsible Vendor Program.

(2) Each owner, manager, employee, and agent of an adult use dispensing organization or medical cannabis dispensing organization shall successfully complete the program annually.

(3) Responsible Vendor Program Training modules shall include at least 2 hours of instruction time approved by the Department including:

(i) Health and safety concerns of cannabis use, including the responsible use of cannabis, its physical effects, onset of physiological effects, recognizing signs of impairment, and appropriate responses in the event of overconsumption.

(ii) Training on laws and regulations on driving while under the influence and operating a watercraft or snowmobile while under the influence.

(iii) Sales to minors prohibition. Training shall cover all relevant Illinois laws and rules.

(iv) Quantity limitations on sales to purchasers. Training shall cover all relevant Illinois laws and rules.

(v) Acceptable forms of identification. Training shall include:

(I) How to check identification; and

(II) Common mistakes made in verification;

(vi) Safe storage of cannabis;

(vii) Compliance with all inventory tracking system regulations;

(viii) Waste handling, management, and disposal;

(ix) Health and safety standards;

(x) Maintenance of records;

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(xi) Security and surveillance requirements;

(xii) Permitting inspections by State and local licensing and enforcement authorities;

(xiii) Privacy issues;

(xiv) Packaging and labeling requirement for sales to purchasers; and

(xv) Other areas as determined by rule.

(j) Blank.

(k) Upon the successful completion of the Responsible Vendor Program, the provider shall deliver proof of completion either through mail or electronic communication to the dispensing organization, which shall retain a copy of the certificate.

(l) The license of a dispensing organization or medical cannabis dispensing organization whose owners, managers, employees, or agents fail to comply with this Section may be suspended or permanently revoked under Section 15-145 or may face other disciplinary action.

(m) The regulation of dispensing organization and medical cannabis dispensing employer and employee training is an exclusive function of the State, and regulation by a unit of local government, including a home rule unit, is prohibited. This subsection (m) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(n) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) may apply for such approval between August 1 and August 15 of each odd-numbered year in a manner prescribed by the Department.

(o) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) shall submit a nonrefundable application fee of $2,000 to be deposited into the Cannabis Regulation Fund or a fee as may be set by rule. Any changes made to the training module shall be approved by the Department.

(p) The Department shall not unreasonably deny approval of a training module that meets all the requirements of paragraph (3) of subsection (i). A denial of approval shall include a detailed description of the reasons for the denial.

(q) Any person approved to provide the training required by paragraph (3) of subsection (i) shall submit an application for re-approval between August 1 and August 15 of each odd-numbered year and include a nonrefundable application fee of $2,000 to be deposited into the Cannabis Regulation Fund or a fee as may be set by rule.

(r) All persons applying to become or renewing their registrations to be agents, including agents-in-charge and principal officers, shall disclose any disciplinary action taken against them that may have occurred in Illinois, another state,

or another country in relation to their employment at a cannabis business establishment or at any cannabis cultivation center, processor, infuser, dispensary, or other cannabis business establishment.

(s) An agent applicant may begin employment at a dispensing organization while the agent applicant's identification card application is pending. Upon approval, the Department shall issue the agent's identification card to the agent. If denied, the dispensing organization and the agent applicant shall be notified and the agent applicant must cease all activity at the dispensing organization immediately.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

Sec. 15-40. Dispensing organization agent identification card; agent training.

(a) The Department shall:

(1) verify the information contained in an application or renewal for a dispensing organization agent identification card submitted under this Article, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;

(2) issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal;

(3) enter the registry identification number of the dispensing organization where the agent works;

(4) within one year from the effective date of this Act, allow for an electronic application process and provide a confirmation by electronic or other methods that an application has been submitted; and

(5) collect a $100 nonrefundable fee from the applicant to be deposited into the Cannabis Regulation Fund.

(b) A dispensing organization agent must keep his or her identification card visible at all times when in the dispensary.

(c) The dispensing organization agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the dispensing organization agent identification cards;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the cardholder; and

(4) a photograph of the cardholder.

(d) The dispensing organization agent identification cards

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shall be immediately returned to the dispensing organization upon termination of employment.

(e) The Department shall not issue an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(f) Any card lost by a dispensing organization agent shall be reported to the Illinois State Police and the Department immediately upon discovery of the loss.

(g) An applicant shall be denied a dispensing organization agent identification card renewal if he or she fails to complete the training provided for in this Section.

(h) A dispensing organization agent shall only be required to hold one card for the same employer regardless of what type of dispensing organization license the employer holds.

(i) Cannabis retail sales training requirements.

(1) Within 90 days of September 1, 2019, or 90 days of employment, whichever is later, all owners, managers, employees, and agents involved in the handling or sale of cannabis or cannabis-infused product employed by an adult use dispensing organization or medical cannabis dispensing organization as defined in Section 10 of the Compassionate Use of Medical Cannabis Program Act shall attend and successfully complete a Responsible Vendor Program.

(2) Each owner, manager, employee, and agent of an adult use dispensing organization or medical cannabis dispensing organization shall successfully complete the program annually.

(3) Responsible Vendor Program Training modules shall include at least 2 hours of instruction time approved by the Department including:

(i) Health and safety concerns of cannabis use, including the responsible use of cannabis, its physical effects, onset of physiological effects, recognizing signs of impairment, and appropriate responses in the event of overconsumption.

(ii) Training on laws and regulations on driving while under the influence and operating a watercraft or snowmobile while under the influence.

(iii) Sales to minors prohibition. Training shall cover all relevant Illinois laws and rules.

(iv) Quantity limitations on sales to purchasers. Training shall cover all relevant Illinois laws and rules.

(v) Acceptable forms of identification. Training shall include:

(I) How to check identification; and

(II) Common mistakes made in verification;

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(vi) Safe storage of cannabis;

(vii) Compliance with all inventory tracking system regulations;

(viii) Waste handling, management, and disposal;

(ix) Health and safety standards;

(x) Maintenance of records;

(xi) Security and surveillance requirements;

(xii) Permitting inspections by State and local licensing and enforcement authorities;

(xiii) Privacy issues;

(xiv) Packaging and labeling requirement for sales to purchasers; and

(xv) Other areas as determined by rule.

(j) Blank.

(k) Upon the successful completion of the Responsible Vendor Program, the provider shall deliver proof of completion either through mail or electronic communication to the dispensing organization, which shall retain a copy of the certificate.

(l) The license of a dispensing organization or medical cannabis dispensing organization whose owners, managers, employees, or agents fail to comply with this Section may be suspended or permanently revoked under Section 15-145 or may face other disciplinary action.

(m) The regulation of dispensing organization and medical cannabis dispensing employer and employee training is an exclusive function of the State, and regulation by a unit of local government, including a home rule unit, is prohibited. This subsection (m) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(n) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) may apply for such approval between August 1 and August 15 of each odd-numbered year in a manner prescribed by the Department.

(o) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) shall submit a nonrefundable application fee of $2,000 to be deposited into the Cannabis Regulation Fund or a fee as may be set by rule. Any changes made to the training module shall be approved by the Department.

(p) The Department shall not unreasonably deny approval of a training module that meets all the requirements of paragraph (3) of subsection (i). A denial of approval shall include a detailed description of the reasons for the denial.

(q) Any person approved to provide the training required by paragraph (3) of subsection (i) shall submit an application for re-approval between August 1 and August 15 of each odd-numbered year and include a nonrefundable application fee of $2,000 to be

deposited into the Cannabis Regulation Fund or a fee as may be set by rule.

(r) All persons applying to become or renewing their registrations to be agents, including agents-in-charge and principal officers, shall disclose any disciplinary action taken against them that may have occurred in Illinois, another state, or another country in relation to their employment at a cannabis business establishment or at any cannabis cultivation center, processor, infuser, dispensary, or other cannabis business establishment.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-45)

Sec. 15-45. Renewal.

(a) Adult Use Dispensing Organization Licenses shall expire on March 31 of even-numbered years.

(b) Agent identification cards shall expire one year from the date they are issued.

(c) Licensees and dispensing agents shall submit a renewal application as provided by the Department and pay the required renewal fee. The Department shall require an agent, employee, contracting, and subcontracting diversity report and an environmental impact report with its renewal application. No license or agent identification card shall be renewed if it is currently under revocation or suspension for violation of this Article or any rules that may be adopted under this Article or the licensee, principal officer, board member, person having a financial or voting interest of 5% or greater in the licensee, or agent is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(d) Renewal fees are:

(1) For a dispensing organization, $60,000, to be deposited into the Cannabis Regulation Fund.

(2) For an agent identification card, $100, to be deposited into the Cannabis Regulation Fund.

(e) If a dispensing organization fails to renew its license before expiration, the dispensing organization shall cease operations until the license is renewed.

(f) If a dispensing organization agent fails to renew his or her registration before its expiration, he or she shall cease to perform duties authorized by this Article at a dispensing organization until his or her registration is renewed.

(g) Any dispensing organization that continues to operate or dispensing agent that continues to perform duties authorized by this Article at a dispensing organization that fails to renew its license is subject to penalty as provided in this Article, or any rules that may be adopted pursuant to this Article.

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(h) The Department shall not renew a license if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois. The Department shall not renew a dispensing agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/15-50)

Sec. 15-50. Disclosure of ownership and control.

(a) Each dispensing organization applicant and licensee shall file and maintain a Table of Organization, Ownership and Control with the Department. The Table of Organization, Ownership and Control shall contain the information required by this Section in sufficient detail to identify all owners, directors, and principal officers, and the title of each principal officer or business entity that, through direct or indirect means, manages, owns, or controls the applicant or licensee.

(b) The Table of Organization, Ownership and Control shall identify the following information:

(1) The management structure, ownership, and control of the applicant or license holder including the name of each principal officer or business entity, the office or position held, and the percentage ownership interest, if any. If the business entity has a parent company, the name of each owner, board member, and officer of the parent company and his or her percentage ownership interest in the parent company and the dispensing organization.

(2) If the applicant or licensee is a business entity with publicly traded stock, the identification of ownership shall be provided as required in subsection (c).

(c) If a business entity identified in subsection (b) is a publicly traded company, the following information shall be provided in the Table of Organization, Ownership and Control:

(1) The name and percentage of ownership interest of each individual or business entity with ownership of more than 5% of the voting shares of the entity, to the extent such information is known or contained in 13D or 13G Securities and Exchange Commission filings.

(2) To the extent known, the names and percentage of interest of ownership of persons who are relatives of one another and who together exercise control over or own more than 10% of the voting shares of the entity.

(d) A dispensing organization with a parent company or companies, or partially owned or controlled by another entity must disclose to the Department the relationship and all owners, board members, officers, or individuals with control or

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management of those entities. A dispensing organization shall not shield its ownership or control from the Department.

(e) All principal officers must submit a complete online application with the Department within 14 days of the dispensing organization being licensed by the Department or within 14 days of Department notice of approval as a new principal officer.

(f) A principal officer may not allow his or her registration to expire.

(g) A dispensing organization separating with a principal officer must do so under this Act. The principal officer must communicate the separation to the Department within 5 business days.

(h) A principal officer not in compliance with the requirements of this Act shall be removed from his or her position with the dispensing organization or shall otherwise terminate his or her affiliation. Failure to do so may subject the dispensing organization to discipline, suspension, or revocation of its license by the Department.

(i) It is the responsibility of the dispensing organization and its principal officers to promptly notify the Department of any change of the principal place of business address, hours of operation, change in ownership or control, or a change of the dispensing organization's primary or secondary contact information. Any changes must be made to the Department in writing.

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

(410 ILCS 705/15-55)

Sec. 15-55. Financial responsibility. Evidence of financial responsibility is a requirement for the issuance, maintenance, or reactivation of a license under this Article. Evidence of financial responsibility shall be used to guarantee that the dispensing organization timely and successfully completes dispensary construction, operates in a manner that provides an uninterrupted supply of cannabis, faithfully pays registration renewal fees, keeps accurate books and records, makes regularly required reports, complies with State tax requirements, and conducts the dispensing organization in conformity with this Act and rules. Evidence of financial responsibility shall be provided by one of the following:

(1) Establishing and maintaining an escrow or surety account in a financial institution in the amount of $50,000, with escrow terms, approved by the Department, that it shall be payable to the Department in the event of circumstances outlined in this Act and rules.

(A) A financial institution may not return money in an escrow or surety account to the dispensing organization that established the account or a

representative of the organization unless the organization or representative presents a statement issued by the Department indicating that the account may be released.

(B) The escrow or surety account shall not be canceled on less than 30 days' notice in writing to the Department, unless otherwise approved by the Department. If an escrow or surety account is canceled and the registrant fails to secure a new account with the required amount on or before the effective date of cancellation, the registrant's registration may be permanently revoked. The total and aggregate liability of the surety on the bond is limited to the amount specified in the escrow or surety account.

(2) Providing a surety bond in the amount of $50,000, naming the dispensing organization as principal of the bond, with terms, approved by the Department, that the bond defaults to the Department in the event of circumstances outlined in this Act and rules. Bond terms shall include:

(A) The business name and registration number on the bond must correspond exactly with the business name and registration number in the Department's records.

(B) The bond must be written on a form approved by the Department.

(C) A copy of the bond must be received by the Department within 90 days after the effective date.

(D) The bond shall not be canceled by a surety on less than 30 days' notice in writing to the Department. If a bond is canceled and the registrant fails to file a new bond with the Department in the required amount on or before the effective date of cancellation, the registrant's registration may be permanently revoked. The total and aggregate liability of the surety on the bond is limited to the amount specified in the bond.

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

(410 ILCS 705/15-60)

Sec. 15-60. Changes to a dispensing organization.

(a) A license shall be issued to the specific dispensing organization identified on the application and for the specific location proposed. The license is valid only as designated on the license and for the location for which it is issued.

(b) A dispensing organization may only add principal officers after being approved by the Department.

(c) A dispensing organization shall provide written notice of the removal of a principal officer within 5 business days after removal. The notice shall include the written agreement of the principal officer being removed, unless otherwise approved

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by the Department, and allocation of ownership shares after removal in an updated ownership chart.

(d) A dispensing organization shall provide a written request to the Department for the addition of principal officers. A dispensing organization shall submit proposed principal officer applications on forms approved by the Department.

(e) All proposed new principal officers shall be subject to the requirements of this Act, this Article, and any rules that may be adopted pursuant to this Act.

(f) The Department may prohibit the addition of a principal officer to a dispensing organization for failure to comply with this Act, this Article, and any rules that may be adopted pursuant to this Act.

(g) A dispensing organization may not assign a license.

(h) A dispensing organization may not transfer a license without prior Department approval. Such approval may be withheld if the person to whom the license is being transferred does not commit to the same or a similar community engagement plan provided as part of the dispensing organization's application under paragraph (18) of subsection (d) of Section 15-25, and such transferee's license shall be conditional upon that commitment.

(i) With the addition or removal of principal officers, the Department will review the ownership structure to determine whether the change in ownership has had the effect of a transfer of the license. The dispensing organization shall supply all ownership documents requested by the Department.

(j) A dispensing organization may apply to the Department to approve a sale of the dispensing organization. A request to sell the dispensing organization must be on application forms provided by the Department. A request for an approval to sell a dispensing organization must comply with the following:

(1) New application materials shall comply with this Act and any rules that may be adopted pursuant to this Act;

(2) Application materials shall include a change of ownership fee of $5,000 to be deposited into the Cannabis Regulation Fund;

(3) The application materials shall provide proof that the transfer of ownership will not have the effect of granting any of the owners or principal officers direct or indirect ownership or control of more than 10 adult use dispensing organization licenses;

(4) New principal officers shall each complete the proposed new principal officer application;

(5) If the Department approves the application materials and proposed new principal officer applications, it will perform an inspection before approving the sale and

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issuing the dispensing organization license;

(6) If a new license is approved, the Department will issue a new license number and certificate to the new dispensing organization.

(k) The dispensing organization shall provide the Department with the personal information for all new dispensing organizations agents as required in this Article and all new dispensing organization agents shall be subject to the requirements of this Article. A dispensing organization agent must obtain an agent identification card from the Department before beginning work at a dispensary.

(l) Before remodeling, expansion, reduction, or other physical, noncosmetic alteration of a dispensary, the dispensing organization must notify the Department and confirm the alterations are in compliance with this Act and any rules that may be adopted pursuant to this Act.

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

(410 ILCS 705/15-65)

Sec. 15-65. Administration.

(a) A dispensing organization shall establish, maintain, and comply with written policies and procedures as submitted in the Business, Financial and Operating plan as required in this Article or by rules established by the Department, and approved by the Department, for the security, storage, inventory, and distribution of cannabis. These policies and procedures shall include methods for identifying, recording, and reporting diversion, theft, or loss, and for correcting errors and inaccuracies in inventories. At a minimum, dispensing organizations shall ensure the written policies and procedures provide for the following:

(1) Mandatory and voluntary recalls of cannabis products. The policies shall be adequate to deal with recalls due to any action initiated at the request of the Department and any voluntary action by the dispensing organization to remove defective or potentially defective cannabis from the market or any action undertaken to promote public health and safety, including:

(i) A mechanism reasonably calculated to contact purchasers who have, or likely have, obtained the product from the dispensary, including information on the policy for return of the recalled product;

(ii) A mechanism to identify and contact the adult use cultivation center, craft grower, or infuser that manufactured the cannabis;

(iii) Policies for communicating with the Department, the Department of Agriculture, and the Department of Public Health within 24 hours of

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discovering defective or potentially defective cannabis; and

(iv) Policies for destruction of any recalled cannabis product;

(2) Responses to local, State, or national emergencies, including natural disasters, that affect the security or operation of a dispensary;

(3) Segregation and destruction of outdated, damaged, deteriorated, misbranded, or adulterated cannabis. This procedure shall provide for written documentation of the cannabis disposition;

(4) Ensure the oldest stock of a cannabis product is distributed first. The procedure may permit deviation from this requirement, if such deviation is temporary and appropriate;

(5) Training of dispensing organization agents in the provisions of this Act and rules, to effectively operate the point-of-sale system and the State's verification system, proper inventory handling and tracking, specific uses of cannabis or cannabis-infused products, instruction regarding regulatory inspection preparedness and law enforcement interaction, awareness of the legal requirements for maintaining status as an agent, and other topics as specified by the dispensing organization or the Department. The dispensing organization shall maintain evidence of all training provided to each agent in its files that is subject to inspection and audit by the Department. The dispensing organization shall ensure agents receive a minimum of 8 hours of training subject to the requirements in subsection (i) of Section 15-40 annually, unless otherwise approved by the Department;

(6) Maintenance of business records consistent with industry standards, including bylaws, consents, manual or computerized records of assets and liabilities, audits, monetary transactions, journals, ledgers, and supporting documents, including agreements, checks, invoices, receipts, and vouchers. Records shall be maintained in a manner consistent with this Act and shall be retained for 5 years;

(7) Inventory control, including:

(i) Tracking purchases and denials of sale;

(ii) Disposal of unusable or damaged cannabis as required by this Act and rules; and

(8) Purchaser education and support, including:

(i) Whether possession of cannabis is illegal under federal law;

(ii) Current educational information issued by the Department of Public Health about the health risks

associated with the use or abuse of cannabis;

(iii) Information about possible side effects;

(iv) Prohibition on smoking cannabis in public places; and

(v) Offering any other appropriate purchaser education or support materials.

(b) Blank.

(c) A dispensing organization shall maintain copies of the policies and procedures on the dispensary premises and provide copies to the Department upon request. The dispensing organization shall review the dispensing organization policies and procedures at least once every 12 months from the issue date of the license and update as needed due to changes in industry standards or as requested by the Department.

(d) A dispensing organization shall ensure that each principal officer and each dispensing organization agent has a current agent identification card in the agent's immediate possession when the agent is at the dispensary.

(e) A dispensing organization shall provide prompt written notice to the Department, including the date of the event, when a dispensing organization agent no longer is employed by the dispensing organization.

(f) A dispensing organization shall promptly document and report any loss or theft of cannabis from the dispensary to the Illinois State Police and the Department. It is the duty of any dispensing organization agent who becomes aware of the loss or theft to report it as provided in this Article.

(g) A dispensing organization shall post the following information in a conspicuous location in an area of the dispensary accessible to consumers:

(1) The dispensing organization's license;

(2) The hours of operation.

(h) Signage that shall be posted inside the premises.

(1) All dispensing organizations must display a placard that states the following: "Cannabis consumption can impair cognition and driving, is for adult use only, may be habit forming, and should not be used by pregnant or breastfeeding women.".

(2) Any dispensing organization that sells edible cannabis-infused products must display a placard that states the following:

(A) "Edible cannabis-infused products were produced in a kitchen that may also process common food allergens."; and

(B) "The effects of cannabis products can vary from person to person, and it can take as long as two hours to feel the effects of some cannabis-infused products. Carefully review the portion size information

and warnings contained on the product packaging before consuming.".

(3) All of the required signage in this subsection

(h) shall be no smaller than 24 inches tall by 36 inches wide, with typed letters no smaller than 2 inches. The signage shall be clearly visible and readable by customers. The signage shall be placed in the area where cannabis and cannabis-infused products are sold and may be translated into additional languages as needed. The Department may require a dispensary to display the required signage in a different language, other than English, if the Secretary deems it necessary.

(i) A dispensing organization shall prominently post notices inside the dispensing organization that state activities that are strictly prohibited and punishable by law, including, but not limited to:

(1) no minors permitted on the premises unless the minor is a minor qualifying patient under the Compassionate Use of Medical Cannabis Program Act;

(2) distribution to persons under the age of 21 is prohibited;

(3) transportation of cannabis or cannabis products across state lines is prohibited.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-70)

Sec. 15-70. Operational requirements; prohibitions.

(a) A dispensing organization shall operate in accordance with the representations made in its application and license materials. It shall be in compliance with this Act and rules.

(b) A dispensing organization must include the legal name of the dispensary on the packaging of any cannabis product it sells.

(c) All cannabis, cannabis-infused products, and cannabis seeds must be obtained from an Illinois registered adult use cultivation center, craft grower, infuser, or another dispensary.

(d) Dispensing organizations are prohibited from selling any product containing alcohol except tinctures, which must be limited to containers that are no larger than 100 milliliters.

(e) A dispensing organization shall inspect and count product received from a transporting organization, adult use cultivation center, craft grower, infuser organization, or other dispensing organization before dispensing it.

(f) A dispensing organization may only accept cannabis deliveries into a restricted access area. Deliveries may not be accepted through the public or limited access areas unless

otherwise approved by the Department.

(g) A dispensing organization shall maintain compliance with State and local building, fire, and zoning requirements or regulations.

(h) A dispensing organization shall submit a list to the Department of the names of all service professionals that will work at the dispensary. The list shall include a description of the type of business or service provided. Changes to the service professional list shall be promptly provided. No service professional shall work in the dispensary until the name is provided to the Department on the service professional list.

(i) A dispensing organization's license allows for a dispensary to be operated only at a single location.

(j) A dispensary may operate between 6 a.m. and 10 p.m. local time.

(k) A dispensing organization must keep all lighting outside and inside the dispensary in good working order and wattage sufficient for security cameras.

(l) A dispensing organization must keep all air treatment systems that will be installed to reduce odors in good working order.

(m) A dispensing organization must contract with a private security contractor that is licensed under Section 10-5 of the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 to provide on-site security at all hours of the dispensary's operation.

(n) A dispensing organization shall ensure that any building or equipment used by a dispensing organization for the storage or sale of cannabis is maintained in a clean and sanitary condition.

(o) The dispensary shall be free from infestation by insects, rodents, or pests.

(p) A dispensing organization shall not:

(1) Produce or manufacture cannabis;

(2) Accept a cannabis product from an adult use cultivation center, craft grower, infuser, dispensing organization, or transporting organization unless it is pre-packaged and labeled in accordance with this Act and any rules that may be adopted pursuant to this Act;

(3) Obtain cannabis or cannabis-infused products from outside the State of Illinois;

(4) Sell cannabis or cannabis-infused products to a purchaser unless the dispensing organization is licensed under the Compassionate Use of Medical Cannabis Program Act, and the individual is registered under the Compassionate Use of Medical Cannabis Program or the purchaser has been verified to be 21 years of age or older;

(5) Enter into an exclusive agreement with any adult

use cultivation center, craft grower, or infuser. Dispensaries shall provide consumers an assortment of products from various cannabis business establishment licensees such that the inventory available for sale at any dispensary from any single cultivation center, craft grower, processor, transporter, or infuser entity shall not be more than 40% of the total inventory available for sale. For the purpose of this subsection, a cultivation center, craft grower, processor, or infuser shall be considered part of the same entity if the licensees share at least one principal officer. The Department may request that a dispensary diversify its products as needed or otherwise discipline a dispensing organization for violating this requirement;

(6) Refuse to conduct business with an adult use cultivation center, craft grower, transporting organization, or infuser that has the ability to properly deliver the product and is permitted by the Department of Agriculture, on the same terms as other adult use cultivation centers, craft growers, infusers, or transporters with whom it is dealing;

(7) Operate drive-through windows;

(8) Allow for the dispensing of cannabis or cannabis-infused products in vending machines;

(9) Transport cannabis to residences or other locations where purchasers may be for delivery;

(10) Enter into agreements to allow persons who are not dispensing organization agents to deliver cannabis or to transport cannabis to purchasers;

(11) Operate a dispensary if its video surveillance equipment is inoperative;

(12) Operate a dispensary if the point-of-sale equipment is inoperative;

(13) Operate a dispensary if the State's cannabis electronic verification system is inoperative;

(14) Have fewer than 2 people working at the dispensary at any time while the dispensary is open;

(15) Be located within 1,500 feet of the property line of a pre-existing dispensing organization, unless the applicant is a Social Equity Applicant or Social Equity Justice Involved Applicant located or seeking to locate within 1,500 feet of a dispensing organization licensed under Section 15-15 or Section 15-20;

(16) Sell clones or any other live plant material;

(17) Sell cannabis, cannabis concentrate, or cannabis-infused products in combination or bundled with each other or any other items for one price, and each item of cannabis, concentrate, or cannabis-infused product must

be separately identified by quantity and price on the receipt;

(18) Violate any other requirements or prohibitions set by Department rules.

(q) It is unlawful for any person having an Early Approval Adult Use Cannabis Dispensing Organization License, a Conditional Adult Use Cannabis Dispensing Organization, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act or any officer, associate, member, representative, or agent of such licensee to accept, receive, or borrow money or anything else of value or accept or receive credit (other than merchandising credit in the ordinary course of business for a period not to exceed 30 days) directly or indirectly from any adult use cultivation center, craft grower, infuser, or transporting organization in exchange for preferential placement on the dispensing organization's shelves, display cases, or website. This includes anything received or borrowed or from any stockholders, officers, agents, or persons connected with an adult use cultivation center, craft grower, infuser, or transporting organization.

(r) It is unlawful for any person having an Early Approval Adult Use Cannabis Dispensing Organization License, a Conditional Adult Use Cannabis Dispensing Organization, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program to enter into any contract with any person licensed to cultivate, process, or transport cannabis whereby such dispensing organization agrees not to sell any cannabis cultivated, processed, transported, manufactured, or distributed by any other cultivator, transporter, or infuser, and any provision in any contract violative of this Section shall render the whole of such contract void and no action shall be brought thereon in any court.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/15-75)

Sec. 15-75. Inventory control system.

(a) A dispensing organization agent-in-charge shall have primary oversight of the dispensing organization's cannabis inventory verification system, and its point-of-sale system. The inventory point-of-sale system shall be real-time, web-based, and accessible by the Department at any time. The point-of-sale system shall track, at a minimum the date of sale, amount, price, and currency.

(b) A dispensing organization shall establish an account

with the State's verification system that documents:

(1) Each sales transaction at the time of sale and each day's beginning inventory, acquisitions, sales, disposal, and ending inventory.

(2) Acquisition of cannabis and cannabis-infused products from a licensed adult use cultivation center, craft grower, infuser, or transporter, including:

(i) A description of the products, including the quantity, strain, variety, and batch number of each product received;

(ii) The name and registry identification number of the licensed adult use cultivation center, craft grower, or infuser providing the cannabis and cannabis-infused products;

(iii) The name and registry identification number of the licensed adult use cultivation center, craft grower, infuser, or transporting agent delivering the cannabis;

(iv) The name and registry identification number of the dispensing organization agent receiving the cannabis; and

(v) The date of acquisition.

(3) The disposal of cannabis, including:

(i) A description of the products, including the quantity, strain, variety, batch number, and reason for the cannabis being disposed;

(ii) The method of disposal; and

(iii) The date and time of disposal.

(c) Upon cannabis delivery, a dispensing organization shall confirm the product's name, strain name, weight, and identification number on the manifest matches the information on the cannabis product label and package. The product name listed and the weight listed in the State's verification system shall match the product packaging.

(d) The agent-in-charge shall conduct daily inventory reconciliation documenting and balancing cannabis inventory by confirming the State's verification system matches the dispensing organization's point-of-sale system and the amount of physical product at the dispensary.

(1) A dispensing organization must receive Department approval before completing an inventory adjustment. It shall provide a detailed reason for the adjustment. Inventory adjustment documentation shall be kept at the dispensary for 2 years from the date performed.

(2) If the dispensing organization identifies an imbalance in the amount of cannabis after the daily inventory reconciliation due to mistake, the dispensing organization shall determine how the imbalance occurred and

immediately upon discovery take and document corrective action. If the dispensing organization cannot identify the reason for the mistake within 2 calendar days after first discovery, it shall inform the Department immediately in writing of the imbalance and the corrective action taken to date. The dispensing organization shall work diligently to determine the reason for the mistake.

(3) If the dispensing organization identifies an imbalance in the amount of cannabis after the daily inventory reconciliation or through other means due to theft, criminal activity, or suspected criminal activity, the dispensing organization shall immediately determine how the reduction occurred and take and document corrective action. Within 24 hours after the first discovery of the reduction due to theft, criminal activity, or suspected criminal activity, the dispensing organization shall inform the Department and the Illinois State Police in writing.

(4) The dispensing organization shall file an annual compilation report with the Department, including a financial statement that shall include, but not be limited to, an income statement, balance sheet, profit and loss statement, statement of cash flow, wholesale cost and sales, and any other documentation requested by the Department in writing. The financial statement shall include any other information the Department deems necessary in order to effectively administer this Act and all rules, orders, and final decisions promulgated under this Act. Statements required by this Section shall be filed with the Department within 60 days after the end of the calendar year. The compilation report shall include a letter authored by a licensed certified public accountant that it has been reviewed and is accurate based on the information provided. The dispensing organization, financial statement, and accompanying documents are not required to be audited unless specifically requested by the Department.

(e) A dispensing organization shall:

(1) Maintain the documentation required in this Section in a secure locked location at the dispensing organization for 5 years from the date on the document;

(2) Provide any documentation required to be maintained in this Section to the Department for review upon request; and

(3) If maintaining a bank account, retain for a period of 5 years a record of each deposit or withdrawal from the account.

(f) If a dispensing organization chooses to have a return policy for cannabis and cannabis products, the dispensing

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organization shall seek prior approval from the Department. (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-80)

Sec. 15-80. Storage requirements.

(a) Authorized on-premises storage. A dispensing organization must store inventory on its premises. All inventory stored on the premises must be secured in a restricted access area and tracked consistently with the inventory tracking rules.

(b) A dispensary shall be of suitable size and construction to facilitate cleaning, maintenance, and proper operations.

(c) A dispensary shall maintain adequate lighting, ventilation, temperature, humidity control, and equipment.

(d) Containers storing cannabis that have been tampered with, damaged, or opened shall be labeled with the date opened and quarantined from other cannabis products in the vault until they are disposed.

(e) Cannabis that was tampered with, expired, or damaged shall not be stored at the premises for more than 7 calendar days.

(f) Cannabis samples shall be in a sealed container. Samples shall be maintained in the restricted access area.

(g) The dispensary storage areas shall be maintained in accordance with the security requirements in this Act and rules.

(h) Cannabis must be stored at appropriate temperatures and under appropriate conditions to help ensure that its packaging, strength, quality, and purity are not adversely affected. (Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/15-85)

Sec. 15-85. Dispensing cannabis.

(a) Before a dispensing organization agent dispenses cannabis to a purchaser, the agent shall:

(1) Verify the age of the purchaser by checking a government-issued identification card by use of an electronic reader or electronic scanning device to scan a purchaser's government-issued identification, if applicable, to determine the purchaser's age and the validity of the identification;

(2) Verify the validity of the government-issued identification card by use of an electronic reader or electronic scanning device to scan a purchaser's government-issued identification, if applicable, to determine the purchaser's age and the validity of the identification;

(3) Offer any appropriate purchaser education or support materials;

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(4) Enter the following information into the State's cannabis electronic verification system:

(i) The dispensing organization agent's identification number, or if the agent's card application is pending the Department's approval, a temporary and unique identifier until the agent's card application is approved or denied by the Department;

(ii) The dispensing organization's identification number;

(iii) The amount, type (including strain, if applicable) of cannabis or cannabis-infused product dispensed;

(iv) The date and time the cannabis was dispensed.

(b) A dispensing organization shall refuse to sell cannabis or cannabis-infused products to any person unless the person produces a valid identification showing that the person is 21 years of age or older. A medical cannabis dispensing organization may sell cannabis or cannabis-infused products to a person who is under 21 years of age if the sale complies with the provisions of the Compassionate Use of Medical Cannabis Program Act and rules.

(c) For the purposes of this Section, valid identification must:

(1) Be valid and unexpired;

(2) Contain a photograph and the date of birth of the person.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/15-90)

Sec. 15-90. Destruction and disposal of cannabis.

(a) Cannabis and cannabis-infused products must be destroyed by rendering them unusable using methods approved by the Department that comply with this Act and rules.

(b) Cannabis waste rendered unusable must be promptly disposed according to this Act and rules. Disposal of the cannabis waste rendered unusable may be delivered to a permitted solid waste facility for final disposition. Acceptable permitted solid waste facilities include, but are not limited to:

(1) Compostable mixed waste: Compost, anaerobic digester, or other facility with approval of the jurisdictional health department.

(2) Noncompostable mixed waste: Landfill, incinerator, or other facility with approval of the jurisdictional health department.

(c) All waste and unusable product shall be weighed, recorded, and entered into the inventory system before rendering it unusable. All waste and unusable cannabis concentrates and

cannabis-infused products shall be recorded and entered into the inventory system before rendering it unusable. Verification of this event shall be performed by an agent-in-charge and conducted in an area with video surveillance.

(d) Electronic documentation of destruction and disposal shall be maintained for a period of at least 5 years.

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

(410 ILCS 705/15-95)

Sec. 15-95. Agent-in-charge.

(a) Every dispensing organization shall designate, at a minimum, one agent-in-charge for each licensed dispensary. The designated agent-in-charge must hold a dispensing organization agent identification card. Maintaining an agent-in-charge is a continuing requirement for the license, except as provided in subsection (f).

(b) The agent-in-charge shall be a principal officer or a full-time agent of the dispensing organization and shall manage the dispensary. Managing the dispensary includes, but is not limited to, responsibility for opening and closing the dispensary, delivery acceptance, oversight of sales and dispensing organization agents, recordkeeping, inventory, dispensing organization agent training, and compliance with this Act and rules. Participation in affairs also includes the responsibility for maintaining all files subject to audit or inspection by the Department at the dispensary.

(c) The agent-in-charge is responsible for promptly notifying the Department of any change of information required to be reported to the Department.

(d) In determining whether an agent-in-charge manages the dispensary, the Department may consider the responsibilities identified in this Section, the number of dispensing organization agents under the supervision of the agent-in-charge, and the employment relationship between the agent-in-charge and the dispensing organization, including the existence of a contract for employment and any other relevant fact or circumstance.

(e) The agent-in-charge is responsible for notifying the Department of a change in the employment status of all dispensing organization agents within 5 business days after the change, including notice to the Department if the termination of an agent was for diversion of product or theft of currency.

(f) In the event of the separation of an agent-in-charge due to death, incapacity, termination, or any other reason and if the dispensary does not have an active agent-in-charge, the dispensing organization shall immediately contact the Department and request a temporary certificate of authority allowing the continuing operation. The request shall include the name of an

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interim agent-in-charge until a replacement is identified, or shall include the name of the replacement. The Department shall issue the temporary certificate of authority promptly after it approves the request. If a dispensing organization fails to promptly request a temporary certificate of authority after the separation of the agent-in-charge, its registration shall cease until the Department approves the temporary certificate of authority or registers a new agent-in-charge. No temporary certificate of authority shall be valid for more than 90 days. The succeeding agent-in-charge shall register with the Department in compliance with this Article. Once the permanent succeeding agent-in-charge is registered with the Department, the temporary certificate of authority is void. No temporary certificate of authority shall be issued for the separation of an agent-in-charge due to disciplinary action by the Department related to his or her conduct on behalf of the dispensing organization.

(g) The dispensing organization agent-in-charge registration shall expire one year from the date it is issued. The agent-in-charge's registration shall be renewed annually. The Department shall review the dispensing organization's compliance history when determining whether to grant the request to renew.

(h) Upon termination of an agent-in-charge's employment, the dispensing organization shall immediately reclaim the dispensing agent identification card. The dispensing organization shall promptly return the identification card to the Department.

(i) The Department may deny an application or renewal or discipline or revoke an agent-in-charge identification card for any of the following reasons:

(1) Submission of misleading, incorrect, false, or fraudulent information in the application or renewal application;

(2) Violation of the requirements of this Act or rules;

(3) Fraudulent use of the agent-in-charge identification card;

(4) Selling, distributing, transferring in any manner, or giving cannabis to any unauthorized person;

(5) Theft of cannabis, currency, or any other items from a dispensary;

(6) Tampering with, falsifying, altering, modifying, or duplicating an agent-in-charge identification card;

(7) Tampering with, falsifying, altering, or modifying the surveillance video footage, point-of-sale system, or the State's verification system;

(8) Failure to notify the Department immediately upon discovery that the agent-in-charge identification card has been lost, stolen, or destroyed;

(9) Failure to notify the Department within 5 business days after a change in the information provided in the application for an agent-in-charge identification card;

(10) Conviction of a felony offense in accordance with Sections 2105-131, 2105-135, and 2105-205 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois or any incident listed in this Act or rules following the issuance of an agent-in-charge identification card;

(11) Dispensing to purchasers in amounts above the limits provided in this Act; or

(12) Delinquency in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/15-100)

Sec. 15-100. Security.

(a) A dispensing organization shall implement security measures to deter and prevent entry into and theft of cannabis or currency.

(b) A dispensing organization shall submit any changes to the floor plan or security plan to the Department for pre-approval. All cannabis shall be maintained and stored in a restricted access area during construction.

(c) The dispensing organization shall implement security measures to protect the premises, purchasers, and dispensing organization agents including, but not limited to the following:

(1) Establish a locked door or barrier between the facility's entrance and the limited access area;

(2) Prevent individuals from remaining on the premises if they are not engaging in activity permitted by this Act or rules;

(3) Develop a policy that addresses the maximum capacity and purchaser flow in the waiting rooms and limited access areas;

(4) Dispose of cannabis in accordance with this Act and rules;

(5) During hours of operation, store and dispense all cannabis from the restricted access area. During operational hours, cannabis shall be stored in an enclosed locked room or cabinet and accessible only to specifically authorized dispensing organization agents;

(6) When the dispensary is closed, store all cannabis and currency in a reinforced vault room in the restricted access area and in a manner as to prevent diversion, theft, or loss;

(7) Keep the reinforced vault room and any other equipment or cannabis storage areas securely locked and

protected from unauthorized entry;

(8) Keep an electronic daily log of dispensing organization agents with access to the reinforced vault room and knowledge of the access code or combination;

(9) Keep all locks and security equipment in good working order;

(10) Maintain an operational security and alarm system at all times;

(11) Prohibit keys, if applicable, from being left in the locks, or stored or placed in a location accessible to persons other than specifically authorized personnel;

(12) Prohibit accessibility of security measures, including combination numbers, passwords, or electronic or biometric security systems to persons other than specifically authorized dispensing organization agents;

(13) Ensure that the dispensary interior and exterior premises are sufficiently lit to facilitate surveillance;

(14) Ensure that trees, bushes, and other foliage outside of the dispensary premises do not allow for a person or persons to conceal themselves from sight;

(15) Develop emergency policies and procedures for securing all product and currency following any instance of diversion, theft, or loss of cannabis, and conduct an assessment to determine whether additional safeguards are necessary; and

(16) Develop sufficient additional safeguards in response to any special security concerns, or as required by the Department.

(d) The Department may request or approve alternative security provisions that it determines are an adequate substitute for a security requirement specified in this Article. Any additional protections may be considered by the Department in evaluating overall security measures.

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

(f) A dispensing organization shall provide additional security as needed and in a manner appropriate for the community where it operates.

(g) Restricted access areas.

(1) All restricted access areas must be identified by the posting of a sign that is a minimum of 12 inches by 12 inches and that states "Do Not Enter - Restricted Access Area - Authorized Personnel Only" in lettering no smaller than one inch in height.

(2) All restricted access areas shall be clearly described in the floor plan of the premises, in the form and manner determined by the Department, reflecting walls, partitions, counters, and all areas of entry and exit. The floor plan shall show all storage, disposal, and retail sales areas.

(3) All restricted access areas must be secure, with locking devices that prevent access from the limited access areas.

(h) Security and alarm.

(1) A dispensing organization shall have an adequate security plan and security system to prevent and detect diversion, theft, or loss of cannabis, currency, or unauthorized intrusion using commercial grade equipment installed by an Illinois licensed private alarm contractor or private alarm contractor agency that shall, at a minimum, include:

(i) A perimeter alarm on all entry points and glass break protection on perimeter windows;

(ii) Security shatterproof tinted film on exterior windows;

(iii) A failure notification system that provides an audible, text, or visual notification of any failure in the surveillance system, including, but not limited to, panic buttons, alarms, and video monitoring system. The failure notification system shall provide an alert to designated dispensing organization agents within 5 minutes after the failure, either by telephone or text message;

(iv) A duress alarm, panic button, and alarm, or holdup alarm and after-hours intrusion detection alarm that by design and purpose will directly or indirectly notify, by the most efficient means, the Public Safety Answering Point for the law enforcement agency having primary jurisdiction;

(v) Security equipment to deter and prevent unauthorized entrance into the dispensary, including electronic door locks on the limited and restricted access areas that include devices or a series of devices to detect unauthorized intrusion that may include a signal system interconnected with a radio frequency method, cellular, private radio signals or other mechanical or electronic device.

(2) All security system equipment and recordings shall be maintained in good working order, in a secure location so as to prevent theft, loss, destruction, or alterations.

(3) Access to surveillance monitoring recording

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equipment shall be limited to persons who are essential to surveillance operations, law enforcement authorities acting within their jurisdiction, security system service personnel, and the Department. A current list of authorized dispensing organization agents and service personnel that have access to the surveillance equipment must be available to the Department upon request.

(4) All security equipment shall be inspected and tested at regular intervals, not to exceed one month from the previous inspection, and tested to ensure the systems remain functional.

(5) The security system shall provide protection against theft and diversion that is facilitated or hidden by tampering with computers or electronic records.

(6) The dispensary shall ensure all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

(i) To monitor the dispensary, the dispensing organization shall incorporate continuous electronic video monitoring including the following:

(1) All monitors must be 19 inches or greater;

(2) Unobstructed video surveillance of all enclosed dispensary areas, unless prohibited by law, including all points of entry and exit that shall be appropriate for the normal lighting conditions of the area under surveillance. The cameras shall be directed so all areas are captured, including, but not limited to, safes, vaults, sales areas, and areas where cannabis is stored, handled, dispensed, or destroyed. Cameras shall be angled to allow for facial recognition, the capture of clear and certain identification of any person entering or exiting the dispensary area and in lighting sufficient during all times of night or day;

(3) Unobstructed video surveillance of outside areas, the storefront, and the parking lot, that shall be appropriate for the normal lighting conditions of the area under surveillance. Cameras shall be angled so as to allow for the capture of facial recognition, clear and certain identification of any person entering or exiting the dispensary and the immediate surrounding area, and license plates of vehicles in the parking lot;

(4) 24-hour recordings from all video cameras available for immediate viewing by the Department upon request. Recordings shall not be destroyed or altered and shall be retained for at least 90 days. Recordings shall be retained as long as necessary if the dispensing organization is aware of the loss or theft of cannabis or a pending criminal, civil, or administrative investigation or

legal proceeding for which the recording may contain relevant information;

(5) The ability to immediately produce a clear, color still photo from the surveillance video, either live or recorded;

(6) A date and time stamp embedded on all video surveillance recordings. The date and time shall be synchronized and set correctly and shall not significantly obscure the picture;

(7) The ability to remain operational during a power outage and ensure all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage;

(8) All video surveillance equipment shall allow for the exporting of still images in an industry standard image format, including .jpg, .bmp, and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system. All recordings shall be erased or destroyed before disposal;

(9) The video surveillance system shall be operational during a power outage with a 4-hour minimum battery backup;

(10) A video camera or cameras recording at each point-of-sale location allowing for the identification of the dispensing organization agent distributing the cannabis and any purchaser. The camera or cameras shall capture the sale, the individuals and the computer monitors used for the sale;

(11) A failure notification system that provides an audible and visual notification of any failure in the electronic video monitoring system; and

(12) All electronic video surveillance monitoring must record at least the equivalent of 8 frames per second and be available as recordings to the Department and the Illinois State Police 24 hours a day via a secure web-based portal with reverse functionality.

(j) The requirements contained in this Act are minimum requirements for operating a dispensing organization. The Department may establish additional requirements by rule.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-110)
Sec. 15-110. Recordkeeping.

(a) Dispensing organization records must be maintained electronically for 3 years and be available for inspection by the Department upon request. Required written records include, but are not limited to, the following:

(1) Operating procedures;

(2) Inventory records, policies, and procedures;

(3) Security records;

(4) Audit records;

(5) Staff training plans and completion documentation;

(6) Staffing plan; and

(7) Business records, including but not limited to:

(i) Assets and liabilities;

(ii) Monetary transactions;

(iii) Written or electronic accounts, including bank statements, journals, ledgers, and supporting documents, agreements, checks, invoices, receipts, and vouchers; and

(iv) Any other financial accounts reasonably related to the dispensary operations.

(b) Storage and transfer of records. If a dispensary closes due to insolvency, revocation, bankruptcy, or for any other reason, all records must be preserved at the expense of the dispensing organization for at least 3 years in a form and location in Illinois acceptable to the Department. The dispensing organization shall keep the records longer if requested by the Department. The dispensing organization shall notify the Department of the location where the dispensary records are stored or transferred.

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

(410 ILCS 705/15-120)

Sec. 15-120. Closure of a dispensary.

(a) If a dispensing organization decides not to renew its license or decides to close its business, it shall promptly notify the Department not less than 3 months before the effective date of the closing date or as otherwise authorized by the Department.

(b) The dispensing organization shall work with the Department to develop a closure plan that addresses, at a minimum, the transfer of business records, transfer of cannabis products, and anything else the Department finds necessary.

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

(410 ILCS 705/15-125)

Sec. 15-125. Fees. After January 1, 2022, the Department may by rule modify any fee established under this Article.

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

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(410 ILCS 705/15-135)

(Text of Section from P.A. 102-98)

Sec. 15-135. Investigations.

(a) Dispensing organizations are subject to random and unannounced dispensary inspections and cannabis testing by the Department, the Department of State Police, local law enforcement, or as provided by rule.

(b) The Department and its authorized representatives may enter any place, including a vehicle, in which cannabis is held, stored, dispensed, sold, produced, delivered, transported, manufactured, or disposed of and inspect, in a reasonable manner, the place and all pertinent equipment, containers and labeling, and all things including records, files, financial data, sales data, shipping data, pricing data, personnel data, research, papers, processes, controls, and facility, and inventory any stock of cannabis and obtain samples of any cannabis or cannabis-infused product, any labels or containers for cannabis, or paraphernalia.

(c) The Department may conduct an investigation of an applicant, application, dispensing organization, principal officer, dispensary agent, third party vendor, or any other party associated with a dispensing organization for an alleged violation of this Act or rules or to determine qualifications to be granted a registration by the Department.

(d) The Department may require an applicant or holder of any license issued pursuant to this Article to produce documents, records, or any other material pertinent to the investigation of an application or alleged violations of this Act or rules. Failure to provide the required material may be grounds for denial or discipline.

(e) Every person charged with preparation, obtaining, or keeping records, logs, reports, or other documents in connection with this Act and rules and every person in charge, or having custody, of those documents shall, upon request by the Department, make the documents immediately available for inspection and copying by the Department, the Department's authorized representative, or others authorized by law to review the documents.

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

(Text of Section from P.A. 102-538)

Sec. 15-135. Investigations.

(a) Dispensing organizations are subject to random and unannounced dispensary inspections and cannabis testing by the Department, the Illinois State Police, and local law enforcement.

(b) The Department and its authorized representatives may

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enter any place, including a vehicle, in which cannabis is held, stored, dispensed, sold, produced, delivered, transported, manufactured, or disposed of and inspect, in a reasonable manner, the place and all pertinent equipment, containers and labeling, and all things including records, files, financial data, sales data, shipping data, pricing data, personnel data, research, papers, processes, controls, and facility, and inventory any stock of cannabis and obtain samples of any cannabis or cannabis-infused product, any labels or containers for cannabis, or paraphernalia.

(c) The Department may conduct an investigation of an applicant, application, dispensing organization, principal officer, dispensary agent, third party vendor, or any other party associated with a dispensing organization for an alleged violation of this Act or rules or to determine qualifications to be granted a registration by the Department.

(d) The Department may require an applicant or holder of any license issued pursuant to this Article to produce documents, records, or any other material pertinent to the investigation of an application or alleged violations of this Act or rules. Failure to provide the required material may be grounds for denial or discipline.

(e) Every person charged with preparation, obtaining, or keeping records, logs, reports, or other documents in connection with this Act and rules and every person in charge, or having custody, of those documents shall, upon request by the Department, make the documents immediately available for inspection and copying by the Department, the Department's authorized representative, or others authorized by law to review the documents.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/15-140)

Sec. 15-140. Citations. The Department may issue nondisciplinary citations for minor violations. Any such citation issued by the Department may be accompanied by a fee. The fee shall not exceed $20,000 per violation. The citation shall be issued to the licensee and shall contain the licensee's name and address, the licensee's license number, a brief factual statement, the Sections of the law allegedly violated, and the fee, if any, imposed. The citation must clearly state that the licensee may choose, in lieu of accepting the citation, to request a hearing. If the licensee does not dispute the matter in the citation with the Department within 30 days after the citation is served, then the citation shall become final and not subject to appeal. The penalty shall be a fee or other conditions as established by rule.

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

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(410 ILCS 705/15-145)

Sec. 15-145. Grounds for discipline.

(a) The Department may deny issuance, refuse to renew or restore, or may reprimand, place on probation, suspend, revoke, or take other disciplinary or nondisciplinary action against any license or agent identification card or may impose a fine for any of the following:

(1) Material misstatement in furnishing information to the Department;

(2) Violations of this Act or rules;

(3) Obtaining an authorization or license by fraud or misrepresentation;

(4) A pattern of conduct that demonstrates incompetence or that the applicant has engaged in conduct or actions that would constitute grounds for discipline under this Act;

(5) Aiding or assisting another person in violating any provision of this Act or rules;

(6) Failing to respond to a written request for information by the Department within 30 days;

(7) Engaging in unprofessional, dishonorable, or unethical conduct of a character likely to deceive, defraud, or harm the public;

(8) Adverse action by another United States jurisdiction or foreign nation;

(9) A finding by the Department that the licensee, after having his or her license placed on suspended or probationary status, has violated the terms of the suspension or probation;

(10) Conviction, entry of a plea of guilty, nolo contendere, or the equivalent in a State or federal court of a principal officer or agent-in-charge of a felony offense in accordance with Sections 2105-131, 2105-135, and 2105-205 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois;

(11) Excessive use of or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug;

(12) A finding by the Department of a discrepancy in a Department audit of cannabis;

(13) A finding by the Department of a discrepancy in a Department audit of capital or funds;

(14) A finding by the Department of acceptance of cannabis from a source other than an Adult Use Cultivation Center, craft grower, infuser, or transporting organization licensed by the Department of Agriculture, or a dispensing organization licensed by the Department;

(15) An inability to operate using reasonable

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judgment, skill, or safety due to physical or mental illness or other impairment or disability, including, without limitation, deterioration through the aging process or loss of motor skills or mental incompetence;

(16) Failing to report to the Department within the time frames established, or if not identified, 14 days, of any adverse action taken against the dispensing organization or an agent by a licensing jurisdiction in any state or any territory of the United States or any foreign jurisdiction, any governmental agency, any law enforcement agency or any court defined in this Section;

(17) Any violation of the dispensing organization's policies and procedures submitted to the Department annually as a condition for licensure;

(18) Failure to inform the Department of any change of address within 10 business days;

(19) Disclosing customer names, personal information, or protected health information in violation of any State or federal law;

(20) Operating a dispensary before obtaining a license from the Department;

(21) Performing duties authorized by this Act prior to receiving a license to perform such duties;

(22) Dispensing cannabis when prohibited by this Act or rules;

(23) Any fact or condition that, if it had existed at the time of the original application for the license, would have warranted the denial of the license;

(24) Permitting a person without a valid agent identification card to perform licensed activities under this Act;

(25) Failure to assign an agent-in-charge as required by this Article;

(26) Failure to provide the training required by paragraph (3) of subsection (i) of Section 15-40 within the provided timeframe;

(27) Personnel insufficient in number or unqualified in training or experience to properly operate the dispensary business;

(28) Any pattern of activity that causes a harmful impact on the community; and

(29) Failing to prevent diversion, theft, or loss of cannabis.

(b) All fines and fees imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine or as otherwise specified in the order.

(c) A circuit court order establishing that an agent-in-charge or principal officer holding an agent identification card

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is subject to involuntary admission as that term is defined in Section 1-119 or 1-119.1 of the Mental Health and Developmental Disabilities Code shall operate as a suspension of that card.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/15-150)

Sec. 15-150. Temporary suspension.

(a) The Secretary of Financial and Professional Regulation may temporarily suspend a dispensing organization license or an agent registration without a hearing if the Secretary finds that public safety or welfare requires emergency action. The Secretary shall cause the temporary suspension by issuing a suspension notice in connection with the institution of proceedings for a hearing.

(b) If the Secretary temporarily suspends a license or agent registration without a hearing, the licensee or agent is entitled to a hearing within 45 days after the suspension notice has been issued. The hearing shall be limited to the issues cited in the suspension notice, unless all parties agree otherwise.

(c) If the Department does not hold a hearing with 45 days after the date the suspension notice was issued, then the suspended license or registration shall be automatically reinstated and the suspension vacated.

(d) The suspended licensee or agent may seek a continuance of the hearing date, during which time the suspension remains in effect and the license or registration shall not be automatically reinstated.

(e) Subsequently discovered causes of action by the Department after the issuance of the suspension notice may be filed as a separate notice of violation. The Department is not precluded from filing a separate action against the suspended licensee or agent.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/15-155)

Sec. 15-155. Unlicensed practice; violation; civil penalty.

(a) In addition to any other penalty provided by law, any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a licensed dispensing organization owner, principal officer, agent-in-charge, or agent without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department of Financial and Professional Regulation in an amount not to exceed $10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a

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hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty or in accordance with the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of this State.

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

(410 ILCS 705/15-160)

Sec. 15-160. Notice; hearing.

(a) The Department shall, before disciplining an applicant or licensee, at least 30 days before the date set for the hearing: (i) notify the accused in writing of the charges made and the time and place for the hearing on the charges; (ii) direct him or her to file a written answer to the charges under oath within 20 days after service; and (iii) inform the applicant or licensee that failure to answer will result in a default being entered against the applicant or licensee.

(b) At the time and place fixed in the notice, the hearing officer appointed by the Secretary shall proceed to hear the charges, and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The hearing officer may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license may, in the discretion of the Secretary, having first received the recommendation of the hearing officer, be suspended, revoked, or placed on probationary status, or be subject to whatever disciplinary action the Secretary considers proper, including a fine, without hearing, if that act or acts charged constitute sufficient grounds for that action under this Act.

(c) The written notice and any notice in the subsequent proceeding may be served by regular mail or email to the licensee's or applicant's address of record.

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

(410 ILCS 705/15-165)

Sec. 15-165. Subpoenas; oaths. The Department shall have the power to subpoena and bring before it any person and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in courts in this State. The Secretary or the hearing officer shall each have the power to administer oaths to witnesses at any hearings that the

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Department is authorized to conduct.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/15-170)

Sec. 15-170. Hearing; motion for rehearing.

(a) The hearing officer shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the hearing officer shall present to the Secretary a written report of his or her findings of fact, conclusions of law, and recommendations.

(b) At the conclusion of the hearing, a copy of the hearing officer's report shall be served upon the applicant or licensee by the Department, either personally or as provided in this Act for the service of a notice of hearing. Within 20 calendar days after service, the applicant or licensee may present to the Department a motion in writing for rehearing, which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 calendar days after its service on the Department. If no motion for rehearing is filed, then, upon the expiration of the time specified for filing such motion or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendation of the hearing officer. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee.

(c) If the Secretary disagrees in any regard with the report of the hearing officer, the Secretary may issue an order contrary to the report.

(d) Whenever the Secretary is not satisfied that substantial justice has been done, the Secretary may order a rehearing by the same or another hearing officer.

(e) At any point in any investigation or disciplinary proceeding under in this Article, both parties may agree to a negotiated consent order. The consent order shall be final upon signature of the Secretary.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/15-175)

Sec. 15-175. Review under the Administrative Review Law.

(a) All final administrative decisions of the Department hereunder shall be subject to judicial review under the provisions of the Administrative Review Law, and all amendment and modifications thereof. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

(b) Proceedings for judicial review shall be commenced in

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the circuit court of the county in which the party applying for review resides, but if the party is not a resident of Illinois, the venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court, file any answer in court, or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. Failure on the part of the plaintiff to file a receipt in court shall be grounds for dismissal of the action.

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

(410 ILCS 705/Art. 20 heading)

Article 20.

Adult Use Cultivation Centers

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

(410 ILCS 705/20-1)

Sec. 20-1. Definition. In this Article, "Department" means the Department of Agriculture.

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

(410 ILCS 705/20-5)

Sec. 20-5. Issuance of licenses. On or after July 1, 2021, the Department of Agriculture by rule may:

(1) Modify or change the number of cultivation center licenses available, which shall at no time exceed 30 cultivation center licenses. In determining whether to exercise the authority granted by this subsection, the Department of Agriculture must consider the following factors:

(A) The percentage of cannabis sales occurring in Illinois not in the regulated market using data from the Substance Abuse and Mental Health Services Administration, National Survey on Drug Use and Health, Illinois Behavioral Risk Factor Surveillance System, and tourism data from the Illinois Office of Tourism to ascertain total cannabis consumption in Illinois compared to the amount of sales in licensed dispensing organizations;

(B) Whether there is an adequate supply of cannabis and cannabis-infused products to serve registered medical cannabis patients;

(C) Whether there is an adequate supply of cannabis and cannabis-infused products to serve

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purchasers;

(D) Whether there is an oversupply of cannabis in Illinois leading to trafficking of cannabis to any other state;

(E) Population increases or shifts;

(F) Changes to federal law;

(G) Perceived security risks of increasing the number or location of cultivation centers;

(H) The past security records of cultivation centers;

(I) The Department of Agriculture's capacity to appropriately regulate additional licensees;

(J) The findings and recommendations from the disparity and availability study commissioned by the Illinois Cannabis Regulation Oversight Officer referenced in subsection (e) of Section 5-45 to reduce or eliminate any identified barriers to entry in the cannabis industry; and

(K) Any other criteria the Department of Agriculture deems relevant.

(2) Modify or change the licensing application process to reduce or eliminate the barriers identified in the disparity and availability study commission by the Illinois Cannabis Regulation Oversight Officer and shall make modifications to remedy evidence of discrimination.

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

(410 ILCS 705/20-10)

Sec. 20-10. Early Approval of Adult Use Cultivation Center License.

(a) Any medical cannabis cultivation center registered and in good standing under the Compassionate Use of Medical Cannabis Program Act as of the effective date of this Act may, within 60 days of the effective date of this Act but no later than 180 days from the effective date of this Act, apply to the Department of Agriculture for an Early Approval Adult Use Cultivation Center License to produce cannabis and cannabis-infused products at its existing facilities as of the effective date of this Act.

(b) A medical cannabis cultivation center seeking issuance of an Early Approval Adult Use Cultivation Center License shall submit an application on forms provided by the Department of Agriculture. The application must meet or include the following qualifications:

(1) Payment of a nonrefundable application fee of $100,000 to be deposited into the Cannabis Regulation Fund;

(2) Proof of registration as a medical cannabis cultivation center that is in good standing;

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(3) Submission of the application by the same person or entity that holds the medical cannabis cultivation center registration;

(4) Certification that the applicant will comply with the requirements of Section 20-30;

(5) The legal name of the cultivation center;

(6) The physical address of the cultivation center;

(7) The name, address, social security number, and date of birth of each principal officer and board member of the cultivation center; each of those individuals shall be at least 21 years of age;

(8) A nonrefundable Cannabis Business Development Fee equal to 5% of the cultivation center's total sales between June 1, 2018 to June 1, 2019 or $750,000, whichever is less, but at not less than $250,000, to be deposited into the Cannabis Business Development Fund; and

(9) A commitment to completing one of the following Social Equity Inclusion Plans provided for in this subsection (b) before the expiration of the Early Approval Adult Use Cultivation Center License:

(A) A contribution of 5% of the cultivation center's total sales from June 1, 2018 to June 1, 2019, or $100,000, whichever is less, to one of the following:

(i) the Cannabis Business Development Fund. This is in addition to the fee required by item (8) of this subsection (b);

(ii) a cannabis industry training or education program at an Illinois community college as defined in the Public Community College Act;

(iii) a program that provides job training services to persons recently incarcerated or that operates in a Disproportionately Impacted Area.

(B) Participate as a host in a cannabis business incubator program for at least one year approved by the Department of Commerce and Economic Opportunity, and in which an Early Approval Adult Use Cultivation Center License holder agrees to provide a loan of at least $100,000 and mentorship to incubate, for at least a year, a Social Equity Applicant intending to seek a license or a licensee that qualifies as a Social Equity Applicant. As used in this Section, "incubate" means providing direct financial assistance and training necessary to engage in licensed cannabis industry activity similar to that of the host licensee. The Early Approval Adult Use Cultivation Center License holder or the same entity holding any other licenses issued pursuant to this Act shall not take an ownership stake of greater than 10% in any business receiving incubation

services to comply with this subsection. If an Early Approval Adult Use Cultivation Center License holder fails to find a business to incubate to comply with this subsection before its Early Approval Adult Use Cultivation Center License expires, it may opt to meet the requirement of this subsection by completing another item from this subsection prior to the expiration of its Early Approval Adult Use Cultivation Center License to avoid a penalty.

(c) An Early Approval Adult Use Cultivation Center License is valid until March 31, 2021. A cultivation center that obtains an Early Approval Adult Use Cultivation Center License shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and inform the license holder that it may renew its Early Approval Adult Use Cultivation Center License. The Department of Agriculture shall grant a renewal of an Early Approval Adult Use Cultivation Center License within 60 days of submission of an application if:

(1) the cultivation center submits an application and the required renewal fee of $100,000 for an Early Approval Adult Use Cultivation Center License;

(2) the Department of Agriculture has not suspended the license of the cultivation center or suspended or revoked the license for violating this Act or rules adopted under this Act; and

(3) the cultivation center has completed a Social Equity Inclusion Plan as required by item (9) of subsection (b) of this Section.

(c-5) The Early Approval Adult Use Cultivation Center License renewed pursuant to subsection (c) of this Section shall expire March 31, 2022. The Early Approval Adult Use Cultivation Center Licensee shall receive written or electronic notice 90 days before the expiration of the license that the license will expire, and inform the license holder that it may apply for an Adult Use Cultivation Center License. The Department of Agriculture shall grant an Adult Use Dispensing Organization License within 60 days of an application being deemed complete if the applicant meets all of the criteria in Section 20-21.

(d) The license fee required by paragraph (1) of subsection (c) of this Section shall be in addition to any license fee required for the renewal of a registered medical cannabis cultivation center license that expires during the effective period of the Early Approval Adult Use Cultivation Center License.

(e) Applicants must submit all required information, including the requirements in subsection (b) of this Section, to the Department of Agriculture. Failure by an applicant to submit

all required information may result in the application being disqualified.

(f) If the Department of Agriculture receives an application with missing information, the Department may issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to submit complete information. Applications that are still incomplete after this opportunity to cure may be disqualified.

(g) If an applicant meets all the requirements of subsection (b) of this Section, the Department of Agriculture shall issue the Early Approval Adult Use Cultivation Center License within 14 days of receiving the application unless:

(1) The licensee; principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee; or agent is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois;

(2) The Director of Agriculture determines there is reason, based on an inordinate number of documented compliance violations, the licensee is not entitled to an Early Approval Adult Use Cultivation Center License; or

(3) The licensee fails to commit to the Social Equity Inclusion Plan.

(h) A cultivation center may begin producing cannabis and cannabis-infused products once the Early Approval Adult Use Cultivation Center License is approved. A cultivation center that obtains an Early Approval Adult Use Cultivation Center License may begin selling cannabis and cannabis-infused products on December 1, 2019.

(i) An Early Approval Adult Use Cultivation Center License holder must continue to produce and provide an adequate supply of cannabis and cannabis-infused products for purchase by qualifying patients and caregivers. For the purposes of this subsection, "adequate supply" means a monthly production level that is comparable in type and quantity to those medical cannabis products produced for patients and caregivers on an average monthly basis for the 6 months before the effective date of this Act.

(j) If there is a shortage of cannabis or cannabis-infused products, a license holder shall prioritize patients registered under the Compassionate Use of Medical Cannabis Program Act over adult use purchasers.

(k) If an Early Approval Adult Use Cultivation Center licensee fails to submit an application for an Adult Use Cultivation Center License before the expiration of the Early Approval Adult Use Cultivation Center License pursuant to subsection (c-5) of this Section, the cultivation center shall cease adult use cultivation until it receives an Adult Use

Cultivation Center License.

(l) A cultivation center agent who holds a valid cultivation center agent identification card issued under the Compassionate Use of Medical Cannabis Program Act and is an officer, director, manager, or employee of the cultivation center licensed under this Section may engage in all activities authorized by this Article to be performed by a cultivation center agent.

(m) If the Department of Agriculture suspends or revokes the Early Approval Adult Use Cultivation Center License of a cultivation center that also holds a medical cannabis cultivation center license issued under the Compassionate Use of Medical Cannabis Program Act, the Department of Agriculture may suspend or revoke the medical cannabis cultivation center license concurrently with the Early Approval Adult Use Cultivation Center License.

(n) All fees or fines collected from an Early Approval Adult Use Cultivation Center License holder as a result of a disciplinary action in the enforcement of this Act shall be deposited into the Cannabis Regulation Fund.

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

(410 ILCS 705/20-15)

Sec. 20-15. Conditional Adult Use Cultivation Center application.

(a) If the Department of Agriculture makes available additional cultivation center licenses pursuant to Section 20-5, applicants for a Conditional Adult Use Cultivation Center License shall electronically submit the following in such form as the Department of Agriculture may direct:

(1) the nonrefundable application fee set by rule by the Department of Agriculture, to be deposited into the Cannabis Regulation Fund;

(2) the legal name of the cultivation center;

(3) the proposed physical address of the cultivation center;

(4) the name, address, social security number, and date of birth of each principal officer and board member of the cultivation center; each principal officer and board member shall be at least 21 years of age;

(5) the details of any administrative or judicial proceeding in which any of the principal officers or board members of the cultivation center (i) pled guilty, were convicted, were fined, or had a registration or license suspended or revoked, or (ii) managed or served on the board of a business or non-profit organization that pled guilty, was convicted, was fined, or had a registration or license suspended or revoked;

(6) proposed operating bylaws that include procedures

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for the oversight of the cultivation center, including the development and implementation of a plant monitoring system, accurate recordkeeping, staffing plan, and security plan approved by the Illinois State Police that are in accordance with the rules issued by the Department of Agriculture under this Act. A physical inventory shall be performed of all plants and cannabis on a weekly basis by the cultivation center;

(7) verification from the Illinois State Police that all background checks of the prospective principal officers, board members, and agents of the cannabis business establishment have been conducted;

(8) a copy of the current local zoning ordinance or permit and verification that the proposed cultivation center is in compliance with the local zoning rules and distance limitations established by the local jurisdiction;

(9) proposed employment practices, in which the applicant must demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) whether an applicant can demonstrate experience in or business practices that promote economic empowerment in Disproportionately Impacted Areas;

(11) experience with the cultivation of agricultural or horticultural products, operating an agriculturally related business, or operating a horticultural business;

(12) a description of the enclosed, locked facility where cannabis will be grown, harvested, manufactured, processed, packaged, or otherwise prepared for distribution to a dispensing organization;

(13) a survey of the enclosed, locked facility, including the space used for cultivation;

(14) cultivation, processing, inventory, and packaging plans;

(15) a description of the applicant's experience with agricultural cultivation techniques and industry standards;

(16) a list of any academic degrees, certifications, or relevant experience of all prospective principal officers, board members, and agents of the related business;

(17) the identity of every person having a financial or voting interest of 5% or greater in the cultivation center operation with respect to which the license is sought, whether a trust, corporation, partnership, limited liability company, or sole proprietorship, including the name and address of each person;

(18) a plan describing how the cultivation center

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will address each of the following:

(i) energy needs, including estimates of monthly electricity and gas usage, to what extent it will procure energy from a local utility or from on-site generation, and if it has or will adopt a sustainable energy use and energy conservation policy;

(ii) water needs, including estimated water draw and if it has or will adopt a sustainable water use and water conservation policy; and

(iii) waste management, including if it has or will adopt a waste reduction policy;

(19) a diversity plan that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity;

(20) any other information required by rule;

(21) a recycling plan:

(A) Purchaser packaging, including cartridges, shall be accepted by the applicant and recycled.

(B) Any recyclable waste generated by the cannabis cultivation facility shall be recycled per applicable State and local laws, ordinances, and rules.

(C) Any cannabis waste, liquid waste, or hazardous waste shall be disposed of in accordance with 8 Ill. Adm. Code 1000.460, except, to the greatest extent feasible, all cannabis plant waste will be rendered unusable by grinding and incorporating the cannabis plant waste with compostable mixed waste to be disposed of in accordance with 8 Ill. Adm. Code 1000.460(g)(1);

(22) commitment to comply with local waste provisions: a cultivation facility must remain in compliance with applicable State and federal environmental requirements, including, but not limited to:

(A) storing, securing, and managing all recyclables and waste, including organic waste composed of or containing finished cannabis and cannabis products, in accordance with applicable State and local laws, ordinances, and rules; and

(B) disposing liquid waste containing cannabis or byproducts of cannabis processing in compliance with all applicable State and federal requirements, including, but not limited to, the cannabis cultivation facility's permits under Title X of the Environmental Protection Act; and

(23) a commitment to a technology standard for resource efficiency of the cultivation center facility.

(A) A cannabis cultivation facility commits to use resources efficiently, including energy and water. For the following, a cannabis cultivation facility commits to meet or exceed the technology standard identified in items (i), (ii), (iii), and (iv), which may be modified by rule:

(i) lighting systems, including light bulbs;

(ii) HVAC system;

(iii) water application system to the crop; and

(iv) filtration system for removing contaminants from wastewater.

(B) Lighting. The Lighting Power Densities (LPD) for cultivation space commits to not exceed an average of 36 watts per gross square foot of active and growing space canopy, or all installed lighting technology shall meet a photosynthetic photon efficacy (PPE) of no less than 2.2 micromoles per joule fixture and shall be featured on the DesignLights Consortium (DLC) Horticultural Specification Qualified Products List (QPL). In the event that DLC requirement for minimum efficacy exceeds 2.2 micromoles per joule fixture, that PPE shall become the new standard.

(C) HVAC.

(i) For cannabis grow operations with less than 6,000 square feet of canopy, the licensee commits that all HVAC units will be high-efficiency ductless split HVAC units, or other more energy efficient equipment.

(ii) For cannabis grow operations with 6,000 square feet of canopy or more, the licensee commits that all HVAC units will be variable refrigerant flow HVAC units, or other more energy efficient equipment.

(D) Water application.

(i) The cannabis cultivation facility commits to use automated watering systems, including, but not limited to, drip irrigation and flood tables, to irrigate cannabis crop.

(ii) The cannabis cultivation facility commits to measure runoff from watering events and report this volume in its water usage plan, and that on average, watering events shall have no more than 20% of runoff of water.

(E) Filtration. The cultivator commits that HVAC condensate, dehumidification water, excess runoff, and other wastewater produced by the cannabis cultivation facility shall be captured and filtered to the best of

the facility's ability to achieve the quality needed to be reused in subsequent watering rounds.

(F) Reporting energy use and efficiency as required by rule.

(b) Applicants must submit all required information, including the information required in Section 20-10, to the Department of Agriculture. Failure by an applicant to submit all required information may result in the application being disqualified.

(c) If the Department of Agriculture receives an application with missing information, the Department of Agriculture may issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

(e) A cultivation center that is awarded a Conditional Adult Use Cultivation Center License pursuant to the criteria in Section 20-20 shall not grow, purchase, possess, or sell cannabis or cannabis-infused products until the person has received an Adult Use Cultivation Center License issued by the Department of Agriculture pursuant to Section 20-21 of this Act. (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/20-20)

Sec. 20-20. Conditional Adult Use License scoring applications.

(a) The Department of Agriculture shall by rule develop a system to score cultivation center applications to administratively rank applications based on the clarity, organization, and quality of the applicant's responses to required information. Applicants shall be awarded points based on the following categories:

(1) Suitability of the proposed facility;

(2) Suitability of employee training plan;

(3) Security and recordkeeping;

(4) Cultivation plan;

(5) Product safety and labeling plan;

(6) Business plan;

(7) The applicant's status as a Social Equity Applicant, which shall constitute no less than 20% of total available points;

(8) Labor and employment practices, which shall constitute no less than 2% of total available points;

(9) Environmental plan as described in paragraphs (18), (21), (22), and (23) of subsection (a) of Section 20-15;

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(10) The applicant is 51% or more owned and controlled by an individual or individuals who have been an Illinois resident for the past 5 years as proved by tax records or 2 of the following:

(A) a signed lease agreement that includes the applicant's name;

(B) a property deed that includes the applicant's name;

(C) school records;

(D) a voter registration card;

(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

(F) a paycheck stub;

(G) a utility bill; or

(H) any other proof of residency or other information necessary to establish residence as provided by rule;

(11) The applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined by Section 45-57 of the Illinois Procurement Code;

(12) a diversity plan that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity; and

(13) Any other criteria the Department of Agriculture may set by rule for points.

(b) The Department may also award bonus points for the applicant's plan to engage with the community. Bonus points will only be awarded if the Department receives applications that receive an equal score for a particular region.

(c) Should the applicant be awarded a cultivation center license, the information and plans that an applicant provided in its application, including any plans submitted for the acquiring of bonus points, becomes a mandatory condition of the permit. Any variation from or failure to perform such plans may result in discipline, including the revocation or nonrenewal of a license.

(d) Should the applicant be awarded a cultivation center license, it shall pay a fee of $100,000 prior to receiving the license, to be deposited into the Cannabis Regulation Fund. The Department of Agriculture may by rule adjust the fee in this Section after January 1, 2021.

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

(410 ILCS 705/20-21)

Sec. 20-21. Adult Use Cultivation Center License.

(a) A person or entity is only eligible to receive an Adult Use Cultivation Center License if the person or entity has first been awarded a Conditional Adult Use Cultivation Center License pursuant to this Act or the person or entity has renewed its Early Approval Cultivation Center License pursuant to subsection (c) of Section 20-10.

(b) The Department of Agriculture shall not issue an Adult Use Cultivation Center License until:

(1) the Department of Agriculture has inspected the cultivation center site and proposed operations and verified that they are in compliance with this Act and local zoning laws;

(2) the Conditional Adult Use Cultivation Center License holder has paid a registration fee of $100,000 or a prorated amount accounting for the difference of time between when the Adult Use Cultivation Center License is issued and March 31 of the next even-numbered year; and

(3) The Conditional Adult Use Cultivation Center License holder has met all the requirements in the Act and rules.

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

(410 ILCS 705/20-25)

Sec. 20-25. Denial of application. An application for a cultivation center license must be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials required by this Article;

(2) the applicant would not be in compliance with local zoning rules;

(3) one or more of the prospective principal officers or board members causes a violation of Section 20-30;

(4) one or more of the principal officers or board members is under 21 years of age;

(5) the person has submitted an application for a permit under this Act that contains false information; or

(6) the licensee, principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee, or the agent is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/20-30)

(Text of Section from P.A. 102-98)

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

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

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

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

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

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

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

(g) Cultivation centers are subject to random inspections by

the Department of Agriculture, the Department of Public Health, local safety or health inspectors, the Department of State Police, or as provided by rule.

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

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

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

(k) A cultivation center may not contain more than 210,000 square feet of canopy space for plants in the flowering stage for cultivation of adult use cannabis as provided in this Act.

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

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

(n) It is unlawful for any person having a cultivation center license or any officer, associate, member, representative, or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a

Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

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

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

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

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

(d) A cultivation center may not sell or distribute any

cannabis or cannabis-infused products to any person other than a dispensing organization, craft grower, infuser organization, transporter, or as otherwise authorized by rule.

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

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

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

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

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

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

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

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

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

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

(n) It is unlawful for any person having a cultivation center license or any officer, associate, member, representative, or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/20-35)

Sec. 20-35. Cultivation center agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the

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nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Act, and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the cultivation center where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of the cultivation center at which the agent is employed.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the cultivation center employing the agent.

(d) An agent identification card shall be immediately returned to the cultivation center of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a cultivation center agent shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) The Department of Agriculture shall not issue an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

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(410 ILCS 705/20-40)

Sec. 20-40. Cultivation center background checks.

(a) Through the Illinois State Police, the Department of Agriculture shall conduct a background check of the prospective principal officers, board members, and agents of a cultivation center applying for a license or identification card under this Act. The Illinois State Police shall charge a fee set by rule for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. In order to carry out this provision, each cultivation center prospective principal officer, board member, or agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Illinois State Police and Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall furnish, following positive identification, all conviction information to the Department of Agriculture.

(b) When applying for the initial license or identification card, the background checks for all prospective principal officers, board members, and agents shall be completed before submitting the application to the licensing or issuing agency.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/20-45)

Sec. 20-45. Renewal of cultivation center licenses and agent identification cards.

(a) Licenses and identification cards issued under this Act shall be renewed annually. A cultivation center shall receive written or electronic notice 90 days before the expiration of its current license that the license will expire. The Department of Agriculture shall grant a renewal within 45 days of submission of a renewal application if:

(1) the cultivation center submits a renewal application and the required nonrefundable renewal fee of $100,000, or another amount as the Department of Agriculture may set by rule after January 1, 2021, to be deposited into the Cannabis Regulation Fund.

(2) the Department of Agriculture has not suspended the license of the cultivation center or suspended or revoked the license for violating this Act or rules adopted under this Act;

(3) the cultivation center has continued to operate in accordance with all plans submitted as part of its application and approved by the Department of Agriculture

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or any amendments thereto that have been approved by the Department of Agriculture;

(4) the cultivation center has submitted an agent, employee, contracting, and subcontracting diversity report as required by the Department; and

(5) the cultivation center has submitted an environmental impact report.

(b) If a cultivation center fails to renew its license before expiration, it shall cease operations until its license is renewed.

(c) If a cultivation center agent fails to renew his or her identification card before its expiration, he or she shall cease to work as an agent of the cultivation center until his or her identification card is renewed.

(d) Any cultivation center that continues to operate, or any cultivation center agent who continues to work as an agent, after the applicable license or identification card has expired without renewal is subject to the penalties provided under Section 45-5.

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

(410 ILCS 705/20-50)

Sec. 20-50. Cultivator taxes; returns.

(a) A tax is imposed upon the privilege of cultivating and processing adult use cannabis at the rate of 7% of the gross receipts from the sale of cannabis by a cultivator to a dispensing organization. The sale of any adult use product that contains any amount of cannabis or any derivative thereof is subject to the tax under this Section on the full selling price of the product. The proceeds from this tax shall be deposited into the Cannabis Regulation Fund. This tax shall be paid by the cultivator who makes the first sale and is not the responsibility of a dispensing organization, qualifying patient, or purchaser.

(b) In the administration of and compliance with this Section, the Department of Revenue and persons who are subject to this Section: (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in the Cannabis Cultivation Privilege Tax Law and the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

(c) The tax imposed under this Act shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.

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

(410 ILCS 705/20-55)

Sec. 20-55. Disclosure of ownership and control.

(a) Each Adult Use Cultivation Center applicant and license holder shall file and maintain a Table of Organization, Ownership, and Control with the Department. The Table of Organization, Ownership, and Control shall contain the information required by this Section in sufficient detail to identify all owners, directors, and principal officers, and the title of each principal officer or business entity that, through direct or indirect means, manages, owns, or controls the applicant or license holder.

(b) The Table of Organization, Ownership, and Control shall identify the following information:

(1) The management structure, ownership, and control of the applicant or license holder including the name of each principal officer or business entity, the office or position held, and the percentage ownership interest, if any. If the business entity has a parent company, the name of each owner, board member, and officer of the parent company and his or her percentage ownership interest in the parent company and the Adult Use Cultivation Center.

(2) If the applicant or licensee is a business entity with publicly traded stock, the identification of ownership shall be provided as required in subsection (c).

(c) If a business entity identified in subsection (b) is a publicly traded company, the following information shall be provided in the Table of Organization, Ownership, and Control:

(1) The name and percentage of ownership interest of each individual or business entity with ownership of more than 5% of the voting shares of the entity, to the extent such information is known or contained in 13D or 13G Securities and Exchange Commission filings.

(2) To the extent known, the names and percentage of interest of ownership of persons who are relatives of one another and who together exercise control over or own more than 10% of the voting shares of the entity.

(d) An Adult Use Cultivation Center with a parent company or companies, or partially owned or controlled by another entity must disclose to the Department the relationship and all owners, board members, officers, or individuals with control or management of those entities. An Adult Use Cultivation Center shall not shield its ownership or control from the Department.

(e) All principal officers must submit a complete online application with the Department within 14 days of the Adult Use Cultivation Center being licensed by the Department or within 14 days of Department notice of approval as a new principal

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officer.

(f) A principal officer may not allow his or her registration to expire.

(g) An Adult Use Cultivation Center separating with a principal officer must do so under this Act. The principal officer must communicate the separation to the Department within 5 business days.

(h) A principal officer not in compliance with the requirements of this Act shall be removed from his or her position with the Adult Use Cultivation Center or shall otherwise terminate his or her affiliation. Failure to do so may subject the Adult Use Cultivation Center to discipline, suspension, or revocation of its license by the Department.

(i) It is the responsibility of the Adult Use Cultivation Center and its principal officers to promptly notify the Department of any change of the principal place of business address, hours of operation, change in ownership or control, or a change of the Adult Use Cultivation Center's primary or secondary contact information. Any changes must be made to the Department in writing.

(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/Art. 25 heading)

Article 25.

Community College Cannabis Vocational Pilot Program

(Article scheduled to be repealed on July 1, 2026)

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

(410 ILCS 705/25-1)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-1. Definitions. In this Article:

"Board" means the Illinois Community College Board.

"Career in Cannabis Certificate" or "Certificate" means the certification awarded to a community college student who completes a prescribed course of study in cannabis and cannabis business industry related classes and curriculum at a community college awarded a Community College Cannabis Vocational Pilot Program license.

"Community college" means a public community college organized under the Public Community College Act.

"Department" means the Department of Agriculture.

"Licensee" means a community college awarded a Community College Cannabis Vocational Pilot Program license under this Article.

"Program" means the Community College Cannabis Vocational

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Pilot Program.

"Program license" means a Community College Cannabis Vocational Pilot Program license issued to a community college under this Article.

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

(410 ILCS 705/25-5)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-5. Administration.

(a) The Department shall establish and administer the Program in coordination with the Illinois Community College Board. The Department may issue Program licenses to applicants that meet the requirements outlined in this Article.

(b) Beginning with the 2021-2022 academic year, and subject to subsection (h) of Section 2-12 of the Public Community College Act, community colleges awarded Program licenses may offer qualifying students a Career in Cannabis Certificate, which includes, but is not limited to, courses that allow participating students to work with, study, and grow live cannabis plants so as to prepare students for a career in the legal cannabis industry, and to instruct participating students on the best business practices, professional responsibility, and legal compliance of the cannabis business industry.

(c) The Board may issue rules pertaining to the provisions in this Act.

(d) Notwithstanding any other provision of this Act, students shall be at least 18 years old in order to enroll in a licensee's Career in Cannabis Certificate's prescribed course of study.

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

(410 ILCS 705/25-10)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-10. Issuance of Community College Cannabis Vocational Pilot Program licenses.

(a) The Department shall issue rules regulating the selection criteria for applicants by January 1, 2020. The Department shall make the application for a Program license available no later than February 1, 2020, and shall require that applicants submit the completed application no later than July 1, 2020. If the Department issues fewer than 8 Program licenses by September 1, 2020, the Department may accept applications at a future date as prescribed by rule.

(b) The Department shall by rule develop a system to score Program licenses to administratively rank applications based on the clarity, organization, and quality of the applicant's responses to required information. Applicants shall be awarded points that are based on or that meet the following categories:

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(1) Geographic diversity of the applicants;

(2) Experience and credentials of the applicant's faculty;

(3) At least 5 Program license awardees must have a student population that is more than 50% low-income in each of the past 4 years;

(4) Security plan, including a requirement that all cannabis plants be in an enclosed, locked facility;

(5) Curriculum plan, including processing and testing curriculum for the Career in Cannabis Certificate;

(6) Career advising and placement plan for participating students; and

(7) Any other criteria the Department may set by rule.

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

(410 ILCS 705/25-15)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-15. Community College Cannabis Vocational Pilot Program requirements and prohibitions.

(a) Licensees shall not have more than 50 flowering cannabis plants at any one time.

(b) The agent-in-charge shall keep a vault log of the licensee's enclosed, locked facility or facilities, including but not limited to, the person entering the site location, the time of entrance, the time of exit, and any other information the Department may set by rule.

(c) Cannabis shall not be removed from the licensee's facility, except for the limited purpose of shipping a sample to a laboratory registered under this Act.

(d) The licensee shall limit keys, access cards, or an access code to the licensee's enclosed, locked facility, or facilities, to cannabis curriculum faculty and college security personnel with a bona fide need to access the facility for emergency purposes.

(e) A transporting organization may transport cannabis produced pursuant to this Article to a laboratory registered under this Act. All other cannabis produced by the licensee that was not shipped to a registered laboratory shall be destroyed within 5 weeks of being harvested.

(f) Licensees shall subscribe to the Department of Agriculture's cannabis plant monitoring system.

(g) Licensees shall maintain a weekly inventory system.

(h) No student participating in the cannabis curriculum necessary to obtain a Certificate may be in the licensee's facility unless a faculty agent-in-charge is also physically present in the facility.

(i) Licensees shall conduct post-certificate follow up

surveys and record participating students' job placements within the cannabis business industry within a year of the student's completion.

(j) The Illinois Community College Board shall report annually to the Department on the race, ethnicity, and gender of all students participating in the cannabis curriculum necessary to obtain a Certificate, and of those students who obtain a Certificate.

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

(410 ILCS 705/25-20)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-20. Faculty.

(a) All faculty members shall be required to maintain registration as an agent-in-charge and have a valid agent identification card prior to teaching or participating in the licensee's cannabis curriculum that involves instruction offered in the enclosed, locked facility or facilities.

(b) All faculty receiving an agent-in-charge or agent identification card must successfully pass a background check required by Section 5-20 prior to participating in a licensee's cannabis curriculum that involves instruction offered in the enclosed, locked facility.

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

(410 ILCS 705/25-25)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-25. Enforcement.

(a) The Department has the authority to suspend or revoke any faculty agent-in-charge or agent identification card for any violation found under this Article.

(b) The Department has the authority to suspend or revoke any Program license for any violation found under this Article.

(c) The Board shall revoke the authority to offer the Certificate of any community college that has had its license revoked by the Department.

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

(410 ILCS 705/25-30)

(Text of Section from P.A. 102-98)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-30. Inspection rights.

(a) A licensee's enclosed, locked facilities are subject to random inspections by the Department, the Department of State Police, or as provided by rule.

(b) Nothing in this Section shall be construed to give the Department, the Department of State Police, or any other entity

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identified by rule under subsection (a) a right of inspection or access to any location on the licensee's premises beyond the facilities licensed under this Article.
(Source: P.A. 101-27, eff. 6-25-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)
(Section scheduled to be repealed on July 1, 2026)
Sec. 25-30. Inspection rights.
(a) A licensee's enclosed, locked facilities are subject to random inspections by the Department and the Illinois State Police.
(b) Nothing in this Section shall be construed to give the Department or the Illinois State Police a right of inspection or access to any location on the licensee's premises beyond the facilities licensed under this Article.
(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/25-35)
(Text of Section from P.A. 102-98)
(Section scheduled to be repealed on July 1, 2026)
Sec. 25-35. Community College Cannabis Vocational Training Pilot Program faculty participant agent identification card.
(a) The Department shall:
(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Article and the nonrefundable fee to accompany the initial application or renewal application;
(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Article, and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;
(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;
(4) enter the license number of the community college where the agent works; and
(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. Each Department may by rule require prospective agents to file their applications by electronic means and to provide notices to the agents by electronic means.
(b) An agent must keep his or her identification card visible at all times when in the enclosed, locked facility, or

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facilities for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the community college employing the agent.

(d) An agent identification card shall be immediately returned to the community college of the agent upon termination of his or her employment.

(e) Any agent identification card lost shall be reported to the Department of State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) An agent applicant may begin employment at a Community College Cannabis Vocational Training Pilot Program while the agent applicant's identification card application is pending. Upon approval, the Department shall issue the agent's identification card to the agent. If denied, the Community College Cannabis Vocational Training Pilot Program and the agent applicant shall be notified and the agent applicant must cease all activity at the Community College Cannabis Vocational Training Pilot Program immediately.

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

(Text of Section from P.A. 102-538)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-35. Community College Cannabis Vocational Training Pilot Program faculty participant agent identification card.

(a) The Department shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Article and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Article, and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

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(4) enter the license number of the community college where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. Each Department may by rule require prospective agents to file their applications by electronic means and to provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when in the enclosed, locked facility, or facilities for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the community college employing the agent.

(d) An agent identification card shall be immediately returned to the community college of the agent upon termination of his or her employment.

(e) Any agent identification card lost shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/25-40)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-40. Study. By December 31, 2025, the Illinois Cannabis Regulation Oversight Officer, in coordination with the Board, must issue a report to the Governor and the General Assembly which includes, but is not limited to, the following:

(1) Number of security incidents or infractions at each licensee and any action taken or not taken;

(2) Statistics, based on race, ethnicity, gender, and participating community college of:

(A) students enrolled in career in cannabis classes;

(B) successful completion rates by community college students for the Certificate;

(C) postgraduate job placement of students who obtained a Certificate, including both cannabis business establishment jobs and non-cannabis business

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establishment jobs; and

(3) Any other relevant information.

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

(410 ILCS 705/25-45)

(Section scheduled to be repealed on July 1, 2026)

Sec. 25-45. Repeal. This Article is repealed on July 1, 2026.

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

(410 ILCS 705/Art. 30 heading)

Article 30.

Craft Growers

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

(410 ILCS 705/30-3)

Sec. 30-3. Definition. In this Article, "Department" means the Department of Agriculture.

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

(410 ILCS 705/30-5)

Sec. 30-5. Issuance of licenses.

(a) The Department of Agriculture shall issue up to 40 craft grower licenses by July 1, 2020. Any person or entity awarded a license pursuant to this subsection shall only hold one craft grower license and may not sell that license until after December 21, 2021.

(b) By December 21, 2021, the Department of Agriculture shall issue up to 60 additional craft grower licenses. Any person or entity awarded a license pursuant to this subsection shall not hold more than 2 craft grower licenses. The person or entity awarded a license pursuant to this subsection or subsection (a) of this Section may sell its craft grower license subject to the restrictions of this Act or as determined by administrative rule. Prior to issuing such licenses, the Department may adopt rules through emergency rulemaking in accordance with subsection (kk) of Section 5-45 of the Illinois Administrative Procedure Act, to modify or raise the number of craft grower licenses and modify or change the licensing application process. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare. In determining whether to exercise the authority granted by this subsection, the Department of Agriculture must

consider the following factors:

(1) the percentage of cannabis sales occurring in Illinois not in the regulated market using data from the Substance Abuse and Mental Health Services Administration, National Survey on Drug Use and Health, Illinois Behavioral Risk Factor Surveillance System, and tourism data from the Illinois Office of Tourism to ascertain total cannabis consumption in Illinois compared to the amount of sales in licensed dispensing organizations;

(2) whether there is an adequate supply of cannabis and cannabis-infused products to serve registered medical cannabis patients;

(3) whether there is an adequate supply of cannabis and cannabis-infused products to serve purchasers;

(4) whether there is an oversupply of cannabis in Illinois leading to trafficking of cannabis to states where the sale of cannabis is not permitted by law;

(5) population increases or shifts;

(6) the density of craft growers in any area of the State;

(7) perceived security risks of increasing the number or location of craft growers;

(8) the past safety record of craft growers;

(9) the Department of Agriculture's capacity to appropriately regulate additional licensees;

(10) (blank); and

(11) any other criteria the Department of Agriculture deems relevant.

(c) After January 1, 2022, the Department of Agriculture may by rule modify or raise the number of craft grower licenses and modify or change the licensing application process. At no time may the number of craft grower licenses exceed 150. Any person or entity awarded a license pursuant to this subsection shall not hold more than 3 craft grower licenses. A person or entity awarded a license pursuant to this subsection or subsection (a) or subsection (b) of this Section may sell its craft grower license or licenses subject to the restrictions of this Act or as determined by administrative rule.

(d) Upon the completion of the disparity and availability study pertaining to craft growers by the Cannabis Regulation Oversight Officer pursuant to subsection (e) of Section 5-45, the Department may modify or change the licensing application process to reduce or eliminate barriers from and remedy evidence of discrimination identified in the disparity and availability study.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

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(410 ILCS 705/30-10)

Sec. 30-10. Application.

(a) When applying for a license, the applicant shall electronically submit the following in such form as the Department of Agriculture may direct:

(1) the nonrefundable application fee of $5,000 to be deposited into the Cannabis Regulation Fund, or another amount as the Department of Agriculture may set by rule after January 1, 2021;

(2) the legal name of the craft grower;

(3) the proposed physical address of the craft grower;

(4) the name, address, social security number, and date of birth of each principal officer and board member of the craft grower; each principal officer and board member shall be at least 21 years of age;

(5) the details of any administrative or judicial proceeding in which any of the principal officers or board members of the craft grower (i) pled guilty, were convicted, were fined, or had a registration or license suspended or revoked or (ii) managed or served on the board of a business or non-profit organization that pled guilty, was convicted, was fined, or had a registration or license suspended or revoked;

(6) proposed operating bylaws that include procedures for the oversight of the craft grower, including the development and implementation of a plant monitoring system, accurate recordkeeping, staffing plan, and security plan approved by the Illinois State Police that are in accordance with the rules issued by the Department of Agriculture under this Act; a physical inventory shall be performed of all plants and on a weekly basis by the craft grower;

(7) verification from the Illinois State Police that all background checks of the prospective principal officers, board members, and agents of the cannabis business establishment have been conducted;

(8) a copy of the current local zoning ordinance or permit and verification that the proposed craft grower is in compliance with the local zoning rules and distance limitations established by the local jurisdiction;

(9) proposed employment practices, in which the applicant must demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) whether an applicant can demonstrate experience in or business practices that promote economic empowerment in Disproportionately Impacted Areas;

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(11) experience with the cultivation of agricultural or horticultural products, operating an agriculturally related business, or operating a horticultural business;

(12) a description of the enclosed, locked facility where cannabis will be grown, harvested, manufactured, packaged, or otherwise prepared for distribution to a dispensing organization or other cannabis business establishment;

(13) a survey of the enclosed, locked facility, including the space used for cultivation;

(14) cultivation, processing, inventory, and packaging plans;

(15) a description of the applicant's experience with agricultural cultivation techniques and industry standards;

(16) a list of any academic degrees, certifications, or relevant experience of all prospective principal officers, board members, and agents of the related business;

(17) the identity of every person having a financial or voting interest of 5% or greater in the craft grower operation, whether a trust, corporation, partnership, limited liability company, or sole proprietorship, including the name and address of each person;

(18) a plan describing how the craft grower will address each of the following:

(i) energy needs, including estimates of monthly electricity and gas usage, to what extent it will procure energy from a local utility or from on-site generation, and if it has or will adopt a sustainable energy use and energy conservation policy;

(ii) water needs, including estimated water draw and if it has or will adopt a sustainable water use and water conservation policy; and

(iii) waste management, including if it has or will adopt a waste reduction policy;

(19) a recycling plan:

(A) Purchaser packaging, including cartridges, shall be accepted by the applicant and recycled.

(B) Any recyclable waste generated by the craft grower facility shall be recycled per applicable State and local laws, ordinances, and rules.

(C) Any cannabis waste, liquid waste, or hazardous waste shall be disposed of in accordance with 8 Ill. Adm. Code 1000.460, except, to the greatest extent feasible, all cannabis plant waste will be rendered unusable by grinding and incorporating the cannabis plant waste with compostable mixed waste to be

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disposed of in accordance with 8 Ill. Adm. Code 1000.460(g)(1);

(20) a commitment to comply with local waste provisions: a craft grower facility must remain in compliance with applicable State and federal environmental requirements, including, but not limited to:

(A) storing, securing, and managing all recyclables and waste, including organic waste composed of or containing finished cannabis and cannabis products, in accordance with applicable State and local laws, ordinances, and rules; and

(B) disposing liquid waste containing cannabis or byproducts of cannabis processing in compliance with all applicable State and federal requirements, including, but not limited to, the cannabis cultivation facility's permits under Title X of the Environmental Protection Act;

(21) a commitment to a technology standard for resource efficiency of the craft grower facility.

(A) A craft grower facility commits to use resources efficiently, including energy and water. For the following, a cannabis cultivation facility commits to meet or exceed the technology standard identified in paragraphs (i), (ii), (iii), and (iv), which may be modified by rule:

(i) lighting systems, including light bulbs;

(ii) HVAC system;

(iii) water application system to the crop; and

(iv) filtration system for removing contaminants from wastewater.

(B) Lighting. The Lighting Power Densities (LPD) for cultivation space commits to not exceed an average of 36 watts per gross square foot of active and growing space canopy, or all installed lighting technology shall meet a photosynthetic photon efficacy (PPE) of no less than 2.2 micromoles per joule fixture and shall be featured on the DesignLights Consortium (DLC) Horticultural Specification Qualified Products List (QPL). In the event that DLC requirement for minimum efficacy exceeds 2.2 micromoles per joule fixture, that PPE shall become the new standard.

(C) HVAC.

(i) For cannabis grow operations with less than 6,000 square feet of canopy, the licensee commits that all HVAC units will be high-efficiency ductless split HVAC units, or other more energy efficient equipment.

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(ii) For cannabis grow operations with 6,000 square feet of canopy or more, the licensee commits that all HVAC units will be variable refrigerant flow HVAC units, or other more energy efficient equipment.

(D) Water application.

(i) The craft grower facility commits to use automated watering systems, including, but not limited to, drip irrigation and flood tables, to irrigate cannabis crop.

(ii) The craft grower facility commits to measure runoff from watering events and report this volume in its water usage plan, and that on average, watering events shall have no more than 20% of runoff of water.

(E) Filtration. The craft grower commits that HVAC condensate, dehumidification water, excess runoff, and other wastewater produced by the craft grower facility shall be captured and filtered to the best of the facility's ability to achieve the quality needed to be reused in subsequent watering rounds.

(F) Reporting energy use and efficiency as required by rule; and

(22) any other information required by rule.

(b) Applicants must submit all required information, including the information required in Section 30-15, to the Department of Agriculture. Failure by an applicant to submit all required information may result in the application being disqualified.

(c) If the Department of Agriculture receives an application with missing information, the Department of Agriculture may issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/30-15)

Sec. 30-15. Scoring applications.

(a) The Department of Agriculture shall by rule develop a system to score craft grower applications to administratively rank applications based on the clarity, organization, and quality of the applicant's responses to required information. Applicants shall be awarded points based on the following categories:

(1) Suitability of the proposed facility;

(2) Suitability of the employee training plan;
(3) Security and recordkeeping;
(4) Cultivation plan;
(5) Product safety and labeling plan;
(6) Business plan;
(7) The applicant's status as a Social Equity Applicant, which shall constitute no less than 20% of total available points;
(8) Labor and employment practices, which shall constitute no less than 2% of total available points;
(9) Environmental plan as described in paragraphs (18), (19), (20), and (21) of subsection (a) of Section 30-10;
(10) The applicant is 51% or more owned and controlled by an individual or individuals who have been an Illinois resident for the past 5 years as proved by tax records or 2 of the following:
(A) a signed lease agreement that includes the applicant's name;
(B) a property deed that includes the applicant's name;
(C) school records;
(D) a voter registration card;
(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;
(F) a paycheck stub;
(G) a utility bill; or
(H) any other proof of residency or other information necessary to establish residence as provided by rule;
(11) The applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined in Section 45-57 of the Illinois Procurement Code;
(12) A diversity plan that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity; and
(13) Any other criteria the Department of Agriculture may set by rule for points.

(b) The Department may also award up to 2 bonus points for the applicant's plan to engage with the community. The applicant may demonstrate a desire to engage with its community by participating in one or more of, but not limited to, the following actions: (i) establishment of an incubator program

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designed to increase participation in the cannabis industry by persons who would qualify as Social Equity Applicants; (ii) providing financial assistance to substance abuse treatment centers; (iii) educating children and teens about the potential harms of cannabis use; or (iv) other measures demonstrating a commitment to the applicant's community. Bonus points will only be awarded if the Department receives applications that receive an equal score.

(c) Should the applicant be awarded a craft grower license, the information and plans that an applicant provided in its application, including any plans submitted for the acquiring of bonus points, shall be a mandatory condition of the license. Any variation from or failure to perform such plans may result in discipline, including the revocation or nonrenewal of a license.

(d) Should the applicant be awarded a craft grower license, the applicant shall pay a prorated fee of $40,000 prior to receiving the license, to be deposited into the Cannabis Regulation Fund. The Department of Agriculture may by rule adjust the fee in this Section after January 1, 2021.

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

(410 ILCS 705/30-20)

Sec. 30-20. Issuance of license to certain persons prohibited.

(a) No craft grower license issued by the Department of Agriculture shall be issued to a person who is licensed by any licensing authority as a cultivation center, or to any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or any other form of business enterprise having more than 10% legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in this State as a cultivation center, or to any principal officer, agent, employee, or human being with any form of ownership or control over a cultivation center except for a person who owns no more than 5% of the outstanding shares of a cultivation center whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934.

(b) A person who is licensed in this State as a craft grower, or any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or agent thereof, or any other form of business enterprise licensed in this State as a craft grower shall not have more than 10% legal, equitable, or beneficial interest, directly or indirectly, in a person licensed as a cultivation center, nor shall any partnership, corporation, limited liability company, or trust or any subsidiary, affiliate, or any other form of business enterprise having any legal, equitable, or beneficial interest, directly or indirectly, in a person licensed in this State as a

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craft grower or a craft grower agent be a principal officer, agent, employee, or human being with any form of ownership or control over a cultivation center except for a person who owns no more than 5% of the outstanding shares of a cultivation center whose shares are publicly traded on an exchange within the meaning of the Securities Exchange Act of 1934.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/30-25)

Sec. 30-25. Denial of application. An application for a craft grower license must be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials required by this Article;

(2) the applicant would not be in compliance with local zoning rules;

(3) one or more of the prospective principal officers or board members causes a violation of Section 30-20 of this Article;

(4) one or more of the principal officers or board members is under 21 years of age;

(5) the person has submitted an application for a license under this Act that contains false information; or

(6) the licensee; principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee; or agent is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/30-30)

(Text of Section from P.A. 102-98)

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

(a) The operating documents of a craft grower shall include procedures for the oversight of the craft grower, a cannabis plant monitoring system including a physical inventory recorded weekly, accurate recordkeeping, and a staffing plan.

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

(c) All cultivation of cannabis by a craft grower must take place in an enclosed, locked facility at the physical address provided to the Department of Agriculture during the licensing process. The craft grower location shall only be accessed by the

agents working for the craft grower, the Department of Agriculture staff performing inspections, the Department of Public Health staff performing inspections, State and local law enforcement or other emergency personnel, contractors working on jobs unrelated to cannabis, such as installing or maintaining security devices or performing electrical wiring, transporting organization agents as provided in this Act, or participants in the incubator program, individuals in a mentoring or educational program approved by the State, or other individuals as provided by rule. However, if a craft grower shares a premises with an infuser or dispensing organization, agents from those other licensees may access the craft grower portion of the premises if that is the location of common bathrooms, lunchrooms, locker rooms, or other areas of the building where work or cultivation of cannabis is not performed. At no time may an infuser or dispensing organization agent perform work at a craft grower without being a registered agent of the craft grower.

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

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

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

(g) All cannabis harvested by a craft grower and intended for distribution to a dispensing organization must be entered into a data collection system, packaged and labeled under Section 55-21, and, if distribution is to a dispensing organization that does not share a premises with the dispensing organization receiving the cannabis, placed into a cannabis container for transport. All cannabis harvested by a craft grower and intended for distribution to a cultivation center, to an infuser organization, or to a craft grower with which it does not share a premises, must be packaged in a labeled cannabis container and entered into a data collection system before transport.

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

(i) A craft grower agent shall notify local law enforcement, the Department of State Police, and the Department of

Agriculture within 24 hours of the discovery of any loss or theft. Notification shall be made by phone, in person, or written or electronic communication.

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

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

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

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

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

(l) A craft grower may enter into a contract with a transporting organization to transport cannabis to a cultivation center, a craft grower, an infuser organization, a dispensing organization, or a laboratory.

(m) No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, of more than 3 craft grower licenses. Further, no person or entity that is employed by, an agent of, or has a contract to receive payment from or participate in the management of a craft grower, is a principal officer of a craft grower, or entity controlled by or affiliated with a principal officer of a craft grower shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in a craft grower license that would result in the person or entity owning or controlling in combination with any craft grower, principal officer of a craft grower, or entity controlled or affiliated with a principal officer of a craft grower by which he, she, or it is employed, is an agent of, or participates in the management of more than 3 craft grower licenses.

(n) It is unlawful for any person having a craft grower license or any officer, associate, member, representative, or agent of the licensee to offer or deliver money, or anything else of value, directly or indirectly, to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis

dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, the person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

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

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

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

(a) The operating documents of a craft grower shall include procedures for the oversight of the craft grower, a cannabis plant monitoring system including a physical inventory recorded weekly, accurate recordkeeping, and a staffing plan.

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

(c) All cultivation of cannabis by a craft grower must take place in an enclosed, locked facility at the physical address provided to the Department of Agriculture during the licensing process. The craft grower location shall only be accessed by the agents working for the craft grower, the Department of Agriculture staff performing inspections, the Department of

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Public Health staff performing inspections, State and local law enforcement or other emergency personnel, contractors working on jobs unrelated to cannabis, such as installing or maintaining security devices or performing electrical wiring, transporting organization agents as provided in this Act, or participants in the incubator program, individuals in a mentoring or educational program approved by the State, or other individuals as provided by rule. However, if a craft grower shares a premises with an infuser or dispensing organization, agents from those other licensees may access the craft grower portion of the premises if that is the location of common bathrooms, lunchrooms, locker rooms, or other areas of the building where work or cultivation of cannabis is not performed. At no time may an infuser or dispensing organization agent perform work at a craft grower without being a registered agent of the craft grower.

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

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

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

(g) All cannabis harvested by a craft grower and intended for distribution to a dispensing organization must be entered into a data collection system, packaged and labeled under Section 55-21, and, if distribution is to a dispensing organization that does not share a premises with the dispensing organization receiving the cannabis, placed into a cannabis container for transport. All cannabis harvested by a craft grower and intended for distribution to a cultivation center, to an infuser organization, or to a craft grower with which it does not share a premises, must be packaged in a labeled cannabis container and entered into a data collection system before transport.

(h) Craft growers are subject to random inspections by the Department of Agriculture, local safety or health inspectors, and the Illinois State Police.

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

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electronic communication.

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

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

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

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

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

(l) A craft grower may enter into a contract with a transporting organization to transport cannabis to a cultivation center, a craft grower, an infuser organization, a dispensing organization, or a laboratory.

(m) No person or entity shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, of more than 3 craft grower licenses. Further, no person or entity that is employed by, an agent of, or has a contract to receive payment from or participate in the management of a craft grower, is a principal officer of a craft grower, or entity controlled by or affiliated with a principal officer of a craft grower shall hold any legal, equitable, ownership, or beneficial interest, directly or indirectly, in a craft grower license that would result in the person or entity owning or controlling in combination with any craft grower, principal officer of a craft grower, or entity controlled or affiliated with a principal officer of a craft grower by which he, she, or it is employed, is an agent of, or participates in the management of more than 3 craft grower licenses.

(n) It is unlawful for any person having a craft grower license or any officer, associate, member, representative, or agent of the licensee to offer or deliver money, or anything else of value, directly or indirectly, to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected

with or in any way representing, or to any member of the family of, the person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged in the retail sale of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

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

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/30-35)

Sec. 30-35. Craft grower agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Act and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the craft grower where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by

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electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment, including the craft grower organization for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the craft grower organization employing the agent.

(d) An agent identification card shall be immediately returned to the cannabis business establishment of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a craft grower agent shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/30-40)

Sec. 30-40. Craft grower background checks.

(a) Through the Illinois State Police, the Department of Agriculture shall conduct a background check of the prospective principal officers, board members, and agents of a craft grower applying for a license or identification card under this Act. The Illinois State Police shall charge a fee set by rule for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. In order to carry out this Section, each craft grower organization's prospective principal officer, board member, or agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Illinois State Police and Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall furnish, following positive identification, all conviction

information to the Department of Agriculture.

(b) When applying for the initial license or identification card, the background checks for all prospective principal officers, board members, and agents shall be completed before submitting the application to the licensing or issuing agency. (Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/30-45)

Sec. 30-45. Renewal of craft grower licenses and agent identification cards.

(a) Licenses and identification cards issued under this Act shall be renewed annually. A craft grower shall receive written or electronic notice 90 days before the expiration of its current license that the license will expire. The Department of Agriculture shall grant a renewal within 45 days of submission of a renewal application if:

(1) the craft grower submits a renewal application and the required nonrefundable renewal fee of $40,000, or another amount as the Department of Agriculture may set by rule after January 1, 2021;

(2) the Department of Agriculture has not suspended the license of the craft grower or suspended or revoked the license for violating this Act or rules adopted under this Act;

(3) the craft grower has continued to operate in accordance with all plans submitted as part of its application and approved by the Department of Agriculture or any amendments thereto that have been approved by the Department of Agriculture;

(4) the craft grower has submitted an agent, employee, contracting, and subcontracting diversity report as required by the Department; and

(5) the craft grower has submitted an environmental impact report.

(b) If a craft grower fails to renew its license before expiration, it shall cease operations until its license is renewed.

(c) If a craft grower agent fails to renew his or her identification card before its expiration, he or she shall cease to work as an agent of the craft grower organization until his or her identification card is renewed.

(d) Any craft grower that continues to operate, or any craft grower agent who continues to work as an agent, after the applicable license or identification card has expired without renewal is subject to the penalties provided under Section 45-5.

(e) All fees or fines collected from the renewal of a craft grower license shall be deposited into the Cannabis Regulation

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

(410 ILCS 705/30-50)
Sec. 30-50. Craft grower taxes; returns.

(a) A tax is imposed upon the privilege of cultivating and processing adult use cannabis at the rate of 7% of the gross receipts from the sale of cannabis by a craft grower to a dispensing organization. The sale of any adult use product that contains any amount of cannabis or any derivative thereof is subject to the tax under this Section on the full selling price of the product. The proceeds from this tax shall be deposited into the Cannabis Regulation Fund. This tax shall be paid by the craft grower who makes the first sale and is not the responsibility of a dispensing organization, qualifying patient, or purchaser.

(b) In the administration of and compliance with this Section, the Department of Revenue and persons who are subject to this Section: (i) have the same rights, remedies, privileges, immunities, powers, and duties, (ii) are subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and (iii) shall employ the same modes of procedure as are set forth in the Cannabis Cultivation Privilege Tax Law and the Uniform Penalty and Interest Act as if those provisions were set forth in this Section.

(c) The tax imposed under this Act shall be in addition to all other occupation or privilege taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/30-55)
Sec. 30-55. Disclosure of ownership and control.

(a) Each craft grower applicant and licensee shall file and maintain a Table of Organization, Ownership, and Control with the Department. The Table of Organization, Ownership, and Control shall contain the information required by this Section in sufficient detail to identify all owners, directors, and principal officers, and the title of each principal officer or business entity that, through direct or indirect means, manages, owns, or controls the applicant or licensee.

(b) The Table of Organization, Ownership and Control shall identify the following information:

(1) The management structure, ownership, and control of the applicant or license holder including the name of each principal officer or business entity, the office or position held, and the percentage ownership interest, if any. If the business entity has a parent

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company, the name of each owner, board member, and officer of the parent company and his or her percentage ownership interest in the parent company and the craft grower.

(2) If the applicant or licensee is a business entity with publicly traded stock, the identification of ownership shall be provided as required in subsection (c).

(c) If a business entity identified in subsection (b) is a publicly traded company, the following information shall be provided in the Table of Organization, Ownership, and Control:

(1) The name and percentage of ownership interest of each individual or business entity with ownership of more than 5% of the voting shares of the entity, to the extent such information is known or contained in 13D or 13G Securities and Exchange Commission filings.

(2) To the extent known, the names and percentage of interest of ownership of persons who are relatives of one another and who together exercise control over or own more than 10% of the voting shares of the entity.

(d) A craft grower with a parent company or companies, or partially owned or controlled by another entity must disclose to the Department the relationship and all owners, board members, officers, or individuals with control or management of those entities. A craft grower shall not shield its ownership or control from the Department.

(e) All principal officers must submit a complete online application with the Department within 14 days of the craft grower being licensed by the Department or within 14 days of Department notice of approval as a new principal officer.

(f) A principal officer may not allow his or her registration to expire.

(g) A craft grower separating with a principal officer must do so under this Act. The principal officer must communicate the separation to the Department within 5 business days.

(h) A principal officer not in compliance with the requirements of this Act shall be removed from his or her position with the craft grower or shall otherwise terminate his or her affiliation. Failure to do so may subject the craft grower to discipline, suspension, or revocation of its license by the Department.

(i) It is the responsibility of the craft grower and its principal officers to promptly notify the Department of any change of the principal place of business address, hours of operation, change in ownership or control, or a change of the craft grower's primary or secondary contact information. Any changes must be made to the Department in writing.

(Source: P.A. 102-98, eff. 7-15-21.)

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(410 ILCS 705/Art. 35 heading)

Article 35.

Infuser Organizations

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

(410 ILCS 705/35-3)

Sec. 35-3. Definitions. In this Article:

"Department" means the Department of Agriculture.

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

(410 ILCS 705/35-5)

Sec. 35-5. Issuance of licenses.

(a) The Department of Agriculture shall issue up to 40 infuser licenses through a process provided for in this Article no later than July 1, 2020.

(b) The Department of Agriculture shall make the application for infuser licenses available on January 7, 2020, or if that date falls on a weekend or holiday, the business day immediately succeeding the weekend or holiday and every January 7 or succeeding business day thereafter, and shall receive such applications no later than March 15, 2020, or, if that date falls on a weekend or holiday, the business day immediately succeeding the weekend or holiday and every March 15 or succeeding business day thereafter.

(c) By December 21, 2021, the Department of Agriculture may issue up to 60 additional infuser licenses. Prior to issuing such licenses, the Department may adopt rules through emergency rulemaking in accordance with subsection (kk) of Section 5-45 of the Illinois Administrative Procedure Act, to modify or raise the number of infuser licenses and modify or change the licensing application process to reduce or eliminate barriers. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare.

In determining whether to exercise the authority granted by this subsection, the Department of Agriculture must consider the following factors:

(1) the percentage of cannabis sales occurring in Illinois not in the regulated market using data from the Substance Abuse and Mental Health Services Administration, National Survey on Drug Use and Health, Illinois Behavioral Risk Factor Surveillance System, and tourism data from the Illinois Office of Tourism to ascertain total cannabis consumption in Illinois compared to the amount of sales in licensed dispensing organizations;

(2) whether there is an adequate supply of cannabis and cannabis-infused products to serve registered medical

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cannabis patients;

(3) whether there is an adequate supply of cannabis and cannabis-infused products to serve purchasers;

(4) whether there is an oversupply of cannabis in Illinois leading to trafficking of cannabis to any other state;

(5) population increases or shifts;

(6) changes to federal law;

(7) perceived security risks of increasing the number or location of infuser organizations;

(8) the past security records of infuser organizations;

(9) the Department of Agriculture's capacity to appropriately regulate additional licenses;

(10) (blank); and

(11) any other criteria the Department of Agriculture deems relevant.

(d) After January 1, 2022, the Department of Agriculture may by rule modify or raise the number of infuser licenses, and modify or change the licensing application process to reduce or eliminate barriers based on the criteria in subsection (c).

(e) Upon the completion of the disparity and availability study pertaining to infusers by the Cannabis Regulation Oversight Officer pursuant to subsection (e) of Section 5-45, the Department of Agriculture may modify or change the licensing application process to reduce or eliminate barriers and remedy evidence of discrimination identified in the study.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/35-10)

Sec. 35-10. Application.

(a) When applying for a license, the applicant shall electronically submit the following in such form as the Department of Agriculture may direct:

(1) the nonrefundable application fee of $5,000 or, after January 1, 2021, another amount as set by rule by the Department of Agriculture, to be deposited into the Cannabis Regulation Fund;

(2) the legal name of the infuser;

(3) the proposed physical address of the infuser;

(4) the name, address, social security number, and date of birth of each principal officer and board member of the infuser; each principal officer and board member shall be at least 21 years of age;

(5) the details of any administrative or judicial proceeding in which any of the principal officers or board

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members of the infuser (i) pled guilty, were convicted, fined, or had a registration or license suspended or revoked, or (ii) managed or served on the board of a business or non-profit organization that pled guilty, was convicted, fined, or had a registration or license suspended or revoked;

(6) proposed operating bylaws that include procedures for the oversight of the infuser, including the development and implementation of a plant monitoring system, accurate recordkeeping, staffing plan, and security plan approved by the Illinois State Police that are in accordance with the rules issued by the Department of Agriculture under this Act; a physical inventory of all cannabis shall be performed on a weekly basis by the infuser;

(7) verification from the Illinois State Police that all background checks of the prospective principal officers, board members, and agents of the infuser organization have been conducted;

(8) a copy of the current local zoning ordinance and verification that the proposed infuser is in compliance with the local zoning rules and distance limitations established by the local jurisdiction;

(9) proposed employment practices, in which the applicant must demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) whether an applicant can demonstrate experience in or business practices that promote economic empowerment in Disproportionately Impacted Areas;

(11) experience with infusing products with cannabis concentrate;

(12) a description of the enclosed, locked facility where cannabis will be infused, packaged, or otherwise prepared for distribution to a dispensing organization or other infuser;

(13) processing, inventory, and packaging plans;

(14) a description of the applicant's experience with operating a commercial kitchen or laboratory preparing products for human consumption;

(15) a list of any academic degrees, certifications, or relevant experience of all prospective principal officers, board members, and agents of the related business;

(16) the identity of every person having a financial or voting interest of 5% or greater in the infuser operation with respect to which the license is sought, whether a trust, corporation, partnership, limited

liability company, or sole proprietorship, including the name and address of each person;

(17) a plan describing how the infuser will address each of the following:

(i) energy needs, including estimates of monthly electricity and gas usage, to what extent it will procure energy from a local utility or from on-site generation, and if it has or will adopt a sustainable energy use and energy conservation policy;

(ii) water needs, including estimated water draw, and if it has or will adopt a sustainable water use and water conservation policy; and

(iii) waste management, including if it has or will adopt a waste reduction policy;

(18) a recycling plan:

(A) a commitment that any recyclable waste generated by the infuser shall be recycled per applicable State and local laws, ordinances, and rules; and

(B) a commitment to comply with local waste provisions. An infuser commits to remain in compliance with applicable State and federal environmental requirements, including, but not limited to, storing, securing, and managing all recyclables and waste, including organic waste composed of or containing finished cannabis and cannabis products, in accordance with applicable State and local laws, ordinances, and rules; and

(19) any other information required by rule.

(b) Applicants must submit all required information, including the information required in Section 35-15, to the Department of Agriculture. Failure by an applicant to submit all required information may result in the application being disqualified.

(c) If the Department of Agriculture receives an application with missing information, the Department of Agriculture may issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/35-15)

Sec. 35-15. Issuing licenses.

(a) The Department of Agriculture shall by rule develop a system to score infuser applications to administratively rank applications based on the clarity, organization, and quality of

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the applicant's responses to required information. Applicants shall be awarded points based on the following categories:

(1) Suitability of the proposed facility;

(2) Suitability of the employee training plan;

(3) Security and recordkeeping plan;

(4) Infusing plan;

(5) Product safety and labeling plan;

(6) Business plan;

(7) The applicant's status as a Social Equity Applicant, which shall constitute no less than 20% of total available points;

(8) Labor and employment practices, which shall constitute no less than 2% of total available points;

(9) Environmental plan as described in paragraphs (17) and (18) of subsection (a) of Section 35-10;

(10) The applicant is 51% or more owned and controlled by an individual or individuals who have been an Illinois resident for the past 5 years as proved by tax records or 2 of the following:

(A) a signed lease agreement that includes the applicant's name;

(B) a property deed that includes the applicant's name;

(C) school records;

(D) a voter registration card;

(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

(F) a paycheck stub;

(G) a utility bill; or

(H) any other proof of residency or other information necessary to establish residence as provided by rule;

(11) The applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined by Section 45-57 of the Illinois Procurement Code;

(12) A diversity plan that includes a narrative of not more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity; and

(13) Any other criteria the Department of Agriculture may set by rule for points.

(b) The Department may also award up to 2 bonus points for the applicant's plan to engage with the community. The applicant may demonstrate a desire to engage with its community by

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participating in one or more of, but not limited to, the following actions: (i) establishment of an incubator program designed to increase participation in the cannabis industry by persons who would qualify as Social Equity Applicants; (ii) providing financial assistance to substance abuse treatment centers; (iii) educating children and teens about the potential harms of cannabis use; or (iv) other measures demonstrating a commitment to the applicant's community. Bonus points will only be awarded if the Department receives applications that receive an equal score.

(c) Should the applicant be awarded an infuser license, the information and plans that an applicant provided in its application, including any plans submitted for the acquiring of bonus points, becomes a mandatory condition of the permit. Any variation from or failure to perform such plans may result in discipline, including the revocation or nonrenewal of a license.

(d) Should the applicant be awarded an infuser organization license, it shall pay a fee of $5,000 prior to receiving the license, to be deposited into the Cannabis Regulation Fund. The Department of Agriculture may by rule adjust the fee in this Section after January 1, 2021.

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

(410 ILCS 705/35-20)

Sec. 35-20. Denial of application. An application for an infuser license shall be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials required by this Article;

(2) the applicant would not be in compliance with local zoning rules or permit requirements;

(3) one or more of the prospective principal officers or board members causes a violation of Section 35-25.

(4) one or more of the principal officers or board members is under 21 years of age;

(5) the person has submitted an application for a license under this Act or this Article that contains false information; or

(6) if the licensee; principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee; or agent is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/35-25)

(Text of Section from P.A. 102-98)

Sec. 35-25. Infuser organization requirements; prohibitions.

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

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

(c) All processing of cannabis by an infuser must take place in an enclosed, locked facility at the physical address provided to the Department of Agriculture during the licensing process. The infuser location shall only be accessed by the agents working for the infuser, the Department of Agriculture staff performing inspections, the Department of Public Health staff performing inspections, State and local law enforcement or other emergency personnel, contractors working on jobs unrelated to cannabis, such as installing or maintaining security devices or performing electrical wiring, transporting organization agents as provided in this Act, participants in the incubator program, individuals in a mentoring or educational program approved by the State, local safety or health inspectors, or other individuals as provided by rule. However, if an infuser shares a premises with a craft grower or dispensing organization, agents from these other licensees may access the infuser portion of the premises if that is the location of common bathrooms, lunchrooms, locker rooms, or other areas of the building where processing of cannabis is not performed. At no time may a craft grower or dispensing organization agent perform work at an infuser without being a registered agent of the infuser.

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

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

(f) All cannabis infused by an infuser and intended for distribution to a dispensing organization must be entered into a data collection system, packaged and labeled under Section 55-21, and, if distribution is to a dispensing organization that

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does not share a premises with the infuser, placed into a cannabis container for transport. All cannabis produced by an infuser and intended for distribution to a cultivation center, infuser organization, or craft grower with which it does not share a premises, must be packaged in a labeled cannabis container and entered into a data collection system before transport.

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

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

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

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

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

(ii) If the infuser is located in a county with a population of more than 700,000 but fewer than 3,000,000, the cannabis business establishment receiving the cannabis or cannabis-infused product is within 2 miles of the infuser; or

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

(k) An infuser may enter into a contract with a transporting organization to transport cannabis to a dispensing organization or a laboratory.

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

(m) It is unlawful for any person or entity having an infuser organization license or any officer, associate, member, representative or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any

person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged the retail sales of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

Sec. 35-25. Infuser organization requirements; prohibitions.

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

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

(c) All processing of cannabis by an infuser must take place in an enclosed, locked facility at the physical address provided to the Department of Agriculture during the licensing process. The infuser location shall only be accessed by the agents working for the infuser, the Department of Agriculture staff performing inspections, the Department of Public Health staff

performing inspections, State and local law enforcement or other emergency personnel, contractors working on jobs unrelated to cannabis, such as installing or maintaining security devices or performing electrical wiring, transporting organization agents as provided in this Act, participants in the incubator program, individuals in a mentoring or educational program approved by the State, local safety or health inspectors, or other individuals as provided by rule. However, if an infuser shares a premises with a craft grower or dispensing organization, agents from these other licensees may access the infuser portion of the premises if that is the location of common bathrooms, lunchrooms, locker rooms, or other areas of the building where processing of cannabis is not performed. At no time may a craft grower or dispensing organization agent perform work at an infuser without being a registered agent of the infuser.

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

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

(f) All cannabis infused by an infuser and intended for distribution to a dispensing organization must be entered into a data collection system, packaged and labeled under Section 55-21, and, if distribution is to a dispensing organization that does not share a premises with the infuser, placed into a cannabis container for transport. All cannabis produced by an infuser and intended for distribution to a cultivation center, infuser organization, or craft grower with which it does not share a premises, must be packaged in a labeled cannabis container and entered into a data collection system before transport.

(g) Infusers are subject to random inspections by the Department of Agriculture, the Department of Public Health, the Illinois State Police, and local law enforcement.

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

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

(j) An infuser or infuser agent shall not transport cannabis

or cannabis-infused products to any other cannabis business establishment without a transport organization license unless:

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

(ii) If the infuser is located in a county with a population of more than 700,000 but fewer than 3,000,000, the cannabis business establishment receiving the cannabis or cannabis-infused product is within 2 miles of the infuser; or

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

(k) An infuser may enter into a contract with a transporting organization to transport cannabis to a dispensing organization or a laboratory.

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

(m) It is unlawful for any person or entity having an infuser organization license or any officer, associate, member, representative or agent of such licensee to offer or deliver money, or anything else of value, directly or indirectly to any person having an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any person connected with or in any way representing, or to any member of the family of, such person holding an Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act, or to any stockholders in any corporation engaged the retail sales of cannabis, or to any officer, manager, agent, or representative of the Early Approval Adult Use Dispensing Organization License, a Conditional Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act to obtain preferential placement

within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website.

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/35-30)

(Text of Section from P.A. 102-98)

Sec. 35-30. Infuser agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Act, and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the infuser where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment including the cannabis business establishment for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

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(4) a photograph of the cardholder; and

(5) the legal name of the infuser organization employing the agent.

(d) An agent identification card shall be immediately returned to the infuser organization of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a transporting agent shall be reported to the Department of State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) An agent applicant may begin employment at an infuser organization while the agent applicant's identification card application is pending. Upon approval, the Department shall issue the agent's identification card to the agent. If denied, the infuser organization and the agent applicant shall be notified and the agent applicant must cease all activity at the infuser organization immediately.

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

(Text of Section from P.A. 102-538)

Sec. 35-30. Infuser agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Act, and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the infuser where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment including the cannabis business establishment for

which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the infuser organization employing the agent.

(d) An agent identification card shall be immediately returned to the infuser organization of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a transporting agent shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/35-31)

Sec. 35-31. Ensuring an adequate supply of raw materials to serve infusers.

(a) As used in this Section, "raw materials" includes, but is not limited to, CO_2 hash oil, "crude", "distillate", or any other cannabis concentrate extracted from cannabis flower by use of a solvent or a mechanical process.

(b) The Department of Agriculture may by rule design a method for assessing whether licensed infusers have access to an adequate supply of reasonably affordable raw materials, which may include but not be limited to: (i) a survey of infusers; (ii) a market study on the sales trends of cannabis-infused products manufactured by infusers; and (iii) the costs cultivation centers and craft growers assume for the raw materials they use in any cannabis-infused products they manufacture.

(c) The Department of Agriculture shall perform an assessment of whether infusers have access to an adequate supply of reasonably affordable raw materials that shall start no sooner than January 1, 2022 and shall conclude no later than April 1, 2022. The Department of Agriculture may rely on data from the Illinois Cannabis Regulation Oversight Officer as part of this assessment.

(d) The Department of Agriculture shall perform an assessment of whether infusers have access to an adequate supply of reasonably affordable raw materials that shall start no sooner than January 1, 2023 and shall conclude no later than

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April 1, 2023. The Department of Agriculture may rely on data from the Cannabis Regulation Oversight Officer as part of this assessment.

(e) The Department of Agriculture may by rule adopt measures to ensure infusers have access to an adequate supply of reasonably affordable raw materials necessary for the manufacture of cannabis-infused products. Such measures may include, but not be limited to (i) requiring cultivation centers and craft growers to set aside a minimum amount of raw materials for the wholesale market or (ii) enabling infusers to apply for a processor license to extract raw materials from cannabis flower.

(f) If the Department of Agriculture determines processor licenses may be available to infuser organizations based upon findings made pursuant to subsection (e), infuser organizations may submit to the Department of Agriculture on forms provided by the Department of Agriculture the following information as part of an application to receive a processor license:

(1) experience with the extraction, processing, or infusing of oils similar to those derived from cannabis, or other business practices to be performed by the infuser;

(2) a description of the applicant's experience with manufacturing equipment and chemicals to be used in processing;

(3) expertise in relevant scientific fields;

(4) a commitment that any cannabis waste, liquid waste, or hazardous waste shall be disposed of in accordance with 8 Ill. Adm. Code 1000.460, except, to the greatest extent feasible, all cannabis plant waste will be rendered unusable by grinding and incorporating the cannabis plant waste with compostable mixed waste to be disposed of in accordance with Ill. Adm. Code 1000.460(g)(1); and

(5) any other information the Department of Agriculture deems relevant.

(g) The Department of Agriculture may only issue an infuser organization a processor license if, based on the information pursuant to subsection (f) and any other criteria set by the Department of Agriculture, which may include but not be limited an inspection of the site where processing would occur, the Department of Agriculture is reasonably certain the infuser organization will process cannabis in a safe and compliant manner.

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

(410 ILCS 705/35-35)

Sec. 35-35. Infuser organization background checks.

(a) Through the Department of State Police, the Department

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of Agriculture shall conduct a background check of the prospective principal officers, board members, and agents of an infuser applying for a license or identification card under this Act. The Department of State Police shall charge a fee set by rule for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. In order to carry out this provision, each infuser organization's prospective principal officer, board member, or agent shall submit a full set of fingerprints to the Department of State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Department of State Police and Federal Bureau of Investigation criminal history records databases. The Department of State Police shall furnish, following positive identification, all conviction information to the Department of Agriculture.

(b) When applying for the initial license or identification card, the background checks for all prospective principal officers, board members, and agents shall be completed before submitting the application to the licensing or issuing agency.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/35-40)

Sec. 35-40. Renewal of infuser organization licenses and agent identification cards.

(a) Licenses and identification cards issued under this Act shall be renewed annually. An infuser organization shall receive written or electronic notice 90 days before the expiration of its current license that the license will expire. The Department of Agriculture shall grant a renewal within 45 days of submission of a renewal application if:

(1) the infuser organization submits a renewal application and the required nonrefundable renewal fee of $20,000, or, after January 1, 2021, another amount set by rule by the Department of Agriculture, to be deposited into the Cannabis Regulation Fund;

(2) the Department of Agriculture has not suspended or revoked the license of the infuser organization for violating this Act or rules adopted under this Act;

(3) the infuser organization has continued to operate in accordance with all plans submitted as part of its application and approved by the Department of Agriculture or any amendments thereto that have been approved by the Department of Agriculture;

(4) The infuser has submitted an agent, employee, contracting, and subcontracting diversity report as

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required by the Department; and

(5) The infuser has submitted an environmental impact report.

(b) If an infuser organization fails to renew its license before expiration, it shall cease operations until its license is renewed.

(c) If an infuser organization agent fails to renew his or her identification card before its expiration, he or she shall cease to work as an agent of the infuser organization until his or her identification card is renewed.

(d) Any infuser organization that continues to operate, or any infuser organization agent who continues to work as an agent, after the applicable license or identification card has expired without renewal is subject to the penalties provided under Section 35-25.

(e) The Department shall not renew a license or an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/35-45)

Sec. 35-45. Disclosure of ownership and control.

(a) Each infuser organization applicant and licensee shall file and maintain a Table of Organization, Ownership and Control with the Department. The Table of Organization, Ownership and Control shall contain the information required by this Section in sufficient detail to identify all owners, directors, and principal officers, and the title of each principal officer or business entity that, through direct or indirect means, manages, owns, or controls the applicant or licensee.

(b) The Table of Organization, Ownership, and Control shall identify the following information:

(1) The management structure, ownership, and control of the applicant or license holder including the name of each principal officer or business entity, the office or position held, and the percentage ownership interest, if any. If the business entity has a parent company, the name of each owner, board member, and officer of the parent company and his or her percentage ownership interest in the parent company and the infuser organization.

(2) If the applicant or licensee is a business entity with publicly traded stock, the identification of ownership shall be provided as required in subsection (c).

(c) If a business entity identified in subsection (b) is a publicly traded company, the following information shall be

provided in the Table of Organization, Ownership, and Control:

(1) The name and percentage of ownership interest of each individual or business entity with ownership of more than 5% of the voting shares of the entity, to the extent such information is known or contained in 13D or 13G Securities and Exchange Commission filings.

(2) To the extent known, the names and percentage of interest of ownership of persons who are relatives of one another and who together exercise control over or own more than 10% of the voting shares of the entity.

(d) An infuser organization with a parent company or companies, or partially owned or controlled by another entity must disclose to the Department the relationship and all owners, board members, officers, or individuals with control or management of those entities. An infuser organization shall not shield its ownership or control from the Department.

(e) All principal officers must submit a complete online application with the Department within 14 days of the infuser organization being licensed by the Department or within 14 days of Department notice of approval as a new principal officer.

(f) A principal officer may not allow his or her registration to expire.

(g) An infuser organization separating with a principal officer must do so under this Act. The principal officer must communicate the separation to the Department within 5 business days.

(h) A principal officer not in compliance with the requirements of this Act shall be removed from his or her position with the infuser organization or shall otherwise terminate his or her affiliation. Failure to do so may subject the infuser organization to discipline, suspension, or revocation of its license by the Department.

(i) It is the responsibility of the infuser organization and its principal officers to promptly notify the Department of any change of the principal place of business address, hours of operation, change in ownership or control, or a change of the infuser organization's primary or secondary contact information. Any changes must be made to the Department in writing.

(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/Art. 40 heading)

Article 40.

Transporting Organizations

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

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(410 ILCS 705/40-1)

Sec. 40-1. Definition. In this Article, "Department" means the Department of Agriculture.

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

(410 ILCS 705/40-5)

Sec. 40-5. Issuance of licenses.

(a) The Department shall issue transporting licenses through a process provided for in this Article no later than July 1, 2020.

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

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

(410 ILCS 705/40-10)

Sec. 40-10. Application.

(a) When applying for a transporting organization license, the applicant shall submit the following in such form as the Department of Agriculture may direct:

(1) the nonrefundable application fee of $5,000 or, after January 1, 2021, another amount as set by rule by the Department of Agriculture, to be deposited into the Cannabis Regulation Fund;

(2) the legal name of the transporting organization;

(3) the proposed physical address of the transporting organization, if one is proposed;

(4) the name, address, social security number, and date of birth of each principal officer and board member of the transporting organization; each principal officer and board member shall be at least 21 years of age;

(5) the details of any administrative or judicial proceeding in which any of the principal officers or board members of the transporting organization (i) pled guilty, were convicted, fined, or had a registration or license suspended or revoked, or (ii) managed or served on the board of a business or non-profit organization that pled guilty, was convicted, fined, or had a registration or license suspended or revoked;

(6) proposed operating bylaws that include procedures for the oversight of the transporting organization, including the development and implementation of an accurate

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recordkeeping plan, staffing plan, and security plan approved by the Illinois State Police that are in accordance with the rules issued by the Department of Agriculture under this Act; a physical inventory shall be performed of all cannabis on a weekly basis by the transporting organization;

(7) verification from the Illinois State Police that all background checks of the prospective principal officers, board members, and agents of the transporting organization have been conducted;

(8) a copy of the current local zoning ordinance or permit and verification that the proposed transporting organization is in compliance with the local zoning rules and distance limitations established by the local jurisdiction, if the transporting organization has a business address;

(9) proposed employment practices, in which the applicant must demonstrate a plan of action to inform, hire, and educate minorities, women, veterans, and persons with disabilities, engage in fair labor practices, and provide worker protections;

(10) whether an applicant can demonstrate experience in or business practices that promote economic empowerment in Disproportionately Impacted Areas;

(11) the number and type of equipment the transporting organization will use to transport cannabis and cannabis-infused products;

(12) loading, transporting, and unloading plans;

(13) a description of the applicant's experience in the distribution or security business;

(14) the identity of every person having a financial or voting interest of 5% or more in the transporting organization with respect to which the license is sought, whether a trust, corporation, partnership, limited liability company, or sole proprietorship, including the name and address of each person; and

(15) any other information required by rule.

(b) Applicants must submit all required information, including the information required in Section 40-35 to the Department. Failure by an applicant to submit all required information may result in the application being disqualified.

(c) If the Department receives an application with missing information, the Department of Agriculture may issue a deficiency notice to the applicant. The applicant shall have 10 calendar days from the date of the deficiency notice to resubmit the incomplete information. Applications that are still incomplete after this opportunity to cure will not be scored and will be disqualified.

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(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/40-15)

Sec. 40-15. Issuing licenses.

(a) The Department of Agriculture shall by rule develop a system to score transporter applications to administratively rank applications based on the clarity, organization, and quality of the applicant's responses to required information. Applicants shall be awarded points based on the following categories:

(1) suitability of employee training plan;

(2) security and recordkeeping plan;

(3) business plan;

(4) the applicant's status as a Social Equity Applicant, which shall constitute no less than 20% of total available points;

(5) labor and employment practices, which shall constitute no less than 2% of total available points;

(6) environmental plan that demonstrates an environmental plan of action to minimize the carbon footprint, environmental impact, and resource needs for the transporter, which may include, without limitation, recycling cannabis product packaging;

(7) the applicant is 51% or more owned and controlled by an individual or individuals who have been an Illinois resident for the past 5 years as proved by tax records or 2 of the following:

(A) a signed lease agreement that includes the applicant's name;

(B) a property deed that includes the applicant's name;

(C) school records;

(D) a voter registration card;

(E) an Illinois driver's license, an Illinois Identification Card, or an Illinois Person with a Disability Identification Card;

(F) a paycheck stub;

(G) a utility bill; or

(H) any other proof of residency or other information necessary to establish residence as provided by rule;

(8) the applicant is 51% or more controlled and owned by an individual or individuals who meet the qualifications of a veteran as defined by Section 45-57 of the Illinois Procurement Code;

(9) a diversity plan that includes a narrative of not

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more than 2,500 words that establishes a goal of diversity in ownership, management, employment, and contracting to ensure that diverse participants and groups are afforded equality of opportunity; and

(10) any other criteria the Department of Agriculture may set by rule for points.

(b) The Department may also award up to 2 bonus points for the applicant's plan to engage with the community. The applicant may demonstrate a desire to engage with its community by participating in one or more of, but not limited to, the following actions: (i) establishment of an incubator program designed to increase participation in the cannabis industry by persons who would qualify as Social Equity Applicants; (ii) providing financial assistance to substance abuse treatment centers; (iii) educating children and teens about the potential harms of cannabis use; or (iv) other measures demonstrating a commitment to the applicant's community. Bonus points will only be awarded if the Department receives applications that receive an equal score.

(c) Applicants for transporting organization licenses that score at least 75% of the available points according to the system developed by rule and meet all other requirements for a transporter license shall be issued a license by the Department of Agriculture within 60 days of receiving the application. Applicants that were registered as medical cannabis cultivation centers prior to January 1, 2020 and who meet all other requirements for a transporter license shall be issued a license by the Department of Agriculture within 60 days of receiving the application.

(d) Should the applicant be awarded a transporting organization license, the information and plans that an applicant provided in its application, including any plans submitted for the acquiring of bonus points, shall be a mandatory condition of the permit. Any variation from or failure to perform such plans may result in discipline, including the revocation or nonrenewal of a license.

(e) Should the applicant be awarded a transporting organization license, the applicant shall pay a prorated fee of $10,000 prior to receiving the license, to be deposited into the Cannabis Regulation Fund. The Department of Agriculture may by rule adjust the fee in this Section after January 1, 2021.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/40-20)

Sec. 40-20. Denial of application. An application for a transporting organization license shall be denied if any of the following conditions are met:

(1) the applicant failed to submit the materials

required by this Article;

(2) the applicant would not be in compliance with local zoning rules or permit requirements;

(3) one or more of the prospective principal officers or board members causes a violation of Section 40-25;

(4) one or more of the principal officers or board members is under 21 years of age;

(5) the person has submitted an application for a license under this Act that contains false information; or

(6) the licensee, principal officer, board member, or person having a financial or voting interest of 5% or greater in the licensee is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/40-25)

(Text of Section from P.A. 102-98)

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

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

(b) A transporting organization may not transport cannabis or cannabis-infused products to any person other than a cultivation center, a craft grower, an infuser organization, a dispensing organization, a testing facility, or as otherwise authorized by rule.

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

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

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

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

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

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

(i) It is unlawful for any person to offer or deliver money,

or anything else of value, directly or indirectly, to any of the following persons to obtain preferential placement within the dispensing organization, including, without limitation, on shelves and in display cases where purchasers can view products, or on the dispensing organization's website:

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

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

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

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

(j) A transporting organization agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment and during the transporting of cannabis when acting under his or her duties as a transportation organization agent. During these times, the transporting organization agent must also provide the identification card upon request of any law enforcement officer engaged in his or her official duties.

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

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

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

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

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

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

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

(b) A transporting organization may not transport cannabis or cannabis-infused products to any person other than a cultivation center, a craft grower, an infuser organization, a dispensing organization, a testing facility, or as otherwise authorized by rule.

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

(d) Transporters are subject to random inspections by the Department of Agriculture, the Department of Public Health, and the Illinois State Police.

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

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

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

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

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

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

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

(3) a person connected with or in any way

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representing, or a member of the family of, a person holding an Early Applicant Adult Use Dispensing Organization License, an Adult Use Dispensing Organization License, or a medical cannabis dispensing organization license issued under the Compassionate Use of Medical Cannabis Program Act; or

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

(j) A transporting organization agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment and during the transporting of cannabis when acting under his or her duties as a transportation organization agent. During these times, the transporting organization agent must also provide the identification card upon request of any law enforcement officer engaged in his or her official duties.

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

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

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

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

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

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/40-30)

(Text of Section from P.A. 102-98)

Sec. 40-30. Transporting agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent

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identification card submitted under this Act and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the transporting organization where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment, including the cannabis business establishment for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the transporting organization employing the agent.

(d) An agent identification card shall be immediately returned to the transporting organization of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a transporting agent shall be reported to the Department of State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) An application for an agent identification card shall be denied if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(g) An agent applicant may begin employment at a transporting organization while the agent applicant's identification card application is pending. Upon approval, the Department shall issue the agent's identification card to the agent. If denied, the transporting organization and the agent applicant shall be notified and the agent applicant must cease all activity at the transporting organization immediately.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)

Sec. 40-30. Transporting agent identification card.

(a) The Department of Agriculture shall:

(1) establish by rule the information required in an initial application or renewal application for an agent identification card submitted under this Act and the nonrefundable fee to accompany the initial application or renewal application;

(2) verify the information contained in an initial application or renewal application for an agent identification card submitted under this Act and approve or deny an application within 30 days of receiving a completed initial application or renewal application and all supporting documentation required by rule;

(3) issue an agent identification card to a qualifying agent within 15 business days of approving the initial application or renewal application;

(4) enter the license number of the transporting organization where the agent works; and

(5) allow for an electronic initial application and renewal application process, and provide a confirmation by electronic or other methods that an application has been submitted. The Department of Agriculture may by rule require prospective agents to file their applications by electronic means and provide notices to the agents by electronic means.

(b) An agent must keep his or her identification card visible at all times when on the property of a cannabis business establishment, including the cannabis business establishment for which he or she is an agent.

(c) The agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the identification card;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the holder;

(4) a photograph of the cardholder; and

(5) the legal name of the transporting organization employing the agent.

(d) An agent identification card shall be immediately returned to the transporting organization of the agent upon termination of his or her employment.

(e) Any agent identification card lost by a transporting

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agent shall be reported to the Illinois State Police and the Department of Agriculture immediately upon discovery of the loss.

(f) An application for an agent identification card shall be denied if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/40-35)

Sec. 40-35. Transporting organization background checks.

(a) Through the Illinois State Police, the Department of Agriculture shall conduct a background check of the prospective principal officers, board members, and agents of a transporter applying for a license or identification card under this Act. The Illinois State Police shall charge a fee set by rule for conducting the criminal history record check, which shall be deposited into the State Police Services Fund and shall not exceed the actual cost of the record check. In order to carry out this provision, each transporting organization's prospective principal officer, board member, or agent shall submit a full set of fingerprints to the Illinois State Police for the purpose of obtaining a State and federal criminal records check. These fingerprints shall be checked against the fingerprint records now and hereafter, to the extent allowed by law, filed in the Illinois State Police and Federal Bureau of Investigation criminal history records databases. The Illinois State Police shall furnish, following positive identification, all conviction information to the Department of Agriculture.

(b) When applying for the initial license or identification card, the background checks for all prospective principal officers, board members, and agents shall be completed before submitting the application to the Department of Agriculture.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/40-40)

Sec. 40-40. Renewal of transporting organization licenses and agent identification cards.

(a) Licenses and identification cards issued under this Act shall be renewed annually. A transporting organization shall receive written or electronic notice 90 days before the expiration of its current license that the license will expire. The Department of Agriculture shall grant a renewal within 45 days of submission of a renewal application if:

(1) the transporting organization submits a renewal application and the required nonrefundable renewal fee of $10,000, or after January 1, 2021, another amount set by

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rule by the Department of Agriculture, to be deposited into the Cannabis Regulation Fund;

(2) the Department of Agriculture has not suspended or revoked the license of the transporting organization for violating this Act or rules adopted under this Act;

(3) the transporting organization has continued to operate in accordance with all plans submitted as part of its application and approved by the Department of Agriculture or any amendments thereto that have been approved by the Department of Agriculture; and

(4) the transporter has submitted an agent, employee, contracting, and subcontracting diversity report as required by the Department.

(b) If a transporting organization fails to renew its license before expiration, it shall cease operations until its license is renewed.

(c) If a transporting organization agent fails to renew his or her identification card before its expiration, he or she shall cease to work as an agent of the transporting organization until his or her identification card is renewed.

(d) Any transporting organization that continues to operate, or any transporting organization agent who continues to work as an agent, after the applicable license or identification card has expired without renewal is subject to the penalties provided under Section 45-5.

(e) The Department shall not renew a license or an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

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

(410 ILCS 705/40-45)

Sec. 40-45. Disclosure of ownership and control.

(a) Each transporting organization applicant and licensee shall file and maintain a Table of Organization, Ownership, and Control with the Department. The Table of Organization, Ownership, and Control shall contain the information required by this Section in sufficient detail to identify all owners, directors, and principal officers, and the title of each principal officer or business entity that, through direct or indirect means, manages, owns, or controls the applicant or licensee.

(b) The Table of Organization, Ownership, and Control shall identify the following information:

(1) The management structure, ownership, and control of the applicant or license holder including the name of each principal officer or business entity, the office or position held, and the percentage ownership

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interest, if any. If the business entity has a parent company, the name of each owner, board member, and officer of the parent company and his or her percentage ownership interest in the parent company and the transporting organization.

(2) If the applicant or licensee is a business entity with publicly traded stock, the identification of ownership shall be provided as required in subsection (c).

(c) If a business entity identified in subsection (b) is a publicly traded company, the following information shall be provided in the Table of Organization, Ownership, and Control:

(1) The name and percentage of ownership interest of each individual or business entity with ownership of more than 5% of the voting shares of the entity, to the extent such information is known or contained in 13D or 13G Securities and Exchange Commission filings.

(2) To the extent known, the names and percentage of interest of ownership of persons who are relatives of one another and who together exercise control over or own more than 10% of the voting shares of the entity.

(d) A transporting organization with a parent company or companies, or partially owned or controlled by another entity must disclose to the Department the relationship and all owners, board members, officers, or individuals with control or management of those entities. A transporting organization shall not shield its ownership or control from the Department.

(e) All principal officers must submit a complete online application with the Department within 14 days of the transporting organization being licensed by the Department or within 14 days of Department notice of approval as a new principal officer.

(f) A principal officer may not allow his or her registration to expire.

(g) A transporting organization separating with a principal officer must do so under this Act. The principal officer must communicate the separation to the Department within 5 business days.

(h) A principal officer not in compliance with the requirements of this Act shall be removed from his or her position with the transporting organization or shall otherwise terminate his or her affiliation. Failure to do so may subject the transporting organization to discipline, suspension, or revocation of its license by the Department.

(i) It is the responsibility of the transporting organization and its principal officers to promptly notify the Department of any change of the principal place of business address, hours of operation, change in ownership or control, or a change of the transporting organization's primary or secondary

contact information. Any changes must be made to the Department in writing.
(Source: P.A. 102-98, eff. 7-15-21.)

(410 ILCS 705/Art. 45 heading)

Article 45.

Enforcement and Immunities

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

(410 ILCS 705/45-5)

Sec. 45-5. License suspension; revocation; other penalties.

(a) Notwithstanding any other criminal penalties related to the unlawful possession of cannabis, the Department of Financial and Professional Regulation and the Department of Agriculture may revoke, suspend, place on probation, reprimand, issue cease and desist orders, refuse to issue or renew a license, or take any other disciplinary or nondisciplinary action as each department may deem proper with regard to a cannabis business establishment or cannabis business establishment agent, including fines not to exceed:

(1) $50,000 for each violation of this Act or rules adopted under this Act by a cultivation center or cultivation center agent;

(2) $20,000 for each violation of this Act or rules adopted under this Act by a dispensing organization or dispensing organization agent;

(3) $15,000 for each violation of this Act or rules adopted under this Act by a craft grower or craft grower agent;

(4) $10,000 for each violation of this Act or rules adopted under this Act by an infuser organization or infuser organization agent; and

(5) $10,000 for each violation of this Act or rules adopted under this Act by a transporting organization or transporting organization agent.

(b) The Department of Financial and Professional Regulation and the Department of Agriculture, as the case may be, shall consider licensee cooperation in any agency or other investigation in its determination of penalties imposed under this Section.

(c) The procedures for disciplining a cannabis business establishment or cannabis business establishment agent and for administrative hearings shall be determined by rule, and shall provide for the review of final decisions under the Administrative Review Law.

(d) The Attorney General may also enforce a violation of

Section 55-20, Section 55-21, and Section 15-155 as an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/45-10)

Sec. 45-10. Immunities and presumptions related to the handling of cannabis by cannabis business establishments and their agents.

(a) A cultivation center, craft grower, infuser organization, or transporting organization is not subject to: (i) prosecution; (ii) search or inspection, except by the Department of Agriculture, the Department of Public Health, or State or local law enforcement under this Act; (iii) seizure; (iv) penalty in any manner, including, but not limited to, civil penalty; (v) denial of any right or privilege; or (vi) disciplinary action by a business licensing board or entity for acting under this Act and rules adopted under this Act to acquire, possess, cultivate, manufacture, process, deliver, transfer, transport, supply, or sell cannabis or cannabis paraphernalia under this Act.

(b) A licensed cultivation center agent, licensed craft grower agent, licensed infuser organization agent, or licensed transporting organization agent is not subject to: (i) prosecution; (ii) search; (iii) penalty in any manner, including, but not limited to, civil penalty; (iv) denial of any right or privilege; or (v) disciplinary action by a business licensing board or entity, for engaging in cannabis-related activities authorized under this Act and rules adopted under this Act.

(c) A dispensing organization is not subject to: (i) prosecution; (ii) search or inspection, except by the Department of Financial and Professional Regulation, or State or local law enforcement under this Act; (iii) seizure; (iv) penalty in any manner, including, but not limited to, civil penalty; (v) denial of any right or privilege; or (vi) disciplinary action by a business licensing board or entity, for acting under this Act and rules adopted under this Act to acquire, possess, or dispense cannabis, cannabis-infused products, cannabis paraphernalia, or related supplies, and educational materials under this Act.

(d) A licensed dispensing organization agent is not subject to: (i) prosecution; (ii) search; or (iii) penalty in any manner, or denial of any right or privilege, including, but not limited to, civil penalty or disciplinary action by a business licensing board or entity, for working for a dispensing organization under this Act and rules adopted under this Act.

(e) Any cannabis, cannabis-infused product, cannabis

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paraphernalia, legal property, or interest in legal property that is possessed, owned, or used in connection with the use of cannabis as allowed under this Act, or acts incidental to that use, may not be seized or forfeited. This Act does not prevent the seizure or forfeiture of cannabis exceeding the amounts allowed under this Act, nor does it prevent seizure or forfeiture if the basis for the action is unrelated to the cannabis that is possessed, manufactured, transferred, or used under this Act.

(f) Nothing in this Act shall preclude local or State law enforcement agencies from searching a cultivation center, craft grower, infuser organization, transporting organization, or dispensing organization if there is probable cause to believe that the criminal laws of this State have been violated and the search is conducted in conformity with the Illinois Constitution, the Constitution of the United States, and applicable law.

(g) Nothing in this Act shall preclude the Attorney General or other authorized government agency from investigating or bringing a civil action against a cannabis business establishment, or an agent thereof, for a violation of State law, including, but not limited to, civil rights violations and violations of the Consumer Fraud and Deceptive Business Practices Act.

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

(410 ILCS 705/45-15)

Sec. 45-15. State standards and requirements. Any standards, requirements, and rules regarding the health and safety, environmental protection, testing, security, food safety, and worker protections established by the State shall be the minimum standards for all licensees under this Act statewide, where applicable. Knowing violations of any State or local law, ordinance, or rule conferring worker protections or legal rights on the employees of a licensee may be grounds for disciplinary action under this Act, in addition to penalties established elsewhere.

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

(410 ILCS 705/45-20)

Sec. 45-20. Violation of tax Acts; refusal, revocation, or suspension of license or agent identification card.

(a) In addition to other grounds specified in this Act, the Department of Agriculture and Department of Financial and Professional Regulation, upon notification by the Department of Revenue, shall refuse the issuance or renewal of a license or agent identification card, or suspend or revoke the license or agent identification card, of any person, for any of the

following violations of any tax Act administered by the Department of Revenue:

(1) Failure to file a tax return.

(2) The filing of a fraudulent return.

(3) Failure to pay all or part of any tax or penalty finally determined to be due.

(4) Failure to keep books and records.

(5) Failure to secure and display a certificate or sub-certificate of registration, if required.

(6) Willful violation of any rule or regulation of the Department relating to the administration and enforcement of tax liability.

(b) After all violations of any of items (1) through (6) of subsection (a) have been corrected or resolved, the Department shall, upon request of the applicant or, if not requested, may notify the entities listed in subsection (a) that the violations have been corrected or resolved. Upon receiving notice from the Department that a violation of any of items (1) through (6) of subsection (a) have been corrected or otherwise resolved to the Department of Revenue's satisfaction, the Department of Agriculture and the Department of Financial and Professional Regulation may issue or renew the license or agent identification card, or vacate an order of suspension or revocation.

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

(410 ILCS 705/Art. 50 heading)

Article 50.

Laboratory Testing

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

(410 ILCS 705/50-5)

Sec. 50-5. Laboratory testing.

(a) Notwithstanding any other provision of law, the following acts, when performed by a cannabis testing facility with a current, valid registration, or a person 21 years of age or older who is acting in his or her capacity as an owner, employee, or agent of a cannabis testing facility, are not unlawful and shall not be an offense under Illinois law or be a basis for seizure or forfeiture of assets under Illinois law:

(1) possessing, repackaging, transporting, storing, or displaying cannabis or cannabis-infused products;

(2) receiving or transporting cannabis or cannabis-infused products from a cannabis business establishment, a community college licensed under the

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Community College Cannabis Vocational Training Pilot Program, or a person 21 years of age or older; and

(3) returning or transporting cannabis or cannabis-infused products to a cannabis business establishment, a community college licensed under the Community College Cannabis Vocational Training Pilot Program, or a person 21 years of age or older.

(b)(1) No laboratory shall handle, test, or analyze cannabis unless approved by the Department of Agriculture in accordance with this Section.

(2) No laboratory shall be approved to handle, test, or analyze cannabis unless the laboratory:

(A) is accredited by a private laboratory accrediting organization;

(B) is independent from all other persons involved in the cannabis industry in Illinois and no person with a direct or indirect interest in the laboratory has a direct or indirect financial, management, or other interest in an Illinois cultivation center, craft grower, dispensary, infuser, transporter, certifying physician, or any other entity in the State that may benefit from the production, manufacture, dispensing, sale, purchase, or use of cannabis; and

(C) has employed at least one person to oversee and be responsible for the laboratory testing who has earned, from a college or university accredited by a national or regional certifying authority, at least:

(i) a master's level degree in chemical or biological sciences and a minimum of 2 years' post-degree laboratory experience; or

(ii) a bachelor's degree in chemical or biological sciences and a minimum of 4 years' post-degree laboratory experience.

(3) Each independent testing laboratory that claims to be accredited must provide the Department of Agriculture with a copy of the most recent annual inspection report granting accreditation and every annual report thereafter.

(c) Immediately before manufacturing or natural processing of any cannabis or cannabis-infused product or packaging cannabis for sale to a dispensary, each batch shall be made available by the cultivation center, craft grower, or infuser for an employee of an approved laboratory to select a random sample, which shall be tested by the approved laboratory for:

(1) microbiological contaminants;

(2) mycotoxins;

(3) pesticide active ingredients;

(4) residual solvent; and

(5) an active ingredient analysis.

(d) The Department of Agriculture may select a random sample that shall, for the purposes of conducting an active ingredient analysis, be tested by the Department of Agriculture for verification of label information.

(e) A laboratory shall immediately return or dispose of any cannabis upon the completion of any testing, use, or research. If cannabis is disposed of, it shall be done in compliance with Department of Agriculture rule.

(f) If a sample of cannabis does not pass the microbiological, mycotoxin, pesticide chemical residue, or solvent residue test, based on the standards established by the Department of Agriculture, the following shall apply:

(1) If the sample failed the pesticide chemical residue test, the entire batch from which the sample was taken shall, if applicable, be recalled as provided by rule.

(2) If the sample failed any other test, the batch may be used to make a CO_2-based or solvent based extract. After processing, the CO_2-based or solvent based extract must still pass all required tests.

(g) The Department of Agriculture shall establish standards for microbial, mycotoxin, pesticide residue, solvent residue, or other standards for the presence of possible contaminants, in addition to labeling requirements for contents and potency.

(h) The laboratory shall file with the Department of Agriculture an electronic copy of each laboratory test result for any batch that does not pass the microbiological, mycotoxin, or pesticide chemical residue test, at the same time that it transmits those results to the cultivation center. In addition, the laboratory shall maintain the laboratory test results for at least 5 years and make them available at the Department of Agriculture's request.

(i) A cultivation center, craft grower, and infuser shall provide to a dispensing organization the laboratory test results for each batch of cannabis product purchased by the dispensing organization, if sampled. Each dispensing organization must have those laboratory results available upon request to purchasers.

(j) The Department of Agriculture may adopt rules related to testing in furtherance of this Act.

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

(410 ILCS 705/Art. 55 heading)

Article 55.

General Provisions

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

(410 ILCS 705/55-5)

Sec. 55-5. Preparation of cannabis-infused products.

(a) The Department of Agriculture may regulate the production of cannabis-infused products by a cultivation center, a craft grower, an infuser organization, or a dispensing organization and establish rules related to refrigeration, hot-holding, and handling of cannabis-infused products. All cannabis-infused products shall meet the packaging and labeling requirements contained in Section 55-21.

(b) Cannabis-infused products for sale or distribution at a dispensing organization must be prepared by an approved agent of a cultivation center or infuser organization.

(c) A cultivation center or infuser organization that prepares cannabis-infused products for sale or distribution by a dispensing organization shall be under the operational supervision of a Department of Public Health certified food service sanitation manager.

(d) Dispensing organizations may not manufacture, process, or produce cannabis-infused products.

(e) The Department of Public Health shall adopt and enforce rules for the manufacture and processing of cannabis-infused products, and for that purpose it may at all times enter every building, room, basement, enclosure, or premises occupied or used, or suspected of being occupied or used, for the production, preparation, manufacture for sale, storage, sale, processing, distribution, or transportation of cannabis-infused products, and to inspect the premises together with all utensils, fixtures, furniture, and machinery used for the preparation of these products.

(f) The Department of Agriculture shall by rule establish a maximum level of THC that may be contained in each serving of cannabis-infused product, and within the product package.

(g) If a local public health agency has a reasonable belief that a cannabis-infused product poses a public health hazard, it may refer the cultivation center, craft grower, or infuser that manufactured or processed the cannabis-infused product to the Department of Public Health. If the Department of Public Health finds that a cannabis-infused product poses a health hazard, it may bring an action for immediate injunctive relief to require that action be taken as the court may deem necessary to meet the hazard of the cultivation facility or seek other relief as provided by rule.

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

(410 ILCS 705/55-10)

Sec. 55-10. Maintenance of inventory. All dispensing organizations authorized to serve both registered qualifying

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patients and caregivers and purchasers are required to report which cannabis and cannabis-infused products are purchased for sale under the Compassionate Use of Medical Cannabis Program Act, and which cannabis and cannabis-infused products are purchased under this Act. Nothing in this Section prohibits a registered qualifying patient under the Compassionate Use of Medical Cannabis Program Act from purchasing cannabis as a purchaser under this Act.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/55-15)
Sec. 55-15. Destruction of cannabis.

(a) All cannabis byproduct, scrap, and harvested cannabis not intended for distribution to a dispensing organization must be destroyed and disposed of under rules adopted by the Department of Agriculture under this Act. Documentation of destruction and disposal shall be retained at the cultivation center, craft grower, infuser organization, transporter, or testing facility as applicable for a period of not less than 5 years.

(b) A cultivation center, craft grower, or infuser organization shall, before destruction, notify the Department of Agriculture and the Illinois State Police. A dispensing organization shall, before destruction, notify the Department of Financial and Professional Regulation and the Illinois State Police. The Department of Agriculture may by rule require that an employee of the Department of Agriculture or the Department of Financial and Professional Regulation be present during the destruction of any cannabis byproduct, scrap, and harvested cannabis, as applicable.

(c) The cultivation center, craft grower, infuser organization, or dispensing organization shall keep a record of the date of destruction and how much was destroyed.

(d) A dispensing organization shall destroy all cannabis, including cannabis-infused products, not sold to purchasers. Documentation of destruction and disposal shall be retained at the dispensing organization for a period of not less than 5 years.
(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-20)
Sec. 55-20. Advertising and promotions.

(a) No cannabis business establishment nor any other person or entity shall engage in advertising that contains any statement or illustration that:

(1) is false or misleading;

(2) promotes overconsumption of cannabis or cannabis products;

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(3) depicts the actual consumption of cannabis or cannabis products;

(4) depicts a person under 21 years of age consuming cannabis;

(5) makes any health, medicinal, or therapeutic claims about cannabis or cannabis-infused products;

(6) includes the image of a cannabis leaf or bud; or

(7) includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that is designed in any manner to be appealing to or encourage consumption by persons under 21 years of age.

(b) No cannabis business establishment nor any other person or entity shall place or maintain, or cause to be placed or maintained, an advertisement of cannabis or a cannabis-infused product in any form or through any medium:

(1) within 1,000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a child care center, a public park or public library, or a game arcade to which admission is not restricted to persons 21 years of age or older;

(2) on or in a public transit vehicle or public transit shelter;

(3) on or in publicly owned or publicly operated property; or

(4) that contains information that:

(A) is false or misleading;

(B) promotes excessive consumption;

(C) depicts a person under 21 years of age consuming cannabis;

(D) includes the image of a cannabis leaf; or

(E) includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that are popularly used to advertise to children, or any imitation of candy packaging or labeling, or that promotes consumption of cannabis.

(c) Subsections (a) and (b) do not apply to an educational message.

(d) Sales promotions. No cannabis business establishment nor any other person or entity may encourage the sale of cannabis or cannabis products by giving away cannabis or cannabis products, by conducting games or competitions related to the consumption of cannabis or cannabis products, or by providing promotional materials or activities of a manner or type that would be appealing to children.

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

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(410 ILCS 705/55-21)

Sec. 55-21. Cannabis product packaging and labeling.

(a) Each cannabis product produced for sale shall be registered with the Department of Agriculture on forms provided by the Department of Agriculture. Each product registration shall include a label and the required registration fee at the rate established by the Department of Agriculture for a comparable medical cannabis product, or as established by rule. The registration fee is for the name of the product offered for sale and one fee shall be sufficient for all package sizes.

(b) All harvested cannabis intended for distribution to a cannabis enterprise must be packaged in a sealed, labeled container.

(c) Any product containing cannabis shall be sold in a sealed, odor-proof, and child-resistant cannabis container consistent with current standards, including the Consumer Product Safety Commission standards referenced by the Poison Prevention Act unless the sale is between or among a craft grower, infuser, or cultivation center.

(d) All cannabis-infused products shall be individually wrapped or packaged at the original point of preparation. The packaging of the cannabis-infused product shall conform to the labeling requirements of the Illinois Food, Drug and Cosmetic Act, in addition to the other requirements set forth in this Section.

(e) Each cannabis product shall be labeled before sale and each label shall be securely affixed to the package and shall state in legible English and any languages required by the Department of Agriculture:

(1) the name and post office box of the registered cultivation center or craft grower where the item was manufactured;

(2) the common or usual name of the item and the registered name of the cannabis product that was registered with the Department of Agriculture under subsection (a);

(3) a unique serial number that will match the product with a cultivation center or craft grower batch and lot number to facilitate any warnings or recalls the Department of Agriculture, cultivation center, or craft grower deems appropriate;

(4) the date of final testing and packaging, if sampled, and the identification of the independent testing laboratory;

(5) the date of harvest and "use by" date;

(6) the quantity (in ounces or grams) of cannabis contained in the product;

(7) a pass/fail rating based on the laboratory's microbiological, mycotoxins, and pesticide and solvent

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residue analyses, if sampled;

(8) content list.

(A) A list of the following, including the minimum and maximum percentage content by weight for subdivisions (e)(8)(A)(i) through (iv):

(i) delta-9-tetrahydrocannabinol (THC);

(ii) tetrahydrocannabinolic acid (THCA);

(iii) cannabidiol (CBD);

(iv) cannabidiolic acid (CBDA); and

(v) all other ingredients of the item, including any colors, artificial flavors, and preservatives, listed in descending order by predominance of weight shown with common or usual names.

(B) The acceptable tolerances for the minimum percentage printed on the label for any of subdivisions (e)(8)(A)(i) through (iv) shall not be below 85% or above 115% of the labeled amount.

(f) Packaging must not contain information that:

(1) is false or misleading;

(2) promotes excessive consumption;

(3) depicts a person under 21 years of age consuming cannabis;

(4) includes the image of a cannabis leaf;

(5) includes any image designed or likely to appeal to minors, including cartoons, toys, animals, or children, or any other likeness to images, characters, or phrases that are popularly used to advertise to children, or any packaging or labeling that bears reasonable resemblance to any product available for consumption as a commercially available candy, or that promotes consumption of cannabis;

(6) contains any seal, flag, crest, coat of arms, or other insignia likely to mislead the purchaser to believe that the product has been endorsed, made, or used by the State of Illinois or any of its representatives except where authorized by this Act.

(g) Cannabis products produced by concentrating or extracting ingredients from the cannabis plant shall contain the following information, where applicable:

(1) If solvents were used to create the concentrate or extract, a statement that discloses the type of extraction method, including any solvents or gases used to create the concentrate or extract; and

(2) Any other chemicals or compounds used to produce or were added to the concentrate or extract.

(h) All cannabis products must contain warning statements established for purchasers, of a size that is legible and readily visible to a consumer inspecting a package, which may

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not be covered or obscured in any way. The Department of Public Health shall define and update appropriate health warnings for packages including specific labeling or warning requirements for specific cannabis products.

(i) Unless modified by rule to strengthen or respond to new evidence and science, the following warnings shall apply to all cannabis products unless modified by rule: "This product contains cannabis and is intended for use by adults 21 and over. Its use can impair cognition and may be habit forming. This product should not be used by pregnant or breastfeeding women. It is unlawful to sell or provide this item to any individual, and it may not be transported outside the State of Illinois. It is illegal to operate a motor vehicle while under the influence of cannabis. Possession or use of this product may carry significant legal penalties in some jurisdictions and under federal law.".

(j) Warnings for each of the following product types must be present on labels when offered for sale to a purchaser:

(1) Cannabis that may be smoked must contain a statement that "Smoking is hazardous to your health.".

(2) Cannabis-infused products (other than those intended for topical application) must contain a statement "CAUTION: This product contains cannabis, and intoxication following use may be delayed 2 or more hours. This product was produced in a facility that cultivates cannabis, and that may also process common food allergens.".

(3) Cannabis-infused products intended for topical application must contain a statement "DO NOT EAT" in bold, capital letters.

(k) Each cannabis-infused product intended for consumption must be individually packaged, must include the total milligram content of THC and CBD, and may not include more than a total of 100 milligrams of THC per package. A package may contain multiple servings of 10 milligrams of THC, indicated by scoring, wrapping, or by other indicators designating individual serving sizes. The Department of Agriculture may change the total amount of THC allowed for each package, or the total amount of THC allowed for each serving size, by rule.

(l) No individual other than the purchaser may alter or destroy any labeling affixed to the primary packaging of cannabis or cannabis-infused products.

(m) For each commercial weighing and measuring device used at a facility, the cultivation center or craft grower must:

(1) Ensure that the commercial device is licensed under the Weights and Measures Act and the associated administrative rules (8 Ill. Adm. Code 600);

(2) Maintain documentation of the licensure of the commercial device; and

(3) Provide a copy of the license of the commercial device to the Department of Agriculture for review upon request.

(n) It is the responsibility of the Department to ensure that packaging and labeling requirements, including product warnings, are enforced at all times for products provided to purchasers. Product registration requirements and container requirements may be modified by rule by the Department of Agriculture.

(o) Labeling, including warning labels, may be modified by rule by the Department of Agriculture.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(410 ILCS 705/55-25)

Sec. 55-25. Local ordinances. Unless otherwise provided under this Act or otherwise in accordance with State law:

(1) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may enact reasonable zoning ordinances or resolutions, not in conflict with this Act or rules adopted pursuant to this Act, regulating cannabis business establishments. No unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may prohibit home cultivation or unreasonably prohibit use of cannabis authorized by this Act.

(2) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may enact ordinances or rules not in conflict with this Act or with rules adopted pursuant to this Act governing the time, place, manner, and number of cannabis business establishment operations, including minimum distance limitations between cannabis business establishments and locations it deems sensitive, including colleges and universities, through the use of conditional use permits. A unit of local government, including a home rule unit, may establish civil penalties for violation of an ordinance or rules governing the time, place, and manner of operation of a cannabis business establishment or a conditional use permit in the jurisdiction of the unit of local government. No unit of local government, including a home rule unit or non-home rule county within an unincorporated territory of the county, may unreasonably restrict the time, place, manner, and number of cannabis business establishment operations authorized by this Act.

(3) A unit of local government, including a home rule unit, or any non-home rule county within the unincorporated

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territory of the county may authorize or permit the on-premises consumption of cannabis at or in a dispensing organization or retail tobacco store (as defined in Section 10 of the Smoke Free Illinois Act) within its jurisdiction in a manner consistent with this Act. A dispensing organization or retail tobacco store authorized or permitted by a unit of local government to allow on-site consumption shall not be deemed a public place within the meaning of the Smoke Free Illinois Act.

(4) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may not regulate the activities described in paragraph (1), (2), or (3) in a manner more restrictive than the regulation of those activities by the State under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(5) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may enact ordinances to prohibit or significantly limit a cannabis business establishment's location.

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

(410 ILCS 705/55-28)

Sec. 55-28. Restricted cannabis zones.

(a) As used in this Section:

"Legal voter" means a person:

(1) who is duly registered to vote in a municipality with a population of over 500,000;

(2) whose name appears on a poll list compiled by the city board of election commissioners since the last preceding election, regardless of whether the election was a primary, general, or special election;

(3) who, at the relevant time, is a resident of the address at which he or she is registered to vote; and

(4) whose address, at the relevant time, is located in the precinct where such person seeks to file a notice of intent to initiate a petition process, circulate a petition, or sign a petition under this Section.

As used in the definition of "legal voter", "relevant time" means any time that:

(i) a notice of intent is filed, pursuant to subsection (c) of this Section, to initiate the petition process under this Section;

(ii) the petition is circulated for signature in the applicable precinct; or

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(iii) the petition is signed by registered voters in the applicable precinct.

"Petition" means the petition described in this Section.

"Precinct" means the smallest constituent territory within a municipality with a population of over 500,000 in which electors vote as a unit at the same polling place in any election governed by the Election Code.

"Restricted cannabis zone" means a precinct within which home cultivation, one or more types of cannabis business establishments, or both has been prohibited pursuant to an ordinance initiated by a petition under this Section.

(b) The legal voters of any precinct within a municipality with a population of over 500,000 may petition their local alderperson, using a petition form made available online by the city clerk, to introduce an ordinance establishing the precinct as a restricted zone. Such petition shall specify whether it seeks an ordinance to prohibit, within the precinct: (i) home cultivation; (ii) one or more types of cannabis business establishments; or (iii) home cultivation and one or more types of cannabis business establishments.

Upon receiving a petition containing the signatures of at least 25% of the registered voters of the precinct, and concluding that the petition is legally sufficient following the posting and review process in subsection (c) of this Section, the city clerk shall notify the local alderperson of the ward in which the precinct is located. Upon being notified, that alderperson, following an assessment of relevant factors within the precinct, including, but not limited to, its geography, density and character, the prevalence of residentially zoned property, current licensed cannabis business establishments in the precinct, the current amount of home cultivation in the precinct, and the prevailing viewpoint with regard to the issue raised in the petition, may introduce an ordinance to the municipality's governing body creating a restricted cannabis zone in that precinct.

(c) A person seeking to initiate the petition process described in this Section shall first submit to the city clerk notice of intent to do so, on a form made available online by the city clerk. That notice shall include a description of the potentially affected area and the scope of the restriction sought. The city clerk shall publicly post the submitted notice online.

To be legally sufficient, a petition must contain the requisite number of valid signatures and all such signatures must be obtained within 90 days of the date that the city clerk publicly posts the notice of intent. Upon receipt, the city clerk shall post the petition on the municipality's website for a 30-day comment period. The city clerk is authorized to take

all necessary and appropriate steps to verify the legal sufficiency of a submitted petition. Following the petition review and comment period, the city clerk shall publicly post online the status of the petition as accepted or rejected, and if rejected, the reasons therefor. If the city clerk rejects a petition as legally insufficient, a minimum of 12 months must elapse from the time the city clerk posts the rejection notice before a new notice of intent for that same precinct may be submitted.

(c-5) Within 3 days after receiving an application for zoning approval to locate a cannabis business establishment within a municipality with a population of over 500,000, the municipality shall post a public notice of the filing on its website and notify the alderperson of the ward in which the proposed cannabis business establishment is to be located of the filing. No action shall be taken on the zoning application for 7 business days following the notice of the filing for zoning approval.

If a notice of intent to initiate the petition process to prohibit the type of cannabis business establishment proposed in the precinct of the proposed cannabis business establishment is filed prior to the filing of the application or within the 7-day period after the filing of the application, the municipality shall not approve the application for at least 90 days after the city clerk publicly posts the notice of intent to initiate the petition process. If a petition is filed within the 90-day petition-gathering period described in subsection (c), the municipality shall not approve the application for an additional 90 days after the city clerk's receipt of the petition; provided that if the city clerk rejects a petition as legally insufficient, the municipality may approve the application prior to the end of the 90 days. If a petition is not submitted within the 90-day petition-gathering period described in subsection (c), the municipality may approve the application unless the approval is otherwise stayed pursuant to this subsection by a separate notice of intent to initiate the petition process filed timely within the 7-day period.

If no legally sufficient petition is timely filed, a minimum of 12 months must elapse before a new notice of intent for that same precinct may be submitted.

(d) Notwithstanding any law to the contrary, the municipality may enact an ordinance creating a restricted cannabis zone. The ordinance shall:

(1) identify the applicable precinct boundaries as of the date of the petition;

(2) state whether the ordinance prohibits within the defined boundaries of the precinct, and in what combination: (A) one or more types of cannabis business

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establishments; or (B) home cultivation;

(3) be in effect for 4 years, unless repealed earlier; and

(4) once in effect, be subject to renewal by ordinance at the expiration of the 4-year period without the need for another supporting petition.

(e) An Early Approval Adult Use Dispensing Organization License permitted to relocate under subsection (b-5) of Section 15-15 shall not relocate to a restricted cannabis zone.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-15, eff. 6-17-21; 102-98, eff. 7-15-21; 102-687, eff. 12-17-21.)

(410 ILCS 705/55-30)

(Text of Section from P.A. 102-98)

Sec. 55-30. Confidentiality.

(a) Information provided by the cannabis business establishment licensees or applicants to the Department of Agriculture, the Department of Public Health, the Department of Financial and Professional Regulation, the Department of Commerce and Economic Opportunity, or other agency shall be limited to information necessary for the purposes of administering this Act. The information is subject to the provisions and limitations contained in the Freedom of Information Act and may be disclosed in accordance with Section 55-65.

(b) The following information received and records kept by the Department of Agriculture, the Department of Public Health, the Department of State Police, and the Department of Financial and Professional Regulation for purposes of administering this Article are subject to all applicable federal privacy laws, are confidential and exempt from disclosure under the Freedom of Information Act, except as provided in this Act, and not subject to disclosure to any individual or public or private entity, except to the Department of Financial and Professional Regulation, the Department of Agriculture, the Department of Public Health, and the Department of State Police as necessary to perform official duties under this Article and to the Attorney General as necessary to enforce the provisions of this Act. The following information received and kept by the Department of Financial and Professional Regulation or the Department of Agriculture may be disclosed to the Department of Public Health, the Department of Agriculture, the Department of Revenue, the Department of State Police, or the Attorney General upon proper request:

(1) Applications and renewals, their contents, and supporting information submitted by or on behalf of dispensing organizations, cannabis business establishments, or Community College Cannabis Vocational Program licensees,

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in compliance with this Article, including their physical addresses; however, this does not preclude the release of ownership information about cannabis business establishment licenses, or information submitted with an application required to be disclosed pursuant to subsection (f);

(2) Any plans, procedures, policies, or other records relating to cannabis business establishment security; and

(3) Information otherwise exempt from disclosure by State or federal law.

Illinois or national criminal history record information, or the nonexistence or lack of such information, may not be disclosed by the Department of Financial and Professional Regulation or the Department of Agriculture, except as necessary to the Attorney General to enforce this Act.

(c) The name and address of a dispensing organization licensed under this Act shall be subject to disclosure under the Freedom of Information Act. The name and cannabis business establishment address of the person or entity holding each cannabis business establishment license shall be subject to disclosure.

(d) All information collected by the Department of Financial and Professional Regulation or the Department of Agriculture in the course of an examination, inspection, or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee or applicant filed with the Department of Financial and Professional Regulation or the Department of Agriculture and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department of Financial and Professional Regulation or the Department of Agriculture and shall not be disclosed, except as otherwise provided in this Act. A formal complaint against a licensee by the Department of Financial and Professional Regulation or the Department of Agriculture or any disciplinary order issued by the Department of Financial and Professional Regulation or the Department of Agriculture against a licensee or applicant shall be a public record, except as otherwise provided by law. Complaints from consumers or members of the general public received regarding a specific, named licensee or complaints regarding conduct by unlicensed entities shall be subject to disclosure under the Freedom of Information Act.

(e) The Department of Agriculture, the Department of State Police, and the Department of Financial and Professional Regulation shall not share or disclose any Illinois or national criminal history record information, or the nonexistence or lack of such information, to any person or entity not expressly authorized by this Act.

(f) Each Department responsible for licensure under this Act

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shall publish on the Department's website a list of the ownership information of cannabis business establishment licensees under the Department's jurisdiction. The list shall include, but is not limited to: the name of the person or entity holding each cannabis business establishment license; and the address at which the entity is operating under this Act. This list shall be published and updated monthly.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21.)

(Text of Section from P.A. 102-538)
Sec. 55-30. Confidentiality.

(a) Information provided by the cannabis business establishment licensees or applicants to the Department of Agriculture, the Department of Public Health, the Department of Financial and Professional Regulation, the Department of Commerce and Economic Opportunity, or other agency shall be limited to information necessary for the purposes of administering this Act. The information is subject to the provisions and limitations contained in the Freedom of Information Act and may be disclosed in accordance with Section 55-65.

(b) The following information received and records kept by the Department of Agriculture, the Department of Public Health, the Illinois State Police, and the Department of Financial and Professional Regulation for purposes of administering this Article are subject to all applicable federal privacy laws, are confidential and exempt from disclosure under the Freedom of Information Act, except as provided in this Act, and not subject to disclosure to any individual or public or private entity, except to the Department of Financial and Professional Regulation, the Department of Agriculture, the Department of Public Health, and the Illinois State Police as necessary to perform official duties under this Article and to the Attorney General as necessary to enforce the provisions of this Act. The following information received and kept by the Department of Financial and Professional Regulation or the Department of Agriculture may be disclosed to the Department of Public Health, the Department of Agriculture, the Department of Revenue, the Illinois State Police, or the Attorney General upon proper request:

(1) Applications and renewals, their contents, and supporting information submitted by or on behalf of dispensing organizations in compliance with this Article, including their physical addresses;

(2) Any plans, procedures, policies, or other records relating to dispensing organization security; and

(3) Information otherwise exempt from disclosure by

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State or federal law.

Illinois or national criminal history record information, or the nonexistence or lack of such information, may not be disclosed by the Department of Financial and Professional Regulation or the Department of Agriculture, except as necessary to the Attorney General to enforce this Act.

(c) The name and address of a dispensing organization licensed under this Act shall be subject to disclosure under the Freedom of Information Act. The name and cannabis business establishment address of the person or entity holding each cannabis business establishment license shall be subject to disclosure.

(d) All information collected by the Department of Financial and Professional Regulation in the course of an examination, inspection, or investigation of a licensee or applicant, including, but not limited to, any complaint against a licensee or applicant filed with the Department and information collected to investigate any such complaint, shall be maintained for the confidential use of the Department and shall not be disclosed, except as otherwise provided in this Act. A formal complaint against a licensee by the Department or any disciplinary order issued by the Department against a licensee or applicant shall be a public record, except as otherwise provided by law. Complaints from consumers or members of the general public received regarding a specific, named licensee or complaints regarding conduct by unlicensed entities shall be subject to disclosure under the Freedom of Information Act.

(e) The Department of Agriculture, the Illinois State Police, and the Department of Financial and Professional Regulation shall not share or disclose any Illinois or national criminal history record information, or the nonexistence or lack of such information, to any person or entity not expressly authorized by this Act.

(f) Each Department responsible for licensure under this Act shall publish on the Department's website a list of the ownership information of cannabis business establishment licensees under the Department's jurisdiction. The list shall include, but is not limited to: the name of the person or entity holding each cannabis business establishment license; and the address at which the entity is operating under this Act. This list shall be published and updated monthly.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-35)

Sec. 55-35. Administrative rulemaking.

(a) No later than 180 days after the effective date of this Act, the Department of Agriculture, the Illinois State Police,

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the Department of Financial and Professional Regulation, the Department of Revenue, the Department of Commerce and Economic Opportunity, and the Treasurer's Office shall adopt permanent rules in accordance with their responsibilities under this Act. The Department of Agriculture, the Illinois State Police, the Department of Financial and Professional Regulation, the Department of Revenue, and the Department of Commerce and Economic Opportunity may adopt rules necessary to regulate personal cannabis use through the use of emergency rulemaking in accordance with subsection (gg) of Section 5-45 of the Illinois Administrative Procedure Act. The General Assembly finds that the adoption of rules to regulate cannabis use is deemed an emergency and necessary for the public interest, safety, and welfare.

(b) The Department of Agriculture rules may address, but are not limited to, the following matters related to cultivation centers, craft growers, infuser organizations, and transporting organizations with the goal of protecting against diversion and theft, without imposing an undue burden on the cultivation centers, craft growers, infuser organizations, or transporting organizations:

(1) oversight requirements for cultivation centers, craft growers, infuser organizations, and transporting organizations;

(2) recordkeeping requirements for cultivation centers, craft growers, infuser organizations, and transporting organizations;

(3) security requirements for cultivation centers, craft growers, infuser organizations, and transporting organizations, which shall include that each cultivation center, craft grower, infuser organization, and transporting organization location must be protected by a fully operational security alarm system;

(4) standards for enclosed, locked facilities under this Act;

(5) procedures for suspending or revoking the identification cards of agents of cultivation centers, craft growers, infuser organizations, and transporting organizations that commit violations of this Act or the rules adopted under this Section;

(6) rules concerning the intrastate transportation of cannabis from a cultivation center, craft grower, infuser organization, and transporting organization to a dispensing organization;

(7) standards concerning the testing, quality, cultivation, and processing of cannabis; and

(8) any other matters under oversight by the Department of Agriculture as are necessary for the fair,

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impartial, stringent, and comprehensive administration of this Act.

(c) The Department of Financial and Professional Regulation rules may address, but are not limited to, the following matters related to dispensing organizations, with the goal of protecting against diversion and theft, without imposing an undue burden on the dispensing organizations:

(1) oversight requirements for dispensing organizations;

(2) recordkeeping requirements for dispensing organizations;

(3) security requirements for dispensing organizations, which shall include that each dispensing organization location must be protected by a fully operational security alarm system;

(4) procedures for suspending or revoking the licenses of dispensing organization agents that commit violations of this Act or the rules adopted under this Act;

(5) any other matters under oversight by the Department of Financial and Professional Regulation that are necessary for the fair, impartial, stringent, and comprehensive administration of this Act.

(d) The Department of Revenue rules may address, but are not limited to, the following matters related to the payment of taxes by cannabis business establishments:

(1) recording of sales;

(2) documentation of taxable income and expenses;

(3) transfer of funds for the payment of taxes; or

(4) any other matter under the oversight of the Department of Revenue.

(e) The Department of Commerce and Economic Opportunity rules may address, but are not limited to, a loan program or grant program to assist Social Equity Applicants access the capital needed to start a cannabis business establishment. The names of recipients and the amounts of any moneys received through a loan program or grant program shall be a public record.

(f) The Illinois State Police rules may address enforcement of its authority under this Act. The Illinois State Police shall not make rules that infringe on the exclusive authority of the Department of Financial and Professional Regulation or the Department of Agriculture over licensees under this Act.

(g) The Department of Human Services shall develop and disseminate:

(1) educational information about the health risks associated with the use of cannabis; and

(2) one or more public education campaigns in coordination with local health departments and community

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organizations, including one or more prevention campaigns directed at children, adolescents, parents, and pregnant or breastfeeding women, to inform them of the potential health risks associated with intentional or unintentional cannabis use.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-40)

Sec. 55-40. Enforcement.

(a) If the Department of Agriculture, Illinois State Police, Department of Financial and Professional Regulation, Department of Commerce and Economic Opportunity, or Department of Revenue fails to adopt rules to implement this Act within the times provided in this Act, any citizen may commence a mandamus action in the circuit court to compel the agencies to perform the actions mandated under Section 55-35.

(b) If the Department of Agriculture or the Department of Financial and Professional Regulation fails to issue a valid agent identification card in response to a valid initial application or renewal application submitted under this Act or fails to issue a verbal or written notice of denial of the application within 30 days of its submission, the agent identification card is deemed granted and a copy of the agent identification initial application or renewal application shall be deemed a valid agent identification card.

(c) Authorized employees of State or local law enforcement agencies shall immediately notify the Department of Agriculture and the Department of Financial and Professional Regulation when any person in possession of an agent identification card has been convicted of or pled guilty to violating this Act.

(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-45)

Sec. 55-45. Administrative hearings.

(a) Administrative hearings related to the duties and responsibilities assigned to the Department of Public Health shall be conducted under the Department of Public Health's rules governing administrative hearings.

(b) Administrative hearings related to the duties and responsibilities assigned to the Department of Financial and Professional Regulation and dispensing organization agents shall be conducted under the Department of Financial and Professional Regulation's rules governing administrative hearings.

(c) Administrative hearings related to the duties and responsibilities assigned to the Department of Agriculture, cultivation centers, or cultivation center agents shall be conducted under the Department of Agriculture's rules governing

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

(410 ILCS 705/55-50)

Sec. 55-50. Petition for rehearing. Within 20 days after the service of any order or decision of the Department of Public Health, the Department of Agriculture, the Department of Financial and Professional Regulation, or the Illinois State Police upon any party to the proceeding, the party may apply for a rehearing in respect to any matters determined by them under this Act, except for decisions made under the Cannabis Cultivation Privilege Tax Law, the Cannabis Purchaser Excise Tax Law, the County Cannabis Retailers' Occupation Tax Law, and the Municipal Cannabis Retailers' Occupation Tax Law, which shall be governed by the provisions of those Laws. If a rehearing is granted, an agency shall hold the rehearing and render a decision within 30 days from the filing of the application for rehearing with the agency. The time for holding such rehearing and rendering a decision may be extended for a period not to exceed 30 days, for good cause shown, and by notice in writing to all parties of interest. If an agency fails to act on the application for rehearing within 30 days, or the date the time for rendering a decision was extended for good cause shown, the order or decision of the agency is final. No action for the judicial review of any order or decision of an agency shall be allowed unless the party commencing such action has first filed an application for a rehearing and the agency has acted or failed to act upon the application. Only one rehearing may be granted by an agency on application of any one party.
(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-55)

Sec. 55-55. Review of administrative decisions. All final administrative decisions of the Department of Public Health, the Department of Agriculture, the Department of Financial and Professional Regulation, and the Illinois State Police are subject to judicial review under the Administrative Review Law and the rules adopted under that Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.
(Source: P.A. 101-27, eff. 6-25-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-60)

Sec. 55-60. Suspension or revocation of a license.

(a) The Department of Financial and Professional Regulation or the Department of Agriculture may suspend or revoke a license for a violation of this Act or a rule adopted in accordance with this Act by the Department of Agriculture and the Department of

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Financial and Professional Regulation.

(b) The Department of Agriculture and the Department of Financial and Professional Regulation may suspend or revoke an agent identification card for a violation of this Act or a rule adopted in accordance with this Act.

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

(410 ILCS 705/55-65)

Sec. 55-65. Financial institutions.

(a) A financial institution that provides financial services customarily provided by financial institutions to a cannabis business establishment authorized under this Act or the Compassionate Use of Medical Cannabis Program Act, or to a person that is affiliated with such cannabis business establishment, is exempt from any criminal law of this State as it relates to cannabis-related conduct authorized under State law.

(b) Upon request of a financial institution, a cannabis business establishment or proposed cannabis business establishment may provide to the financial institution the following information:

(1) Whether a cannabis business establishment with which the financial institution is doing or is considering doing business holds a license under this Act or the Compassionate Use of Medical Cannabis Program Act;

(2) The name of any other business or individual affiliate with the cannabis business establishment;

(3) A copy of the application, and any supporting documentation submitted with the application, for a license or a permit submitted on behalf of the proposed cannabis business establishment;

(4) If applicable, data relating to sales and the volume of product sold by the cannabis business establishment;

(5) Any past or pending violation by the person of this Act, the Compassionate Use of Medical Cannabis Program Act, or the rules adopted under these Acts where applicable; and

(6) Any penalty imposed upon the person for violating this Act, the Compassionate Use of Medical Cannabis Program Act, or the rules adopted under these Acts.

(c) (Blank).

(d) (Blank).

(e) Information received by a financial institution under this Section is confidential. Except as otherwise required or permitted by this Act, State law or rule, or federal law or regulation, a financial institution may not make the information available to any person other than:

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(1) the customer to whom the information applies;

(2) a trustee, conservator, guardian, personal representative, or agent of the customer to whom the information applies; a federal or State regulator when requested in connection with an examination of the financial institution or if otherwise necessary for complying with federal or State law;

(3) a federal or State regulator when requested in connection with an examination of the financial institution or if otherwise necessary for complying with federal or State law; and

(4) a third party performing services for the financial institution, provided the third party is performing such services under a written agreement that expressly or by operation of law prohibits the third party's sharing and use of such confidential information for any purpose other than as provided in its agreement to provide services to the financial institution.

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

(410 ILCS 705/55-75)

Sec. 55-75. Contracts enforceable. It is the public policy of this State that contracts related to the operation of a lawful cannabis business establishment under this Act are enforceable. It is the public policy of this State that no contract entered into by a lawful cannabis business establishment or its agents on behalf of a cannabis business establishment, or by those who allow property to be used by a cannabis business establishment, shall be unenforceable on the basis that cultivating, obtaining, manufacturing, processing, distributing, dispensing, transporting, selling, possessing, or using cannabis or hemp is prohibited by federal law.

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

(410 ILCS 705/55-80)

Sec. 55-80. Annual reports.

(a) The Department of Financial and Professional Regulation shall submit to the General Assembly and Governor a report, by September 30 of each year, that does not disclose any information identifying information about cultivation centers, craft growers, infuser organizations, transporting organizations, or dispensing organizations, but does contain, at a minimum, all of the following information for the previous fiscal year:

(1) The number of licenses issued to dispensing organizations by county, or, in counties with greater than 3,000,000 residents, by zip code;

(2) The total number of dispensing organization

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owners that are Social Equity Applicants or minority persons, women, or persons with disabilities as those terms are defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;

(3) The total number of revenues received from dispensing organizations, segregated from revenues received from dispensing organizations under the Compassionate Use of Medical Cannabis Program Act by county, separated by source of revenue;

(4) The total amount of revenue received from dispensing organizations that share a premises or majority ownership with a craft grower;

(5) The total amount of revenue received from dispensing organizations that share a premises or majority ownership with an infuser; and

(6) An analysis of revenue generated from taxation, licensing, and other fees for the State, including recommendations to change the tax rate applied.

(b) The Department of Agriculture shall submit to the General Assembly and Governor a report, by September 30 of each year, that does not disclose any information identifying information about cultivation centers, craft growers, infuser organizations, transporting organizations, or dispensing organizations, but does contain, at a minimum, all of the following information for the previous fiscal year:

(1) The number of licenses issued to cultivation centers, craft growers, infusers, and transporters by license type, and, in counties with more than 3,000,000 residents, by zip code;

(2) The total number of cultivation centers, craft growers, infusers, and transporters by license type that are Social Equity Applicants or minority persons, women, or persons with disabilities as those terms are defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;

(3) The total amount of revenue received from cultivation centers, craft growers, infusers, and transporters, separated by license types and source of revenue;

(4) The total amount of revenue received from craft growers and infusers that share a premises or majority ownership with a dispensing organization;

(5) The total amount of revenue received from craft growers that share a premises or majority ownership with an infuser, but do not share a premises or ownership with a dispensary;

(6) The total amount of revenue received from infusers that share a premises or majority ownership with a

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craft grower, but do not share a premises or ownership with a dispensary;

(7) The total amount of revenue received from craft growers that share a premises or majority ownership with a dispensing organization, but do not share a premises or ownership with an infuser;

(8) The total amount of revenue received from infusers that share a premises or majority ownership with a dispensing organization, but do not share a premises or ownership with a craft grower;

(9) The total amount of revenue received from transporters; and

(10) An analysis of revenue generated from taxation, licensing, and other fees for the State, including recommendations to change the tax rate applied.

(c) The Illinois State Police shall submit to the General Assembly and Governor a report, by September 30 of each year that contains, at a minimum, all of the following information for the previous fiscal year:

(1) The effect of regulation and taxation of cannabis on law enforcement resources;

(2) The impact of regulation and taxation of cannabis on highway and waterway safety and rates of impaired driving or operating, where impairment was determined based on failure of a field sobriety test;

(3) The available and emerging methods for detecting the metabolites for delta-9-tetrahydrocannabinol in bodily fluids, including, without limitation, blood and saliva;

(4) The effectiveness of current DUI laws and recommendations for improvements to policy to better ensure safe highways and fair laws.

(d) The Adult Use Cannabis Health Advisory Committee shall submit to the General Assembly and Governor a report, by September 30 of each year, that does not disclose any identifying information about any individuals, but does contain, at a minimum:

(1) Self-reported youth cannabis use, as published in the most recent Illinois Youth Survey available;

(2) Self-reported adult cannabis use, as published in the most recent Behavioral Risk Factor Surveillance Survey available;

(3) Hospital room admissions and hospital utilization rates caused by cannabis consumption, including the presence or detection of other drugs;

(4) Overdoses of cannabis and poison control data, including the presence of other drugs that may have contributed;

(5) Incidents of impaired driving caused by

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the consumption of cannabis or cannabis products, including the presence of other drugs or alcohol that may have contributed to the impaired driving;

(6) Prevalence of infants born testing positive for cannabis or delta-9-tetrahydrocannabinol, including demographic and racial information on which infants are tested;

(7) Public perceptions of use and risk of harm;

(8) Revenue collected from cannabis taxation and how that revenue was used;

(9) Cannabis retail licenses granted and locations;

(10) Cannabis-related arrests; and

(11) The number of individuals completing required bud tender training.

(e) Each agency or committee submitting reports under this Section may consult with one another in the preparation of each report.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(410 ILCS 705/55-85)

Sec. 55-85. Medical cannabis.

(a) Nothing in this Act shall be construed to limit any privileges or rights of a medical cannabis patient including minor patients, primary caregiver, medical cannabis cultivation center, or medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Program Act, and where there is conflict between this Act and the Compassionate Use of Medical Cannabis Program Act as they relate to medical cannabis patients, the Compassionate Use of Medical Cannabis Program Act shall prevail.

(b) Dispensary locations that obtain an Early Approval Adult Use Dispensary Organization License or an Adult Use Dispensary Organization License in accordance with this Act at the same location as a medical cannabis dispensing organization registered under the Compassionate Use of Medical Cannabis Program Act shall maintain an inventory of medical cannabis and medical cannabis products on a monthly basis that is substantially similar in variety and quantity to the products offered at the dispensary during the 6-month period immediately before the effective date of this Act.

(c) Beginning June 30, 2020, the Department of Agriculture shall make a quarterly determination whether inventory requirements established for dispensaries in subsection (b) should be adjusted due to changing patient need.

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

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(410 ILCS 705/55-90)

Sec. 55-90. Home rule preemption. Except as otherwise provided in this Act, the regulation and licensing of the activities described in this Act are exclusive powers and functions of the State. Except as otherwise provided in this Act, a unit of local government, including a home rule unit, may not regulate or license the activities described in this Act. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

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

(410 ILCS 705/55-95)

Sec. 55-95. Conflict of interest. A person is ineligible to apply for, hold, or own financial or voting interest, other than a passive interest in a publicly traded company, in any cannabis business license under this Act if, within a 2-year period from the effective date of this Act, the person or his or her spouse or immediate family member was a member of the General Assembly or a State employee at an agency that regulates cannabis business establishment license holders who participated personally and substantially in the award of licenses under this Act. A person who violates this Section shall be guilty under subsection (b) of Section 50-5 of the State Officials and Employees Ethics Act.

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

(410 ILCS 705/Art. 60 heading)

Article 60.

Cannabis Cultivation Privilege Tax

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

(410 ILCS 705/60-1)

Sec. 60-1. Short title. This Article may be referred to as the Cannabis Cultivation Privilege Tax Law.

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

(410 ILCS 705/60-5)

Sec. 60-5. Definitions. In this Article:

"Cannabis" has the meaning given to that term in Article 1 of this Act, except that it does not include cannabis that is subject to tax under the Compassionate Use of Medical Cannabis Program Act.

"Craft grower" has the meaning given to that term in Article 1 of this Act.

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"Cultivation center" has the meaning given to that term in Article 1 of this Act.

"Cultivator" or "taxpayer" means a cultivation center or craft grower who is subject to tax under this Article.

"Department" means the Department of Revenue.

"Director" means the Director of Revenue.

"Dispensing organization" or "dispensary" has the meaning given to that term in Article 1 of this Act.

"Gross receipts" from the sales of cannabis by a cultivator means the total selling price or the amount of such sales, as defined in this Article. In the case of charges and time sales, the amount thereof shall be included only when payments are received by the cultivator.

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

"Infuser" means "infuser organization" or "infuser" as defined in Article 1 of this Act.

"Selling price" or "amount of sale" means the consideration for a sale valued in money whether received in money or otherwise, including cash, credits, property, and services, and shall be determined without any deduction on account of the cost of the property sold, the cost of materials used, labor or service cost, or any other expense whatsoever, but does not include separately stated charges identified on the invoice by cultivators to reimburse themselves for their tax liability under this Article.

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

(410 ILCS 705/60-10)

Sec. 60-10. Tax imposed.

(a) Beginning September 1, 2019, a tax is imposed upon the privilege of cultivating cannabis at the rate of 7% of the gross receipts from the first sale of cannabis by a cultivator. The sale of any product that contains any amount of cannabis or any derivative thereof is subject to the tax under this Section on the full selling price of the product. The Department may determine the selling price of the cannabis when the seller and purchaser are affiliated persons, when the sale and purchase of cannabis is not an arm's length transaction, or when cannabis is transferred by a craft grower to the craft grower's dispensing organization or infuser or processing organization and a value is not established for the cannabis. The value determined by the Department shall be commensurate with the actual price received for products of like quality, character, and use in the area. If there are no sales of cannabis of like quality, character, and

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use in the same area, then the Department shall establish a reasonable value based on sales of products of like quality, character, and use in other areas of the State, taking into consideration any other relevant factors.

(b) The Cannabis Cultivation Privilege Tax imposed under this Article is solely the responsibility of the cultivator who makes the first sale and is not the responsibility of a subsequent purchaser, a dispensing organization, or an infuser. Persons subject to the tax imposed under this Article may, however, reimburse themselves for their tax liability hereunder by separately stating reimbursement for their tax liability as an additional charge.

(c) The tax imposed under this Article shall be in addition to all other occupation, privilege, or excise taxes imposed by the State of Illinois or by any unit of local government.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-15)

Sec. 60-15. Registration of cultivators. Every cultivator and craft grower subject to the tax under this Article shall apply to the Department of Revenue for a certificate of registration under this Article. All applications for registration under this Article shall be made by electronic means in the form and manner required by the Department. For that purpose, the provisions of Section 2a of the Retailers' Occupation Tax Act are incorporated into this Article to the extent not inconsistent with this Article. In addition, no certificate of registration shall be issued under this Article unless the applicant is licensed under this Act.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-20)

Sec. 60-20. Return and payment of cannabis cultivation privilege tax. Each person who is required to pay the tax imposed by this Article shall make a return to the Department on or before the 20th day of each month for the preceding calendar month stating the following:

(1) the taxpayer's name;

(2) the address of the taxpayer's principal place of business and the address of the principal place of business (if that is a different address) from which the taxpayer is engaged in the business of cultivating cannabis subject to tax under this Article;

(3) the total amount of receipts received by the taxpayer during the preceding calendar month from sales of cannabis subject to tax under this Article by the taxpayer during the preceding calendar month;

(4) the total amount received by the taxpayer during

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the preceding calendar month on charge and time sales of cannabis subject to tax imposed under this Article by the taxpayer before the month for which the return is filed;

(5) deductions allowed by law;

(6) gross receipts that were received by the taxpayer during the preceding calendar month and upon the basis of which the tax is imposed;

(7) the amount of tax due;

(8) the signature of the taxpayer; and

(9) any other information as the Department may reasonably require.

All returns required to be filed and payments required to be made under this Article shall be by electronic means. Taxpayers who demonstrate hardship in paying electronically may petition the Department to waive the electronic payment requirement. The Department may require a separate return for the tax under this Article or combine the return for the tax under this Article with the return for the tax under the Compassionate Use of Medical Cannabis Program Act. If the return for the tax under this Article is combined with the return for tax under the Compassionate Use of Medical Cannabis Program Act, then the vendor's discount allowed under this Section and any cap on that discount shall apply to the combined return. The taxpayer making the return provided for in this Section shall also pay to the Department, in accordance with this Section, the amount of tax imposed by this Article, less a discount of 1.75%, but not to exceed $1,000 per return period, which is allowed to reimburse the taxpayer for the expenses incurred in keeping records, collecting tax, preparing and filing returns, remitting the tax, and supplying data to the Department upon request. No discount may be claimed by a taxpayer on returns not timely filed and for taxes not timely remitted. No discount may be claimed by a taxpayer for any return that is not filed electronically. No discount may be claimed by a taxpayer for any payment that is not made electronically, unless a waiver has been granted under this Section. Any amount that is required to be shown or reported on any return or other document under this Article shall, if the amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount if the fractional part of a dollar is $0.50 or more and decreased to the nearest whole-dollar amount if the fractional part of a dollar is less than $0.50. If a total amount of less than $1 is payable, refundable, or creditable, the amount shall be disregarded if it is less than $0.50 and shall be increased to $1 if it is $0.50 or more. Notwithstanding any other provision of this Article concerning the time within which a taxpayer may file a return, any such taxpayer who ceases to engage in the kind of business that makes the person responsible for filing returns under this Article

shall file a final return under this Article with the Department within one month after discontinuing such business.

Each taxpayer under this Article shall make estimated payments to the Department on or before the 7th, 15th, 22nd, and last day of the month during which tax liability to the Department is incurred. The payments shall be in an amount not less than the lower of either 22.5% of the taxpayer's actual tax liability for the month or 25% of the taxpayer's actual tax liability for the same calendar month of the preceding year. The amount of the quarter-monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. If any quarter-monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of the quarter-monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Article, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by the credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, in accordance with reasonable rules to be prescribed by the Department. If no such request is made, the taxpayer may credit the excess payment against tax liability subsequently to be remitted to the Department under this Act, in accordance with reasonable rules prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's discount shall be reduced, if necessary, to reflect the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on the difference.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department is received by the taxpayer, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

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

(410 ILCS 705/60-25)

Sec. 60-25. Infuser information returns. If it is deemed necessary for the administration of this Article, the Department may adopt rules that require infusers to file information returns regarding the sale of cannabis by infusers to

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dispensaries. The Department may require infusers to file all information returns by electronic means.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-30)

Sec. 60-30. Deposit of proceeds. All moneys received by the Department under this Article shall be deposited into the Cannabis Regulation Fund.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-35)

Sec. 60-35. Department administration and enforcement. The Department shall have full power to administer and enforce this Article, to collect all taxes, penalties, and interest due hereunder, to dispose of taxes, penalties and interest so collected in the manner hereinafter provided, and to determine all rights to credit memoranda, arising on account of the erroneous payment of tax, penalty, or interest hereunder. In the administration of, and compliance with, this Article, the Department and persons who are subject to this Article shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 1, 2-40, 2a, 2b, 2i, 4, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 6d, 7, 8, 9, 10, 11, 11a, 12, and 13 of the Retailers' Occupation Tax Act and all of the provisions of the Uniform Penalty and Interest Act, which are not inconsistent with this Article, as fully as if those provisions were set forth herein. For purposes of this Section, references in the Retailers' Occupation Tax Act to a "sale of tangible personal property at retail" mean the "sale of cannabis by a cultivator".
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-40)

Sec. 60-40. Invoices. Every sales invoice for cannabis issued by a cultivator to a cannabis business establishment shall contain the cultivator's certificate of registration number assigned under this Article, date, invoice number, purchaser's name and address, selling price, amount of cannabis, concentrate, or cannabis-infused product, and any other reasonable information as the Department may provide by rule is necessary for the administration of this Article. Cultivators shall retain the invoices for inspection by the Department.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/60-45)

Sec. 60-45. Rules. The Department may adopt rules related to

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the enforcement of this Article.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/Art. 65 heading)

Article 65.
Cannabis Purchaser Excise Tax

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

(410 ILCS 705/65-1)

Sec. 65-1. Short title. This Article may be referred to as the Cannabis Purchaser Excise Tax Law.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-5)

Sec. 65-5. Definitions. In this Article:

"Adjusted delta-9-tetrahydrocannabinol level" means, for a delta-9-tetrahydrocannabinol dominant product, the sum of the percentage of delta-9-tetrahydrocannabinol plus .877 multiplied by the percentage of tetrahydrocannabinolic acid.

"Cannabis" has the meaning given to that term in Article 1 of this Act, except that it does not include cannabis that is subject to tax under the Compassionate Use of Medical Cannabis Program Act.

"Cannabis-infused product" means beverage food, oils, ointments, tincture, topical formulation, or another product containing cannabis that is not intended to be smoked.

"Cannabis retailer" means a dispensing organization that sells cannabis for use and not for resale.

"Craft grower" has the meaning given to that term in Article 1 of this Act.

"Department" means the Department of Revenue.

"Director" means the Director of Revenue.

"Dispensing organization" or "dispensary" has the meaning given to that term in Article 1 of this Act.

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

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

"Purchase price" means the consideration paid for a purchase

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of cannabis, valued in money, whether received in money or otherwise, including cash, gift cards, credits, and property and shall be determined without any deduction on account of the cost of materials used, labor or service costs, or any other expense whatsoever. However, "purchase price" does not include consideration paid for:

(1) any charge for a payment that is not honored by a financial institution;

(2) any finance or credit charge, penalty or charge for delayed payment, or discount for prompt payment; and

(3) any amounts added to a purchaser's bill because of charges made under the tax imposed by this Article, the Municipal Cannabis Retailers' Occupation Tax Law, the County Cannabis Retailers' Occupation Tax Law, the Retailers' Occupation Tax Act, the Use Tax Act, the Service Occupation Tax Act, the Service Use Tax Act, or any locally imposed occupation or use tax.

"Purchaser" means a person who acquires cannabis for a valuable consideration.

"Taxpayer" means a cannabis retailer who is required to collect the tax imposed under this Article.

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

(410 ILCS 705/65-10)

Sec. 65-10. Tax imposed.

(a) Beginning January 1, 2020, a tax is imposed upon purchasers for the privilege of using cannabis at the following rates:

(1) Any cannabis, other than a cannabis-infused product, with an adjusted delta-9-tetrahydrocannabinol level at or below 35% shall be taxed at a rate of 10% of the purchase price;

(2) Any cannabis, other than a cannabis-infused product, with an adjusted delta-9-tetrahydrocannabinol level above 35% shall be taxed at a rate of 25% of the purchase price; and

(3) A cannabis-infused product shall be taxed at a rate of 20% of the purchase price.

(b) The purchase of any product that contains any amount of cannabis or any derivative thereof is subject to the tax under subsection (a) of this Section on the full purchase price of the product.

(c) The tax imposed under this Section is not imposed on cannabis that is subject to tax under the Compassionate Use of Medical Cannabis Program Act. The tax imposed by this Section is not imposed with respect to any transaction in interstate commerce, to the extent the transaction may not, under the Constitution and statutes of the United States, be made the

subject of taxation by this State.

(d) The tax imposed under this Article shall be in addition to all other occupation, privilege, or excise taxes imposed by the State of Illinois or by any municipal corporation or political subdivision thereof.

(e) The tax imposed under this Article shall not be imposed on any purchase by a purchaser if the cannabis retailer is prohibited by federal or State Constitution, treaty, convention, statute, or court decision from collecting the tax from the purchaser.

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

(410 ILCS 705/65-11)

Sec. 65-11. Bundling of taxable and nontaxable items; prohibition; taxation. If a cannabis retailer sells cannabis, concentrate, or cannabis-infused products in combination or bundled with items that are not subject to tax under this Act for one price in violation of the prohibition on this activity under Section 15-70, then the tax under this Act is imposed on the purchase price of the entire bundled product.

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

(410 ILCS 705/65-15)

Sec. 65-15. Collection of tax.

(a) The tax imposed by this Article shall be collected from the purchaser by the cannabis retailer at the rate stated in Section 65-10 with respect to cannabis sold by the cannabis retailer to the purchaser, and shall be remitted to the Department as provided in Section 65-30. All sales to a purchaser who is not a cardholder under the Compassionate Use of Medical Cannabis Program Act are presumed subject to tax collection. Cannabis retailers shall collect the tax from purchasers by adding the tax to the amount of the purchase price received from the purchaser for selling cannabis to the purchaser. The tax imposed by this Article shall, when collected, be stated as a distinct item separate and apart from the purchase price of the cannabis.

(b) If a cannabis retailer collects Cannabis Purchaser Excise Tax measured by a purchase price that is not subject to Cannabis Purchaser Excise Tax, or if a cannabis retailer, in collecting Cannabis Purchaser Excise Tax measured by a purchase price that is subject to tax under this Act, collects more from the purchaser than the required amount of the Cannabis Purchaser Excise Tax on the transaction, the purchaser shall have a legal right to claim a refund of that amount from the cannabis retailer. If, however, that amount is not refunded to the purchaser for any reason, the cannabis retailer is liable to pay that amount to the Department.

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(c) Any person purchasing cannabis subject to tax under this Article as to which there has been no charge made to him or her of the tax imposed by Section 65-10 shall make payment of the tax imposed by Section 65-10 in the form and manner provided by the Department not later than the 20th day of the month following the month of purchase of the cannabis.
(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

(410 ILCS 705/65-20)

Sec. 65-20. Registration of cannabis retailers. Every cannabis retailer required to collect the tax under this Article shall apply to the Department for a certificate of registration under this Article. All applications for registration under this Article shall be made by electronic means in the form and manner required by the Department. For that purpose, the provisions of Section 2a of the Retailers' Occupation Tax Act are incorporated into this Article to the extent not inconsistent with this Article. In addition, no certificate of registration shall be issued under this Article unless the applicant is licensed under this Act.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-25)

Sec. 65-25. Tax collected as debt owed to State. Any cannabis retailer required to collect the tax imposed by this Article shall be liable to the Department for the tax, whether or not the tax has been collected by the cannabis retailer, and any such tax shall constitute a debt owed by the cannabis retailer to this State. To the extent that a cannabis retailer required to collect the tax imposed by this Act has actually collected that tax, the tax is held in trust for the benefit of the Department.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-30)

Sec. 65-30. Return and payment of tax by cannabis retailer. Each cannabis retailer that is required or authorized to collect the tax imposed by this Article shall make a return to the Department, by electronic means, on or before the 20th day of each month for the preceding calendar month stating the following:

(1) the cannabis retailer's name;

(2) the address of the cannabis retailer's principal place of business and the address of the principal place of business (if that is a different address) from which the cannabis retailer engaged in the business of selling cannabis subject to tax under this Article;

(3) the total purchase price received by the cannabis

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retailer for cannabis subject to tax under this Article;

(4) the amount of tax due at each rate;

(5) the signature of the cannabis retailer; and

(6) any other information as the Department may reasonably require.

All returns required to be filed and payments required to be made under this Article shall be by electronic means. Cannabis retailers who demonstrate hardship in paying electronically may petition the Department to waive the electronic payment requirement.

Any amount that is required to be shown or reported on any return or other document under this Article shall, if the amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount if the fractional part of a dollar is $0.50 or more and decreased to the nearest whole-dollar amount if the fractional part of a dollar is less than $0.50. If a total amount of less than $1 is payable, refundable, or creditable, the amount shall be disregarded if it is less than $0.50 and shall be increased to $1 if it is $0.50 or more.

The cannabis retailer making the return provided for in this Section shall also pay to the Department, in accordance with this Section, the amount of tax imposed by this Article, less a discount of 1.75%, but not to exceed $1,000 per return period, which is allowed to reimburse the cannabis retailer for the expenses incurred in keeping records, collecting tax, preparing and filing returns, remitting the tax, and supplying data to the Department upon request. No discount may be claimed by a cannabis retailer on returns not timely filed and for taxes not timely remitted. No discount may be claimed by a taxpayer for any return that is not filed electronically. No discount may be claimed by a taxpayer for any payment that is not made electronically, unless a waiver has been granted under this Section.

Notwithstanding any other provision of this Article concerning the time within which a cannabis retailer may file a return, any such cannabis retailer who ceases to engage in the kind of business that makes the person responsible for filing returns under this Article shall file a final return under this Article with the Department within one month after discontinuing the business.

Each cannabis retailer shall make estimated payments to the Department on or before the 7th, 15th, 22nd, and last day of the month during which tax liability to the Department is incurred. The payments shall be in an amount not less than the lower of either 22.5% of the cannabis retailer's actual tax liability for the month or 25% of the cannabis retailer's actual tax liability for the same calendar month of the preceding year. The amount of the quarter-monthly payments shall be credited against the final

tax liability of the cannabis retailer's return for that month. If any such quarter-monthly payment is not paid at the time or in the amount required by this Section, then the cannabis retailer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of the quarter-monthly payment actually and timely paid, except insofar as the cannabis retailer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Article, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by the credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Article, in accordance with reasonable rules to be prescribed by the Department. If no such request is made, the taxpayer may credit the excess payment against tax liability subsequently to be remitted to the Department under this Article, in accordance with reasonable rules prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's discount shall be reduced, if necessary, to reflect the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on the difference. If a cannabis retailer fails to sign a return within 30 days after the proper notice and demand for signature by the Department is received by the cannabis retailer, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-35)

Sec. 65-35. Deposit of proceeds. All moneys received by the Department under this Article shall be paid into the Cannabis Regulation Fund.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-36)

Sec. 65-36. Recordkeeping; books and records.

(a) Every retailer of cannabis, whether or not the retailer has obtained a certificate of registration under Section 65-20, shall keep complete and accurate records of cannabis held, purchased, sold, or otherwise disposed of, and shall preserve and keep all invoices, bills of lading, sales records, and copies of bills of sale, returns, and other pertinent papers and documents relating to the purchase, sale, or disposition of

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cannabis. Such records need not be maintained on the licensed premises but must be maintained in the State of Illinois. However, all original invoices or copies thereof covering purchases of cannabis must be retained on the licensed premises for a period of 90 days after such purchase, unless the Department has granted a waiver in response to a written request in cases where records are kept at a central business location within the State of Illinois. The Department shall adopt rules regarding the eligibility for a waiver, revocation of a waiver, and requirements and standards for maintenance and accessibility of records located at a central location under a waiver provided under this Section.

(b) Books, records, papers, and documents that are required by this Article to be kept shall, at all times during the usual business hours of the day, be subject to inspection by the Department or its duly authorized agents and employees. The books, records, papers, and documents for any period with respect to which the Department is authorized to issue a notice of tax liability shall be preserved until the expiration of that period.

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

(410 ILCS 705/65-38)

Sec. 65-38. Violations and penalties.

(a) When the amount due is under $300, any retailer of cannabis who fails to file a return, willfully fails or refuses to make any payment to the Department of the tax imposed by this Article, or files a fraudulent return, or any officer or agent of a corporation engaged in the business of selling cannabis to purchasers located in this State who signs a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Article is guilty of a Class 4 felony.

(b) When the amount due is $300 or more, any retailer of cannabis who files, or causes to be filed, a fraudulent return, or any officer or agent of a corporation engaged in the business of selling cannabis to purchasers located in this State who files or causes to be filed or signs or causes to be signed a fraudulent return filed on behalf of the corporation, or any accountant or other agent who knowingly enters false information on the return of any taxpayer under this Article is guilty of a Class 3 felony.

(c) Any person who violates any provision of Section 65-20, fails to keep books and records as required under this Article, or willfully violates a rule of the Department for the administration and enforcement of this Article is guilty of a Class 4 felony. A person commits a separate offense on each day that he or she engages in business in violation of Section 65-20

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or a rule of the Department for the administration and enforcement of this Article. If a person fails to produce the books and records for inspection by the Department upon request, a prima facie presumption shall arise that the person has failed to keep books and records as required under this Article. A person who is unable to rebut this presumption is in violation of this Article and is subject to the penalties provided in this Section.

(d) Any person who violates any provision of Sections 65-20, fails to keep books and records as required under this Article, or willfully violates a rule of the Department for the administration and enforcement of this Article, is guilty of a business offense and may be fined up to $5,000. If a person fails to produce books and records for inspection by the Department upon request, a prima facie presumption shall arise that the person has failed to keep books and records as required under this Article. A person who is unable to rebut this presumption is in violation of this Article and is subject to the penalties provided in this Section. A person commits a separate offense on each day that he or she engages in business in violation of Section 65-20.

(e) Any taxpayer or agent of a taxpayer who with the intent to defraud purports to make a payment due to the Department by issuing or delivering a check or other order upon a real or fictitious depository for the payment of money, knowing that it will not be paid by the depository, is guilty of a deceptive practice in violation of Section 17-1 of the Criminal Code of 2012.

(f) Any person who fails to keep books and records or fails to produce books and records for inspection, as required by Section 65-36, is liable to pay to the Department, for deposit in the Tax Compliance and Administration Fund, a penalty of $1,000 for the first failure to keep books and records or failure to produce books and records for inspection, as required by Section 65-36, and $3,000 for each subsequent failure to keep books and records or failure to produce books and records for inspection, as required by Section 65-36.

(g) Any person who knowingly acts as a retailer of cannabis in this State without first having obtained a certificate of registration to do so in compliance with Section 65-20 of this Article shall be guilty of a Class 4 felony.

(h) A person commits the offense of tax evasion under this Article when he or she knowingly attempts in any manner to evade or defeat the tax imposed on him or her or on any other person, or the payment thereof, and he or she commits an affirmative act in furtherance of the evasion. As used in this Section, "affirmative act in furtherance of the evasion" means an act designed in whole or in part to (i) conceal, misrepresent, falsify, or manipulate any material fact or (ii) tamper with or

destroy documents or materials related to a person's tax liability under this Article. Two or more acts of sales tax evasion may be charged as a single count in any indictment, information, or complaint and the amount of tax deficiency may be aggregated for purposes of determining the amount of tax that is attempted to be or is evaded and the period between the first and last acts may be alleged as the date of the offense.

(1) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is less than $500, a person is guilty of a Class 4 felony.

(2) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $500 or more but less than $10,000, a person is guilty of a Class 3 felony.

(3) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $10,000 or more but less than $100,000, a person is guilty of a Class 2 felony.

(4) When the amount of tax, the assessment or payment of which is attempted to be or is evaded is $100,000 or more, a person is guilty of a Class 1 felony.

Any person who knowingly sells, purchases, installs, transfers, possesses, uses, or accesses any automated sales suppression device, zapper, or phantom-ware in this State is guilty of a Class 3 felony.

As used in this Section:

"Automated sales suppression device" or "zapper" means a software program that falsifies the electronic records of an electronic cash register or other point-of-sale system, including, but not limited to, transaction data and transaction reports. The term includes the software program, any device that carries the software program, or an Internet link to the software program.

"Phantom-ware" means a hidden programming option embedded in the operating system of an electronic cash register or hardwired into an electronic cash register that can be used to create a second set of records or that can eliminate or manipulate transaction records in an electronic cash register.

"Electronic cash register" means a device that keeps a register or supporting documents through the use of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling, or processing retail sales transaction data in any manner.

"Transaction data" includes: items purchased by a purchaser; the price of each item; a taxability determination for each item; a segregated tax amount for each taxed item; the amount of cash or credit tendered; the net amount returned to the customer in change; the date and time of the purchase; the name, address,

and identification number of the vendor; and the receipt or invoice number of the transaction.

"Transaction report" means a report that documents, without limitation, the sales, taxes, or fees collected, media totals, and discount voids at an electronic cash register and that is printed on a cash register tape at the end of a day or shift, or a report that documents every action at an electronic cash register and is stored electronically.

A prosecution for any act in violation of this Section may be commenced at any time within 5 years of the commission of that act.

(i) The Department may adopt rules to administer the penalties under this Section.

(j) Any person whose principal place of business is in this State and who is charged with a violation under this Section shall be tried in the county where his or her principal place of business is located unless he or she asserts a right to be tried in another venue.

(k) Except as otherwise provided in subsection (h), a prosecution for a violation described in this Section may be commenced within 3 years after the commission of the act constituting the violation.

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

(410 ILCS 705/65-40)

Sec. 65-40. Department administration and enforcement. The Department shall have full power to administer and enforce this Article, to collect all taxes and penalties due hereunder, to dispose of taxes and penalties so collected in the manner hereinafter provided, and to determine all rights to credit memoranda, arising on account of the erroneous payment of tax or penalty hereunder.

In the administration of, and compliance with, this Article, the Department and persons who are subject to this Article shall have the same rights, remedies, privileges, immunities, powers, and duties, and be subject to the same conditions, restrictions, limitations, penalties, and definitions of terms, and employ the same modes of procedure, as are prescribed in Sections 2, 3-55, 3a, 4, 5, 7, 10a, 11, 12a, 12b, 14, 15, 19, 20, 21, and 22 of the Use Tax Act and Sections 1, 2-12, 2b, 4 (except that the time limitation provisions shall run from the date when the tax is due rather than from the date when gross receipts are received), 5 (except that the time limitation provisions on the issuance of notices of tax liability shall run from the date when the tax is due rather than from the date when gross receipts are received and except that in the case of a failure to file a return required by this Act, no notice of tax liability shall be issued on and after each July 1 and January 1

covering tax due with that return during any month or period more than 6 years before that July 1 or January 1, respectively), 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5j, 6d, 7, 8, 9, 10, 11, and 12 of the Retailers' Occupation Tax Act and all of the provisions of the Uniform Penalty and Interest Act, which are not inconsistent with this Article, as fully as if those provisions were set forth herein. References in the incorporated Sections of the Retailers' Occupation Tax Act and the Use Tax Act to retailers, to sellers, or to persons engaged in the business of selling tangible personal property mean cannabis retailers when used in this Article. References in the incorporated Sections to sales of tangible personal property mean sales of cannabis subject to tax under this Article when used in this Article.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-41)

Sec. 65-41. Arrest; search and seizure without warrant. Any duly authorized employee of the Department: (i) may arrest without warrant any person committing in his or her presence a violation of any of the provisions of this Article; (ii) may without a search warrant inspect all cannabis located in any place of business; (iii) may seize any cannabis in the possession of the retailer in violation of this Act; and (iv) may seize any cannabis on which the tax imposed by Article 60 of this Act has not been paid. The cannabis so seized is subject to confiscation and forfeiture as provided in Sections 65-42 and 65-43.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-42)

Sec. 65-42. Seizure and forfeiture. After seizing any cannabis as provided in Section 65-41, the Department must hold a hearing and determine whether the retailer was properly registered to sell the cannabis at the time of its seizure by the Department. The Department shall give not less than 20 days' notice of the time and place of the hearing to the owner of the cannabis, if the owner is known, and also to the person in whose possession the cannabis was found, if that person is known and if the person in possession is not the owner of the cannabis. If neither the owner nor the person in possession of the cannabis is known, the Department must cause publication of the time and place of the hearing to be made at least once in each week for 3 weeks successively in a newspaper of general circulation in the county where the hearing is to be held.

If, as the result of the hearing, the Department determines that the retailer was not properly registered at the time the cannabis was seized, the Department must enter an order

declaring the cannabis confiscated and forfeited to the State, to be held by the Department for disposal by it as provided in Section 65-43. The Department must give notice of the order to the owner of the cannabis, if the owner is known, and also to the person in whose possession the cannabis was found, if that person is known and if the person in possession is not the owner of the cannabis. If neither the owner nor the person in possession of the cannabis is known, the Department must cause publication of the order to be made at least once in each week for 3 weeks successively in a newspaper of general circulation in the county where the hearing was held.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/65-43)

Sec. 65-43. Search warrant; issuance and return; process; confiscation of cannabis; forfeitures.

(a) If a peace officer of this State or any duly authorized officer or employee of the Department has reason to believe that any violation of this Article or a rule of the Department for the administration and enforcement of this Article has occurred and that the person violating this Article or rule has in that person's possession any cannabis in violation of this Article or a rule of the Department for the administration and enforcement of this Article, that peace officer or officer or employee of the Department may file or cause to be filed his or her complaint in writing, verified by affidavit, with any court within whose jurisdiction the premises to be searched are situated, stating the facts upon which the belief is founded, the premises to be searched, and the property to be seized, and procure a search warrant and execute that warrant. Upon the execution of the search warrant, the peace officer, or officer or employee of the Department, executing the search warrant shall make due return of the warrant to the court issuing the warrant, together with an inventory of the property taken under the warrant. The court must then issue process against the owner of the property if the owner is known; otherwise, process must be issued against the person in whose possession the property is found, if that person is known. In case of inability to serve process upon the owner or the person in possession of the property at the time of its seizure, notice of the proceedings before the court must be given in the same manner as required by the law governing cases of attachment. Upon the return of the process duly served or upon the posting or publishing of notice made, as appropriate, the court or jury, if a jury is demanded, shall proceed to determine whether the property so seized was held or possessed in violation of this Article or a rule of the Department for the administration and enforcement of this Article. If a violation is found, judgment shall be entered confiscating the property and forfeiting it to the State and

ordering its delivery to the Department. In addition, the court may tax and assess the costs of the proceedings.

(b) When any cannabis has been declared forfeited to the State by the Department, as provided in Section 65-42 and this Section, and when all proceedings for the judicial review of the Department's decision have terminated, the Department shall, to the extent that its decision is sustained on review, destroy or maintain and use such cannabis in an undercover capacity.

(c) The Department may, before any destruction of cannabis, permit the true holder of trademark rights in the cannabis to inspect such cannabis in order to assist the Department in any investigation regarding such cannabis.

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

(410 ILCS 705/65-45)

Sec. 65-45. Cannabis retailers; purchase and possession of cannabis. Cannabis retailers shall purchase cannabis for resale only from cannabis business establishments as authorized by this Act.

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

(410 ILCS 705/65-50)

Sec. 65-50. Rulemaking. The Department may adopt rules in accordance with the Illinois Administrative Procedure Act and prescribe forms relating to the administration and enforcement of this Article as it deems appropriate.

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

(410 ILCS 705/Art. 900 heading)

Article 900.

Amendatory Provisions

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

(410 ILCS 705/900-5)

Sec. 900-5. (Amendatory provisions; text omitted).

(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-8)

Sec. 900-8. (Amendatory provisions; text omitted).

(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-10)

Sec. 900-10. (Amendatory provisions; text omitted).

(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

Attachment: Cannabis Regulation and Tax Act (Text Amendments - Article 15 Appendix A - Village of

(410 ILCS 705/900-12)
Sec. 900-12. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-15)
Sec. 900-15. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-15.5)
Sec. 900-15.5. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-16)
Sec. 900-16. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-17)
Sec. 900-17. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-18)
Sec. 900-18. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-19)
Sec. 900-19. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-20)
Sec. 900-20. The Cannabis and Controlled Substances Tax Act is repealed.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/900-22)
Sec. 900-22. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-25)
Sec. 900-25. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-30)
Sec. 900-30. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-32)
Sec. 900-32. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-33)
Sec. 900-33. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-35)
Sec. 900-35. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-38)
Sec. 900-38. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-39)
Sec. 900-39. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-40)
Sec. 900-40. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-42)
Sec. 900-42. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-45)
Sec. 900-45. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/900-50)
Sec. 900-50. (Amendatory provisions; text omitted).
(Source: P.A. 101-27, eff. 6-25-19; text omitted.)

(410 ILCS 705/Art. 999 heading)
Article 999.
Miscellaneous Provisions
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/999-95)
Sec. 999-95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text

that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.
(Source: P.A. 101-27, eff. 6-25-19.)

(410 ILCS 705/999-99)

Sec. 999-99. Effective date. This Act takes effect upon becoming law.
(Source: P.A. 101-27, eff. 6-25-19.)

Attachment: Cannabis Regulation and Tax Act (Text Amendments - Article 15 Appendix A - Village of

PUBLIC NOTICE
A public hearing will be held before the Palatine Plan Commission on Tuesday, April 19 2022 at 7 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Text amendments to Article 15 Adult-Use Cannabis that include: 1) Amending Section 15.02 to include Planned Development Districts, subject to the B-5 or Manufacturing District Use lists, as eligible zoning districts to apply for a Special Use for an adult-use cannabis dispensing establishment; and 2) To eliminate the requirement, as referenced in Section 15.04 (a), that a dispensing establishment must currently be licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization.

These amendments are all of Appendix A (Village of Palatine Zoning Ordinance) of the Village of Palatine Code of Ordinances.

The proposed text amendments to the Village of Palatine Zoning Ordinance will amend the eligible zoning districts, in which to apply for a Special Use for an adult-use dispensing establishment, to include Planned Development districts, subject to the B-5 or Manufacturing district use lists. The amendments would also eliminate the requirement to be currently licensed by the State of Illinois to operate a medical cannabis dispensing organization.

The above petition has been filed by the Village of Palatine and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 22-15
VILLAGE OF PALATINE
Dennis Dwyer, Chair
Palatine Plan Commission
DATED: This 4th day of April 2022.
Published in Daily Herald April 4, 2022 (4580391)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs
Daily Herald

Corporation organized and existing under and by virtue of the laws c
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County(ies) of Cook
and State of Illinois, continuously for more than one year prior to th
date of the first publication of the notice hereinafter referred to and i
general circulation throughout said Village(s), County(ies) and State

I further certify that the Northwest Suburbs DAILY HERALD is a
newspaper as defined in "an Act to revise the law in relation to noti
as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5,
Section 1 and 5. That a notice of which the annexed printed slip is a
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IN WITNESS WHEREOF, the undersigned, the said PADDOCK
PUBLICATIONS, Inc., has caused this certificate to be signed by, t
authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
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BY Paula Raetz
Designee of the Publisher and Officer of the Daily Herald

Control # 4580391

Attachment: Public Notice (Text Amendments - Article 15 Appendix A - Village of Palatine Zoning Ordinance)

VILLAGE OF PALATINE

VILLAGE OF PALATINE
Plan Commission

SCHEDULED 04/19/22 07:00 PM

CASE STAFF STATEMENT (ID # 7496)

Planned Development Amendment to the Patrick Hyuandai Phase 2 Subdivision Planned Development to Align with the B-5 Highway Business District use lists; and Special Use for an Adult Use Cannabis Dispensing Establishment for the vacant lot east of 325 E. Lake Cook Road (PIN # 02-02-102-037-0000)

CASE NUMBER: 22-09

PETITIONERS:

Keystone Ventures (Palatine Lake Cook Road LLC)

Botavi Wellness LLC ("Botavi") - Craig Krandel authorized agent

LOCATION: vacant lot east of 325 E. Lake Cook Road (parcel ID # 02-02-102-037-0000) - Lot 3 of the Patrick Hyundai Subdivision - Phase 2.

PROPOSAL: Keystone Ventures LLC (Palatine Lake Cook Road LLC) is requesting a Planned Development Amendment to Planned Development Ordinance #O-6-16 align the underlying use lists to the B-5 Highway Business District; and

Botavi Wellness has applied for a Special Use for an adult use dispensary for the vacant lot east of 325 E. Lake Cook Road - Lot 3 of the Patrick Hyundai Subdivision and Patrick Hyundai Planned Development Phase 2.

ZONING AND LAND USE: Planned Development - Vacant parcel, directly east of 325 E. Lake Cook Road (Starbucks drive-through).

SURROUNDING CONDITIONS:

North:	Unincorporated Lake County
South:	Rand Road -B-5 commercial uses and properties
East:	Rand Road parcels
West:	Planned Development - Rand Road (Route 12) - Hyundai of Palatine - Lot 1 Patrick Hyundai Subdivision

COMPREHENSIVE PLAN:

The Future Land Use Map recommends a continued business use for the property.

BACKGROUND:

The Subject Property is Lot 3 of the Patrick Hyundai Phase 2 Planned Development and Subdivision and is currently a vacant unimproved lot. The Petitioners are requesting to open an adult use dispensary on Lot 3. Therefore, the Petitioners are requesting:

Planned Development Amendment to Planned Development Ordinance #O-6-16 to align the underlying use lists to the B-5 district (Keystone Ventures LLC - Palatine Lake Cook Road LLC); and

Special Use for an adult use cannabis dispensing establishment (Botavi)

ANALYSIS:

- After the State of Illinois approved the legal sale and consumption of cannabis in June 2019, the Village also allowed adult use dispensaries within the Village in December 2019. The Zoning Ordinance allows adult use dispensaries through a Special Use review in the B-5 and Manufacturing districts. When the Village drafted and adopted its adult use cannabis ordinance, there had not been any operational history with dispensaries or the State approval process, due to the newness of its adoption.

- Within the Zoning Ordinance, there are also a series of operational requirements and controls, as follows below:

  (a) Facility must be operated by an organization or business that is currently licensed by the Illinois Department of Financial and Professional Regulation to operate a medical cannabis dispensing organization under the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130 et seq.)

  (b) Facility must keep a copy of the dispensing organization agent identification card issued pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act visible and conspicuously displayed at all times.

  (c) An adult-use cannabis dispensing establishment building shall not be located within 1,500 feet of the building in which is located a pre-existing public or private nursery school, pre-school, primary or secondary school, or day care facility. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.

(d) An adult-use cannabis dispensing establishment building shall not be located within five hundred (500) feet of property either owned by a Park District or utilized for park district purposes, unless separated by railroad tracks.

(e) An adult-use cannabis dispensing establishment shall not be located in a dwelling unit.

(f) An adult-use cannabis dispensing establishment shall not abut nor be directly across the street from any residential use.

(g) At least 75% of the floor area of any tenant space occupied by an adult-use cannabis dispensing establishment shall be devoted to the activities of the cannabis dispensing establishment as authorized by the Act, and other than cannabis infused food products, no cannabis dispensing establishment shall also sell food for consumption on the premises in the same tenant space.

(h) Facility shall not conduct any sales or distribution of cannabis other than as authorized by the Act.

(I) Adult-use cannabis dispensing establishments are prohibited from allowing on-site consumption of cannabis under all circumstances.

(j) For purposes of determining required parking, adult-use cannabis dispensing establishments shall be classified as "Business and Retail Uses" area as per Section 7.03 (b) (1), provided however that the Village may require that additional parking be provided as a result of the analysis completed through Section 14.05 (Adult-Use Cannabis: Special Use) herein.

(k) Petitioner must submit a complete copy of their state license application and all plans submitted to the State of Illinois, or any agency thereof, as part of their special use application. Before issuance of a certificate of occupancy or otherwise opening to the public, adult-use cannabis dispensing establishments must provide a copy of their license to operate as an adult-use cannabis dispensing establishment from the respective state agency.

(l) Petitioner shall file an affidavit with the Village affirming compliance with this Section 15.04 and all other requirements of the Act.

- In conjunction with the proposed Special Use for the dispensary, the owner and developer for Phase 2 has also requested a Planned Development Amendment to align the uses lists for Phase 2 to the B-5 district. Per Code, the B-5 district is reserved for properties with frontage along Rand Road (U.S. Route 12). As the Patrick Hyundai Planned Development has frontage along Rand Road and the Phase 2 Planned Development also maintains full access to Rand Road, Staff agrees that it would be appropriate to align the underlying uses with the B-5 district.

- The Subject Property is part of the 2012 Patrick Hyundai Planned Development and subsequently subdivided into Lots 2 and 3 in the Phase 2 Planned Development.
- When the Patrick Hyundai Planned Development was approved, full access onto Rand Road and a right-in right-out onto Lake Cook were provided. When Phase 2 was approved, cross access extending from Rand Road drive through to Lake Cook Road were maintained. Although Lot 3 remains undeveloped, the infrastructure improvements and parking for Lot 3 were completed with the Starbucks' drive through in 2017.
- The Illinois Department of Financial and Professional Regulation conducted a lottery for 75 Conditional Adult Use Dispensing Organization licenses on August 19, 2021. Botavi was awarded such a license (1 of 47 in the Chicago Naperville Elgin BLS region).
- Prior to being rezoned to Planned Development, many of the underlying Patrick Hyundai lots were zoned B-5. In addition to the drive-through use identified in the Phase 2 Planned Development, the developer identified a retail use for Lot 3. Bo
- Botavi proposes to develop an approximately 3,500 square foot adult use dispensary on Lot 3. The proposed dispensary would be located on the east side of the existing Starbucks on Lot 2. Per Code, the dispensary requires 12 parking spaces, which are satisfied with the existing parking already installed for the Phase 2 improvements, which totals 37 spaces. Note the Starbucks is 650 square feet and requires 7 spaces, which leaves an excess of 18 spaces.
- Article 15 contemplates the evaluation of the following components, when reviewing an adult use dispensary:
    - Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - Proposed structure in which the facility will be located, including the co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
    - Hours of operation and anticipated number of customers and employees.
    - Anticipated parking demand and available private parking supply.

- Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
- Site design, including access points and internal site circulation.
- Proposed signage plan.
- Compliance with all requirements provided in this Section 15.03.
- Other criteria determined to be necessary to assess compliance with Section 14.05 (Special Uses).

- The floorplan indicates a waiting room, show room, and sales area for public access. The remainder of the building would be occupied only by the Bloc employees.
- Botavi and its operational partner Justice cannabis presently operate under the name “Bloc”. The proposed Palatine location would also operate as a Bloc location. Bloc presently operates 8 dispensaries in Missouri and Pennsylvania. They also operate 2 pharmacies in Utah.
- Per the business plan, the proposed hours of operation are 8 AM through 8 PM, but the plan also indicates that there will likely be fewer hours varying by day.
- In addition to Bloc’s operational experience, the business plan indicates that a National Security Director will oversee the dispensary operations. The store would also comply with the security directive, required by the State.
- With the use of 30-50 high definition cameras located throughout the building and outside the dispensary, the cameras will also be equipped with facial recognition and license plate readability. The Palatine Police Department would be offered a direct feed into all cameras at the dispensary. There will also be 2 armed security guards on-site, during all business hours.
- On-site consumption or loitering are not permitted and the business plan restates this compliance. The provided security would enforce these measures. It is Bloc’s experience that most of their current customer base pre-orders the products. This equates to an average customer visit of under 5 minutes. The customers then come throughout the day and are not clustered in the store visits.
- The business plan and submitted affidavit confirm compliance with all of the other

spacing and separation requirements (1,500 feet) from any school, nursery, day care, pre-school or secondary school. And, the Subject Property is more than 500 from the property line of any Park District property.

- The Special Use application was reviewed by all of the Departments, including the Police Department and Village Attorney, without any additional Staff comments.
- Public comments were submitted to the Village indicating both opposition and support for adult use dispensaries. While those comments were included with the review materials, Staff notes that the comments are general in nature and not specific to either the proposed Special Use location or the operator and standards.

RECOMMENDATIONS:

When the Patrick Hyundai and Phase 2 Planned Development were approved, portions of the underlying properties maintained a B-5 zoning and also continues to have frontage and access to Rand Road. Staff believes the amendment further memorializes both the intention of the Planned Development and theB-5 District Ordinance requirements. Therefore, Staff recommends approval of the Planned Development Amendment, pursuant to the following conditions:

1. Planned Development Ordinance #O-6-16, shall be amended to align the use lists with the B-5 Highway Business District.

Both the State of Illinois and the Village allow adult use dispensaries and contemplate their operation. Adult use cannabis is both legal and contemplated within the Code. Therefore, the Special Use review should not be a determination of whether adult use cannabis should be allowed, as those questions have already been answered, but rather the narrow focus of whether this is an acceptable location and has the Petitioner demonstrated compliance with the required standards.

The proposed location complies with all of the other spacing, separation, and operational restrictions within the zoning ordinance. The use would abut the rear yards of commercial lots along Rand Road and across the street from unincorporated Lake County. And, the Petitioner has operating experience within 10 other similar

stores/pharmacies. The Police Department reviewed the security plans and did not have any other questions or comments.

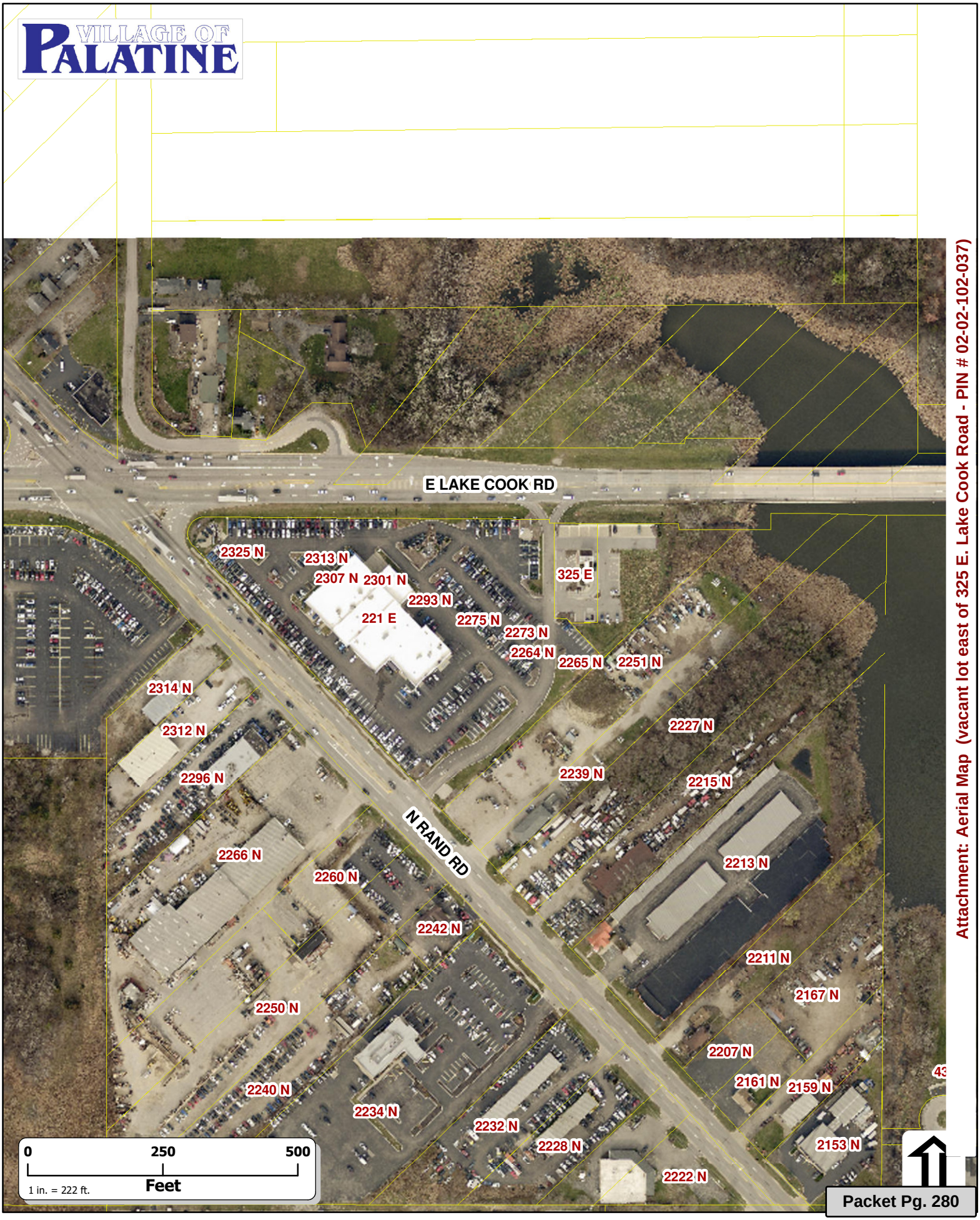
Therefore, Staff recommends approval of the Special Use, pursuant to the following conditions:

1. The Special Use shall substantially conform to the site plan submitted on 03/17/2022, floorplan dated 02/24/22, the business plan submitted on 03/17/22, and elevations submitted on 03/17/22, except as such plans may be changed to conform to Village Codes and Ordinances.
2. If required by the Village, the business plan shall be modified in a manner acceptable to the Village Attorney.
3. The final signage plan, including interior window signs shall be submitted in a manner acceptable to the Director of Planning and Zoning.
4. The dispensary shall operate in compliance with all applicable State and Village requirements.

ATTACHMENTS:

- Aerial Map
- Planned Development Ordinance Patrick Hyundai Phase 2
- Patrick Hyundai Phase 2 Planned Development amendment transmittal letter
- Bloc - proposed site plan and floorplan
- Botavi Wellness - business plan
- Special Use application
- Patrick Hyundai SUB Phase 2
- ALTA survey with cross access drive to Rand Road
- Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021
- O-139-12 - Patrick Hyundai Final PUD
- Patrick Hyundai SUB
- Public Comments - cannabis dispensaries
- Public Notice

Village of Palatine GIS Viewer



Attachment: Aerial Map (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

ORDINANCE NO. 0-6-16

AN ORDINANCE GRANTING PRELIMINARY AND FINAL PLANNED DEVELOPMENT APPROVAL 221 E. LAKE COOK ROAD (PATRICK HYUNDAI SUBDIVISION – PHASE 2)

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on January 11, 2016

ORDINANCE NO. 0-6-16

AN ORDINANCE GRANTING
PRELIMINARY AND FINAL PLANNED DEVELOPMENT APPROVAL
221 E. LAKE COOK ROAD (PATRICK HYUNDAI SUBDIVISION – PHASE 2)

WHEREAS, upon petition of owners of said property a public hearing was held by the Plan Commission of the Village of Palatine on December 15, 2015 and in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Preliminary and Final Planned Development to allow 2 additional commercial buildings with an associated parking lot, on the following legally described property:

A Resubdivision of that part of the Northeast 1/4 of the Northwest 1/4 of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian in Cook County, Illinois.

commonly known as 221 E. Lake Cook Road (subject Petition is for the vacant area east of the existing automobile dealership). PIN # 02-02-102-034

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That Preliminary and Final Planned Development to allow 2 commercial buildings with an associated parking lot, is hereby granted, subject to the following condition(s):

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

1. The development shall substantially conform to the plans attached hereto, except as such plans may be changed to conform to Village Codes and Ordinances.

2. A letter of credit in the amount of $50,000 shall be submitted to ensure the completion of the Planned Development.

3. An engineer's estimate of costs shall be submitted in a manner acceptable to the Village Engineer.

4. A letter of credit in the amount of 110% of the engineer's cost estimate shall be submitted.

5. Review fees in the amount of 3.5% of the engineer's cost estimate shall be submitted.

6. The maintenance agreement should also address shared maintenance responsibilities for the freestanding signs.

7. The parking stall designs shall be revised in a manner acceptable to the Director of Planning and Zoning.

8. The landscape plan shall be revised in a manner acceptable to the Director of Planning and Zoning and should include parkway trees along Lake-Cook Road.

9. The architectural plans for the Lot 3 shall be reviewed by the Village Council prior to the issuance of a building permit.

10. The final engineering plans shall be revised in a manner acceptable to the Director of Planning and Zoning and the Village Engineer.

SECTION 2: That a copy of the report of the hearing and the public notice be attached hereto and form a part of this ordinance.

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

SECTION 3: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 11th day of January, 2016

AYES: 5 NAYS: 0 ABSENT: 1 PASS: 0

APPROVED by me this 11th day of January, 2016

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

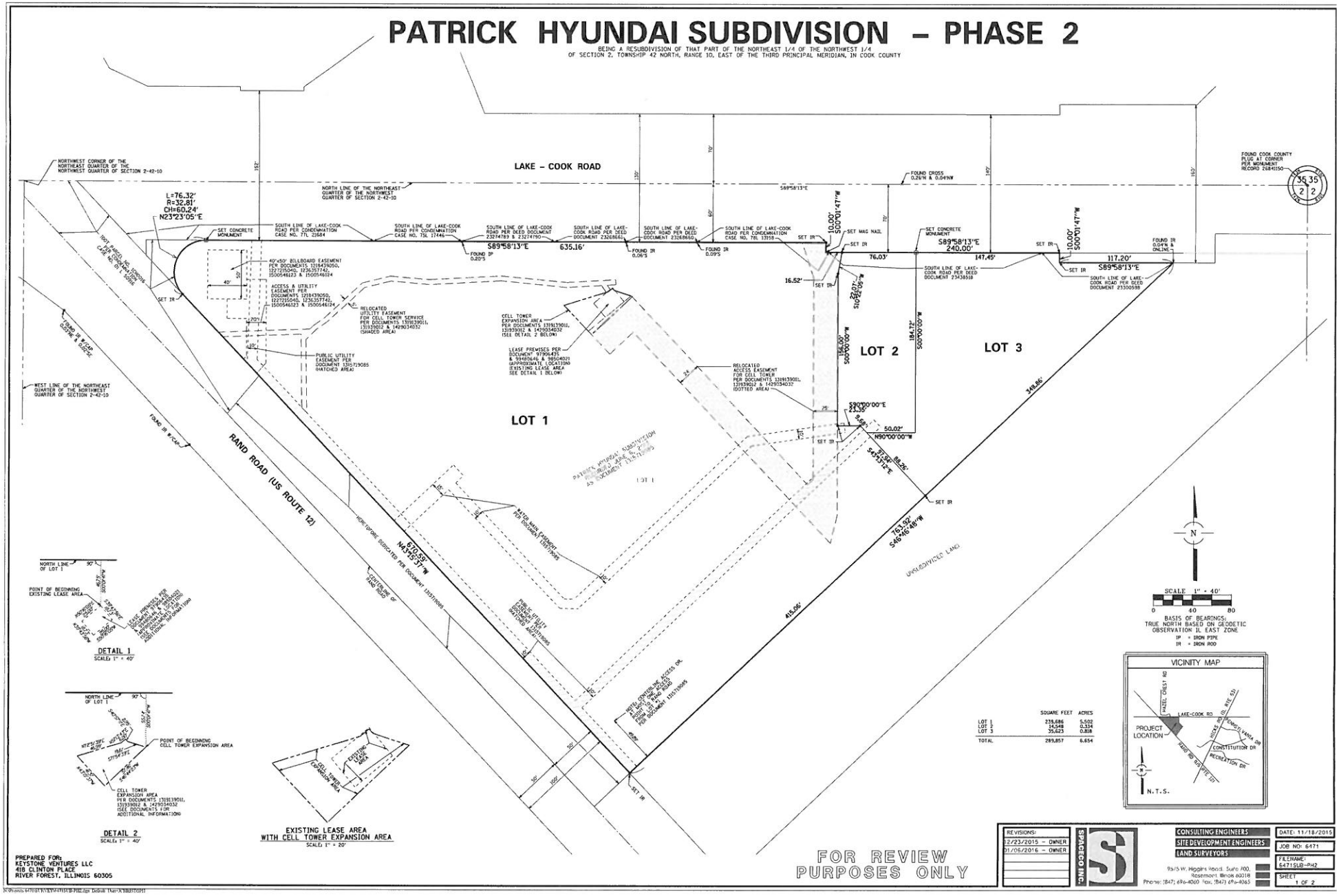
this 11th day of January, 2016

Village Clerk

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PATRICK HYUNDAI SUBDIVISION – PHASE 2

BEING A RESUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY



PREPARED FOR:
KEYSTONE VENTURES LLC
418 CLINTON PLACE
RIVER FOREST, ILLINOIS 60305

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake

PATRICK HYUNDAI SUBDIVISION – PHASE 2

BEING A RESUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY

TAX P.I.N.: 02-02-102-034-0000

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT THEY HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE HEREON INDICATED.

THIS IS TO ALSO CERTIFY THAT AS OWNER OF THE PROPERTY DESCRIBED AS AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME, HAVE DETERMINED TO THE BEST OF OUR KNOWLEDGE THE SCHOOL DISTRICT IN WHICH EACH OF THE FOLLOWING LOTS LIE:

PALATINE CCSD 50
TOWNSHIP HSD 211
HARPER COLLEGE DISTRICT 512

DATED THIS ____ DAY OF _____, A.D. 20____.

_____
SIGNED

_____
PRINTED NAME AND TITLE

MORTGAGEE'S NOTARY PUBLIC

STATE OF ILLINOIS }
} SS
COUNTY OF _____ }

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED AND DELIVERED SAID INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS ____ DAY OF _____, 20____.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES ON_____

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT THEY HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE HEREON INDICATED.

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PALATINE CCSD 50
TOWNSHIP HSD 211
HARPER COLLEGE DISTRICT 512

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_____
SIGNED

_____
PRINTED NAME AND TITLE

MORTGAGEE'S NOTARY PUBLIC

STATE OF ILLINOIS }
} SS
COUNTY OF _____ }

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED AND DELIVERED SAID INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS ____ DAY OF _____, 20____.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES ON_____

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF PALATINE, ILLINOIS,
THIS ____ DAY OF _____, A.D. 20____.

_____
SIGNED: CHAIRMAN

_____
ATTEST: SECRETARY

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

APPROVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALATINE, ILLINOIS,
THIS ____ DAY OF _____, A.D. 20____.

_____
SIGNED: MAYOR

_____
ATTEST: VILLAGE CLERK

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO THE VILLAGE OF PALATINE STANDARDS AND REQUIREMENTS, AND WORKING DRAWINGS AND SPECIFICATIONS FOR IMPROVEMENTS HAVE BEEN PREPARED IN CONFORMANCE WITH THE VILLAGE STANDARDS AND REQUIREMENTS, AND ENGINEERING FEES DUE TO THE VILLAGE OF PALATINE HAVE BEEN PAID.

DATED THIS ____ DAY OF _____, A.D. 20____.

_____
SIGNED: VILLAGE ENGINEER

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

I DO HEREBY CERTIFY THAT THERE ARE NO DEFERRED SPECIAL ASSESSMENTS OR UNPAID CURRENT ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.

DATED THIS ____ DAY OF _____, A.D. 20____.

_____
BY: VILLAGE COLLECTOR

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

WE HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR THE DIVERSION AND DETENTION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WITHIN THE CONFINES OF THE SUBDIVISION AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON ADJACENT LAND OWNERS/PROPERTY IN SUCH CONCENTRATION AS MAY CAUSE DAMAGE BY EROSION OR SEDIMENTATION TO SUCH PROPERTY BECAUSE OF CONSTRUCTION OF THE SUBDIVISION.

DATED THIS ____ DAY OF _____, A.D. 20____.

_____
BY: OWNER

_____
BY: ILLINOIS PROFESSIONAL ENGINEER

SEND TAX BILL TO:

_____
_____
_____
_____

COOK COUNTY HIGHWAY DEPARTMENT CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS PLAT HAS BEEN APPROVED BY THE COOK COUNTY HIGHWAY DEPARTMENT WITH RESPECT TO ROADWAY ACCESS PURSUANT TO 765 ILCS 205/2. HOWEVER, A HIGHWAY PERMIT CONFORMING TO THE STANDARDS OF THE COOK COUNTY HIGHWAY DEPARTMENT IS REQUIRED BY THE OWNER OF THE PROPERTY FOR THIS ACCESS.

_____
SUPERINTENDENT OF HIGHWAYS
COOK COUNTY, ILLINOIS

I.D.O.T. CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO PARAGRAPH 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," 45 AMENDED. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

_____
JOHN FORTMANN, P.E.
ACTING DEPUTY DIRECTOR OF HIGHWAYS
REGION ONE ENGINEER

PROPERTY DESCRIPTION:

LOT 1 IN PATRICK HYUNDAI SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 6, 2013 AS DOCUMENT 1315719085, IN COOK COUNTY, ILLINOIS.

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

WE DECLARE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED AND SUBDIVIDED BY SPACECO, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184-001157, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

SAID PROPERTY CONTAINS 289,857 SQUARE FEET OR 6.654 ACRES, MORE OR LESS.

WE FURTHER DECLARE THAT THE LAND IS WITHIN THE VILLAGE OF PALATINE WHICH HAS ADOPTED A CITY COMPREHENSIVE PLAN AND MAP AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

WE FURTHER DECLARE, BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 17031C0043J MAP REVISED: AUGUST 19, 2008, IT IS OUR CONSIDERED OPINION THAT THIS PROPERTY LIES IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY SAID F.I.R.M. MAP.

WE FURTHER DECLARE THAT STEEL RE-ENFORCING RODS (UNLESS OTHERWISE NOTED) WILL BE SET AT ALL LOT CORNERS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.
GIVEN UNDER OUR HAND AND SEAL THIS ____ DAY OF _____, 20__ IN ROSEMONT, ILLINOIS.

_____
JERRY P. CHRISTOPH, I.P.L.S. No. 035-3540
LICENSE EXPIRES: 11-30-2014
(VALID ONLY IF EMBOSSED SEAL AFFIXED)

PREPARED FOR:
KEYSTONE VENTURES LLC
410 CLINTON PLACE
RIVER FOREST, ILLINOIS 60305

FOR REVIEW PURPOSES ONLY

REVISIONS:
12/23/2015 - OWNER
01/06/2016 - OWNER

SPACECO INC.

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-8020 Fax: (847) 696-4065

DATE: 11/18/2015
JOB NO: 6471
FILENAME: 6471SUB-PH2
SHEET: 2 OF 2

N:\Projects\6471\SURVEY\6471SUB-PH2.dgn Sheet 2 User:KTHOMPSON

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake

SITE SUMMARY	
TOTAL SITE AREA	43,088 SF
	0.98 AC
RESTAURANT 'A'	2,040 SF
RETAIL SPACE 'B'	5,000 SF
TOTAL RETAIL SPACE	7,040 SF
PARKING	
REQUIRED RETAIL PARKING (1/300SF):	18 CARS
REQUIRED RESTAURANT PARKING (1/100SF):	20 CARS
TOTAL REQUIRED PARKING:	38 CARS
PROVIDED PARKING	45 CARS

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
T 708.771.3900 F 708.771.3909

A-02

COPYRIGHT HAGUE ARCHITECTURE

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (Vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PROPOSED RETAIL BUILDING:
Appearance Commission
DECEMBER 04, 2015

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
t: 708.771.3900 f: 708.771.3905

Table of contents:

A-01 TITLE SHEET
A-02 SITE PLAN
A-03 FLOOR PLAN
A-04 BUILDING ELEVATIONS
A-05 BUILDING ELEVATIONS
A-06 EXTERIOR FINISHES
A-07 MONUMENT SIGN ELEVATION

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

COPYRIGHT 2015 HAGUE ARCHITECTURE

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RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HAGUE ARCHITECTURE
416 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305

A-02

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

01 FLOOR PLAN
SCALE: 1/8" = 1'-0"

A-03

HAGUE ARCHITECTURE
416 PLANTON PLACE
RIVER PLANTON, ILLINOIS
60305
T 708.717.3000 F 708.717.3005

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD

PALATINE, ILLINOIS

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
t 708 771 3900 • f 708 771 3905

A-04

COPYRIGHT HAGUE ARCHITECTURE

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HAGUE ARCHITECTURE
1 SCHICK PLACE
RIVER FOREST, ILLINOIS
60305
T: 708.771.2606 F: 708.771.1965

A-05

COPYRIGHT HAGUE ARCHITECTURE

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

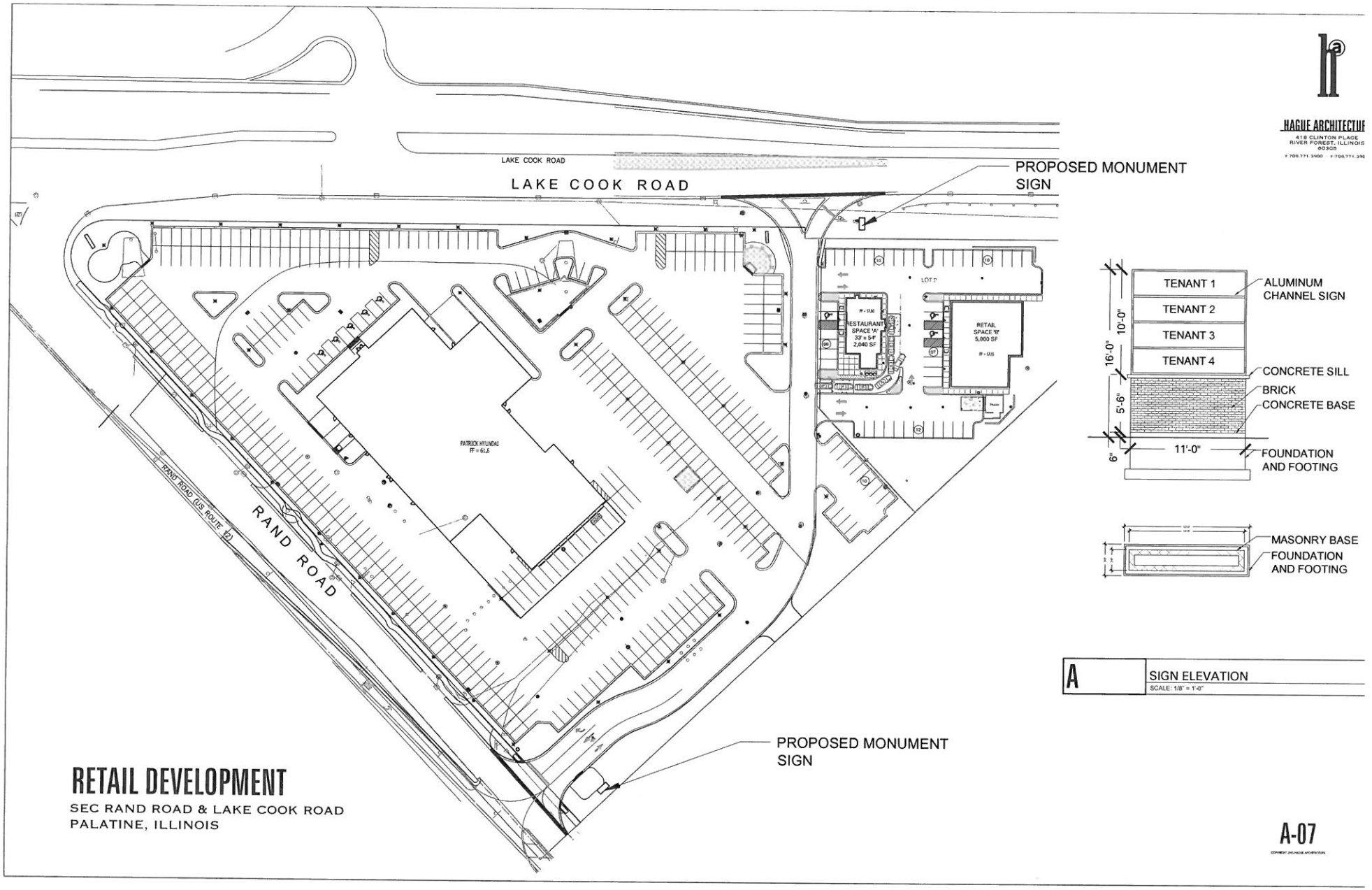
RETAIL DEVELPOMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HARDIE ARCHITECTURE
418 CHERRY AVENUE
RIVER FOREST, ILLINOIS
60305

A-06

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

A-07

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake

PRELIMINARY SITE IMPROVEMENT PLANS
for
PATRICK HYUNDAI OUTLOT

PALATINE, ILLINOIS
PROJECT NO:6471.03

ARCHITECT
KEYSTONE VENTURES, LLC
418 CLINTON PLACE
RIVER FORST, ILLINOIS 60305
PHONE: 708-366-0550

CALL J.U.L.I.E. 1-800-892-0123
WITH THE FOLLOWING:
COUNTY: COOK
CITY, TOWNSHIP: PALATINE, PALATINE
SEC. & ¼ SEC. NO.: T42N, R10E, SEC. 2 NW 1/4
48 HOURS BEFORE YOU DIG.
EXCLUDING SAT., SUN. & HOLIDAYS

BENCHMARK
ELEVATION:
DESCRIPTION: **SEE SHEET ET FOR BENCHMARK INFORMATION**

NOTE:
SPACECO, INC. IS TO BE NOTIFIED AT LEAST THREE (3) DAYS PRIOR TO STARTING CONSTRUCTION AND SHALL BE INCLUDED IN THE PRECONSTRUCTION MEETINGS

INDEX

SHEET #	SHEET I.D.	SHEET DESCRIPTION
1	C1	COVER SHEET
2	ET	EXISTING CONDITIONS
3	GM	GEOMETRIC PLAN
4	GR	GRADING PLAN
5	UT	UTILITY PLAN

LOCATION/MWRD ROUTING MAP

KEY MAP

REVISIONS

ORIGINAL PLAN DATE: AUGUST 14, 2015

#	SHEET #	REMARKS	DATE
1	3-5	REVISED SITE PLAN	12/10/15

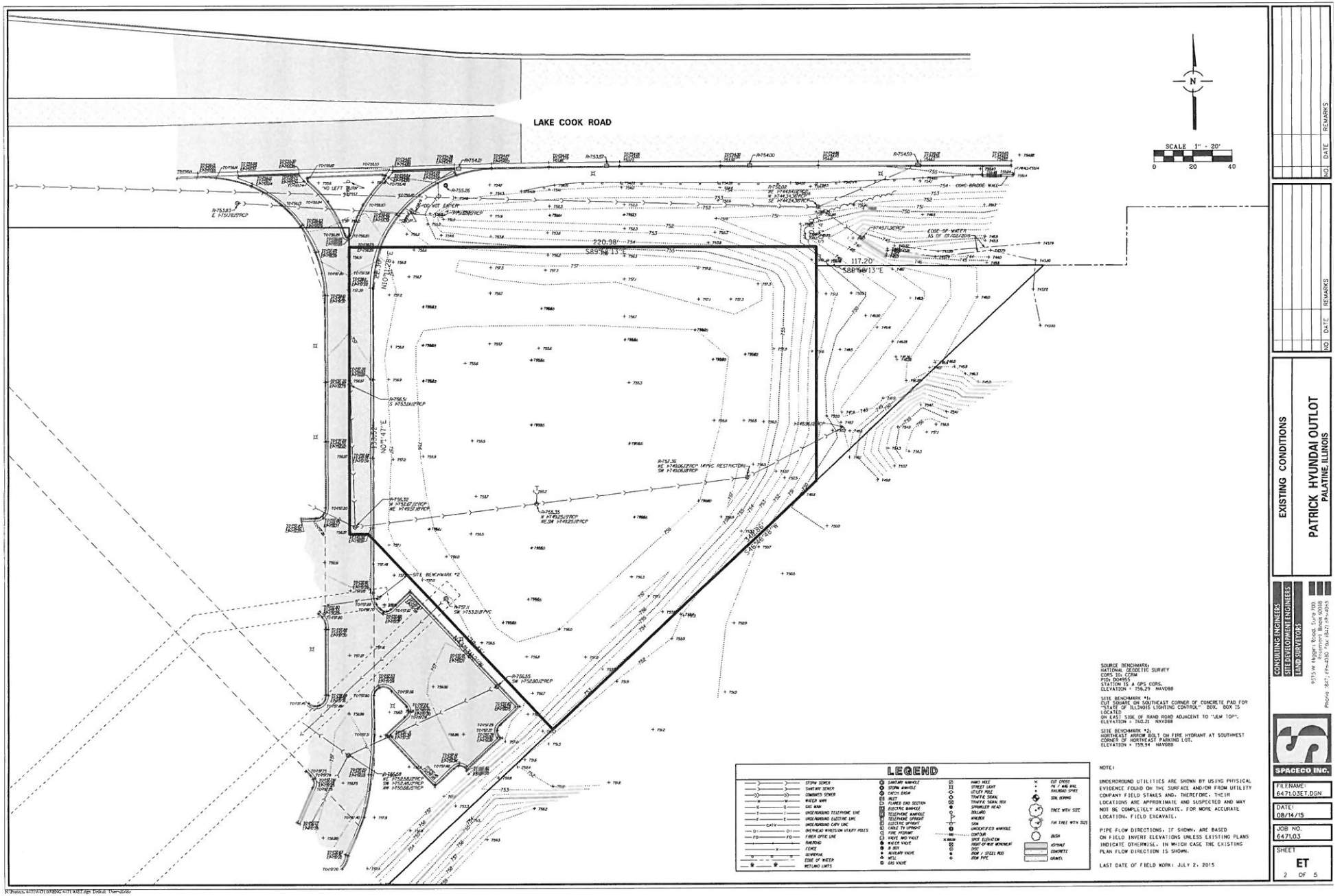
ENGINEER
MICHAEL MONDUS, P.E. DATE
ILLINOIS REGISTRATION NO.: 062-062057
EXPIRATION DATE: 11/30/2017
PROFESSIONAL DESIGN FIRM NO.: 184-001157
EXPIRATION DATE: 04/30/2017
SEAL
THIS PLAN MUST BE ACCOMPANIED WITH WRITTEN VERIFICATION OF THE SIGNATURE, SEAL, AND EXPIRATION DATE OF SEAL OF THE ENGINEER

SPACECO INC.
CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS
9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

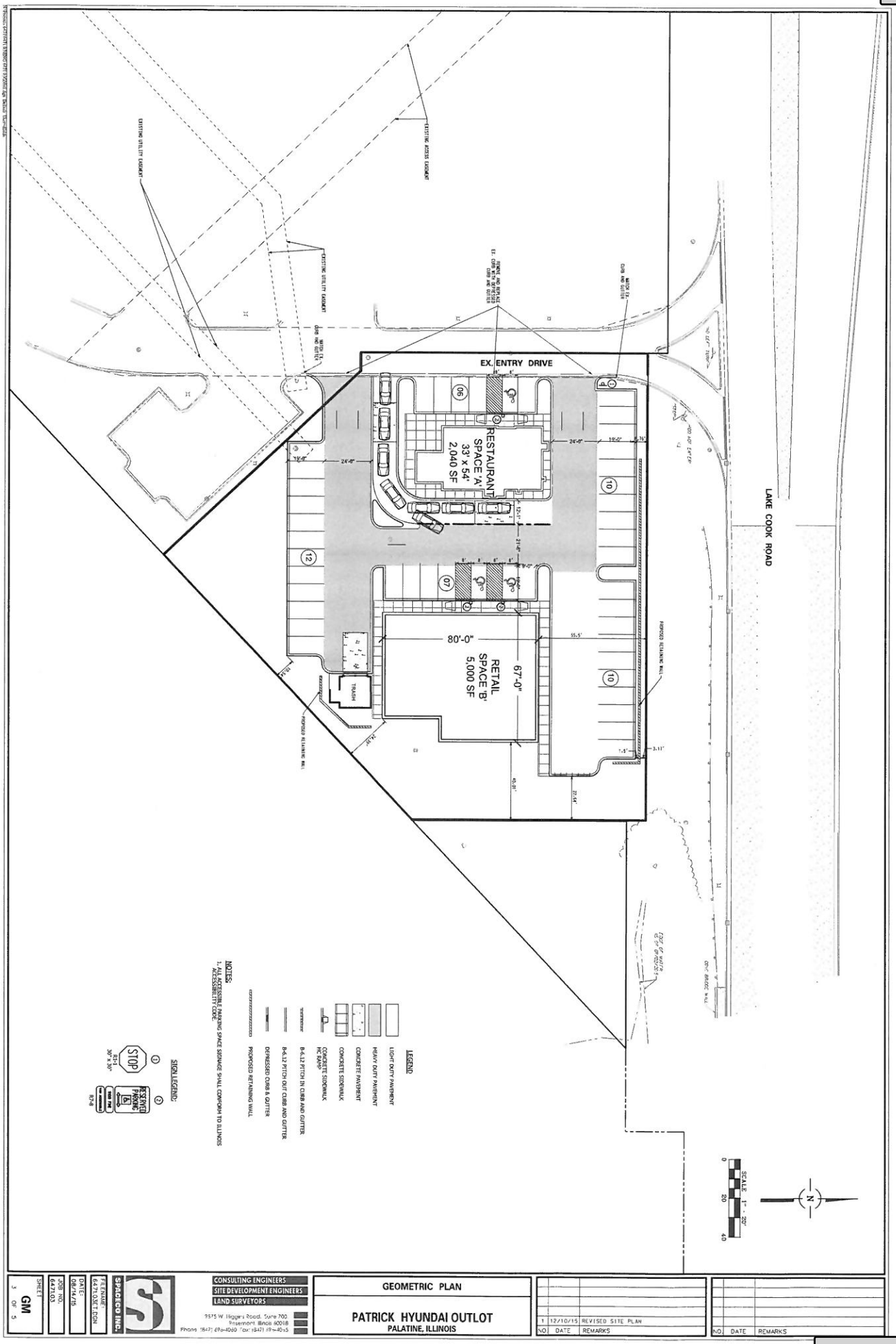
PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

FILENAME: 6471COVER.DGN
DATE: 08/14/15
JOB NO: 6471.03
SHEET: C1
1 OF 5

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake



GEOMETRIC PLAN

PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

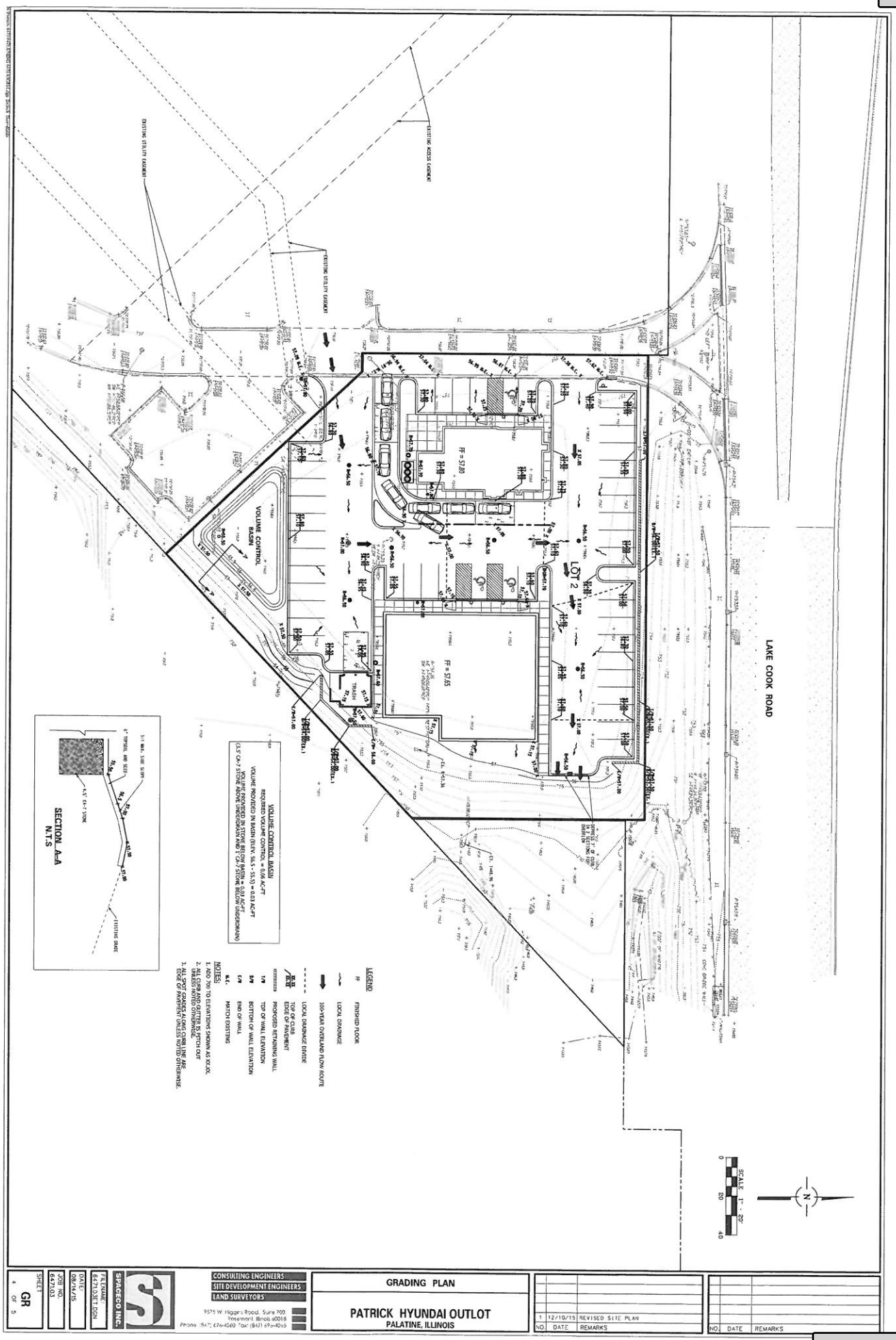
NO	DATE	REMARKS
1	12/10/15	REVISED SITE PLAN

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

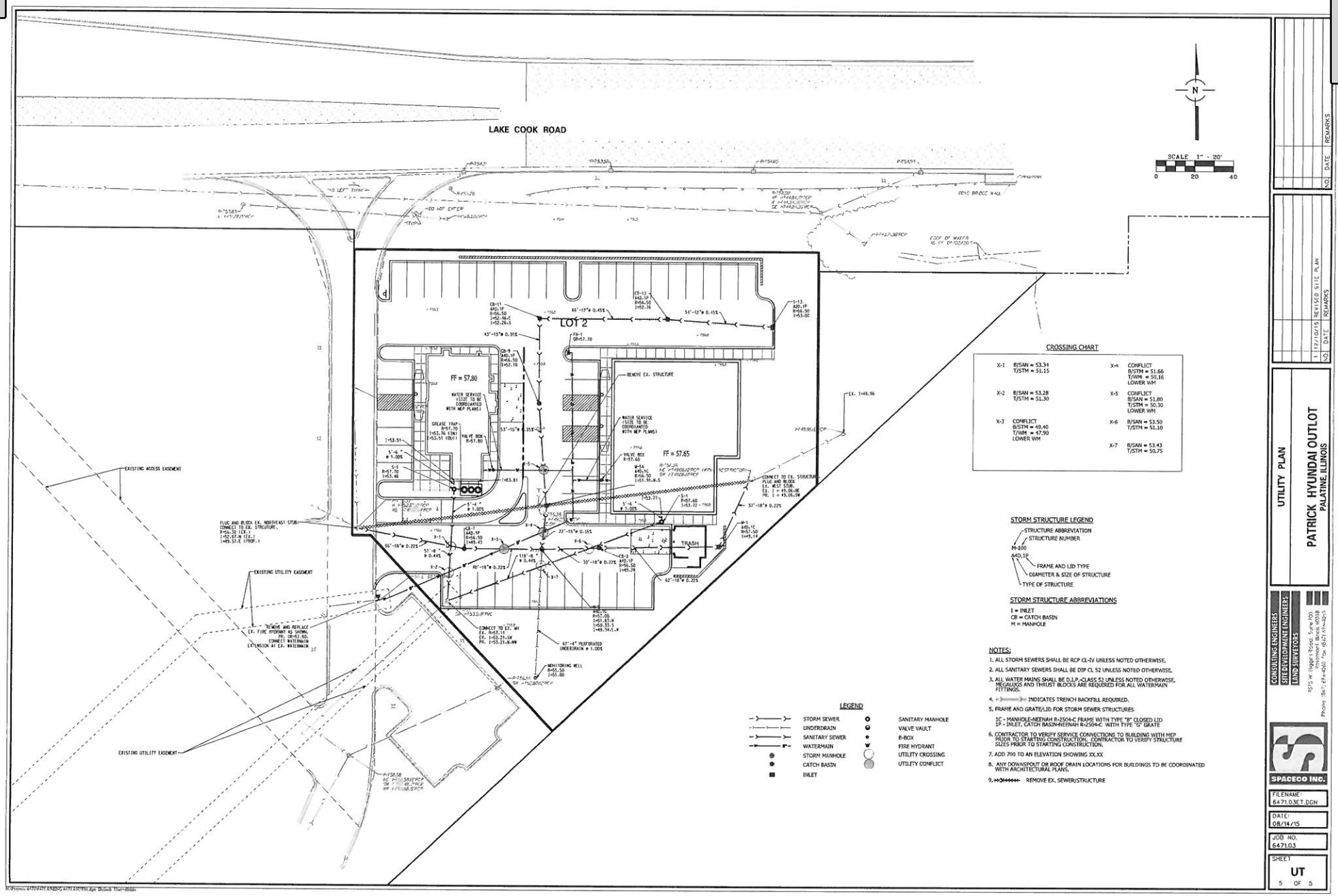
SPACECO INC.
9575 W. Higgins Road, Suite 700
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

FILENAME: 6427LOSETDEN
DATE: 08/14/15
JOB NO. 6427.03
SHEET: GM
SHEET 3 OF 5

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



CROSSING CHART

X-1	B/SAN = 53.31 T/STM = 51.15	X-4	CONFLICT B/STM = 51.66 T/WM = 50.16 LOWER WM
X-2	B/SAN = 53.28 T/STM = 51.30	X-5	CONFLICT B/SAN = 51.80 T/STM = 50.30 LOWER WM
X-3	CONFLICT B/STM = 49.40 T/WM = 47.90 LOWER WM	X-6	B/SAN = 53.50 T/STM = 51.10
		X-7	B/SAN = 53.43 T/STM = 50.75

STORM STRUCTURE LEGEND

M-100
A40.1P
STRUCTURE ABBREVIATION
STRUCTURE NUMBER
FRAME AND LID TYPE
DIAMETER & SIZE OF STRUCTURE
TYPE OF STRUCTURE

STORM STRUCTURE ABBREVIATIONS

I = INLET
CB = CATCH BASIN
M = MANHOLE

LEGEND

- STORM SEWER
- UNDERDRAIN
- SANITARY SEWER
- WATERMAIN
- STORM MANHOLE
- CATCH BASIN
- INLET
- SANITARY MANHOLE
- VALVE VAULT
- B-BOX
- FIRE HYDRANT
- UTILITY CROSSING
- UTILITY CONFLICT

NOTES:

1. ALL STORM SEWERS SHALL BE RCP CL-IV UNLESS NOTED OTHERWISE.
2. ALL SANITARY SEWERS SHALL BE DIP CL 52 UNLESS NOTED OTHERWISE.
3. ALL WATER MAINS SHALL BE D.I.P.-CLASS 52 UNLESS NOTED OTHERWISE. MEGALUGS AND THRUST BLOCKS ARE REQUIRED FOR ALL WATERMAIN FITTINGS.
4. INDICATES TRENCH BACKFILL REQUIRED.
5. FRAME AND GRATE/LID FOR STORM SEWER STRUCTURES
   1C - MANHOLE-NEENAH R-2504-C FRAME WITH TYPE "B" CLOSED LID
   1P - INLET, CATCH BASIN-NEENAH R-2504-C WITH TYPE "D" GRATE
6. CONTRACTOR TO VERIFY SERVICE CONNECTIONS TO BUILDING WITH MEP PRIOR TO STARTING CONSTRUCTION. CONTRACTOR TO VERIFY STRUCTURE SIZES PRIOR TO STARTING CONSTRUCTION.
7. ADD 700 TO AN ELEVATION SHOWING XX.XX
8. ANY DOWNSPOUT OR ROOF DRAIN LOCATIONS FOR BUILDINGS TO BE COORDINATED WITH ARCHITECTURAL PLANS.
9. REMOVE EX. SEWER/STRUCTURE

NO.	DATE	REMARKS
1	12/10/15	REVISED SITE PLAN

UTILITY PLAN

PATRICK HYUNDAI OUTLOT
PALATINE ILLINOIS

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS
1975 W. Higgins Road, Suite 700
Hoffman Estates, Illinois 60169
Phone: (847) 519-4600 Fax: (847) 519-4605
SPACECO INC.

FILENAME: 6471.03ET.DGN
DATE: 08/14/15
JOB NO. 6471.03
SHEET UT 5 OF 5

LANDSCAPE REQUIREMENTS

INTERIOR PARKING LOT

1 tree per 10 parking space or portion thereof

Parking spaces = 45

Trees Required = 5

Note: Existing Trees along Southeast property line to remain where possible. Trees required to be removed to accommodate site grading have been replaced in the landscape plan.

Stormwater Seed Mix
Cardno JFNew

Botanical Name	Common Name	PLS Ounces/Acre
Permanent Grasses/Sedges/Rushes:		
Carex crisatella	Crested Oval Sedge	2.00
Carex lurida	Bottlebrush Sedge	3.00
Carex vulpinoidea	Brown Fox Sedge	6.00
Elymus virginicus	Virginia Wild Rye	13.50
Glyceria striata	Fowl Manna Grass	1.25
Juncus effusus	Common Rush	2.00
Leersia oryzoides	Rice Cut Grass	1.00
Panicum virgatum	Switch Grass	2.00
Scirpus atrovirens	Dark Green Rush	2.00
Scirpus cyperinus	Wool Grass	1.00
Scirpus fluviatilis	River Bulrush	0.25
Scirpus validus	Great Bulrush	3.00
	Total	37.00
Temporary Cover:		
Avena sativa	Common Oat	360.00
Lolium multiflorum	Annual Rye	100.00
	Total	460.00
Forbs & Shrubs:		
Alisma spp.	Water Plantain (Variou	4.25
Asclepias incarnata	Swamp Milkweed	1.50
Aster novae-angliae	New England Aster	1.50
Bidens spp.	Bidens (Various Mix)	2.00
Helenium autumnale	Sneezeweed	1.50
Iris virginica	Blue Flag	2.00
Lycopus americanus	Common Water Horeh	4.00
Mimulus ringens	Monkey Flower	0.25
Penthorum sedoides	Ditch Stonecrop	1.00
Polygonum spp.	Pinkweed (Various Mix	0.50
Rudbeckia subtomentosa	Sweet Black-Eyed Sus	4.00
Rudbeckia triloba	Brown-Eyed Susan	1.00
Sagittaria latifolia	Common Arrowhead	1.50
Senna hebecarpa	Wild Senna	1.00
Solidago riddellii	Riddell's Goldenrod	1.00
Thalictrum dasycarpum	Purple Meadow Rue	0.50
	Total	2.00
		28.00

PLANT SCHEDULE

KEY	QTY	SPECIES	COMMON	SIZE	NOTES
SHADE TREES					
ACFR	4	Acer x freemanii 'Marmo'	Marmo Freeman Maple	2.5" cal	B&B
QUBI	2	Quercus bicolor	Swamp White Oak	2.5" cal	B&B
TADI	3	Taxodium distichum	Common Baldcypress	2.5" cal	B&B
DECIDUOUS SHRUBS					
ARME	8	Aronia melanocarpa 'Iroquois'	Iroquois Beauty Black Chokeberry	18"	#5
COSE	23	Cornus sericea 'Farrow'	Arctic Fire Dogwood	24"	#5
FOGA	24	Fothergilla gardenii 'Kl.Mtwo'	Beaver Creek Dwarf Fothergilla	24"	B&B
RHAR	25	Rhus aromatica 'Gro-Low'	Grow Low Fragrant Sumac	18"	#5
EVERGREEN SHRUBS					
JUCH	21	Juniperus chinensis 'Pfitzeriana Nicks'	Nick's Compact Juniper	24"	#5
PERENNIALS AND GRASSES					
HEPM	135	Hemerocallis 'Pardon Me'	Pardon Me Daylily	#1	18" spacing
GETR	20	Geum triflorum	Prairie Smoke	#1	24" spacing
PAM	35	Panicum virgatum 'Cheyenne Sky	Cheyenne Sky Switchgrass	#1	24" spacing
SPHE	24	Sporobolus heterolepis 'Tara'	Dwarf Prairie Dropseed	#1	24" spacing
TURF					
TURF	8750 SF	Festuca 'Black Beauty'	Black Beauty Tall Fescue	-	-
VOLUME CONTROL BASIN SEEDING					
SEED	2100 SF	SEE STORMWATER SEED MIX			

NOTES

1 All turf areas shall be finely graded with a minimum of 6" of pulverized topsoil, free of vegetation, rocks, and other debris. Surface shall be prepared and protected from compaction prior to installation of sod.

2 All planting areas shall be mulched with 4" of premium shredded hardwood bark mulch.

3 All plant material shall comply with the American Standards for Nursery Stock, ANSI Z60.1-2014.

4 Plant material shall be guaranteed for a period of one year from the time of acceptance. Any plant material replaced as part of guarantee shall be guaranteed for a period of one year from date of replacement. Contractor shall notify Owner of any maintenance deficiencies which may impact viability of warrantied plant material.

5 Contractor is responsible for staking and guying trees as necessary to maintain upright position.

6 Existing trees to remain are to be protected during construction to prevent damage. Tree protection shall extend 4 feet beyond dripline of tree canopy

SUSTAINABLE DESIGN | SUSTAINABLE LIVING

Wolf Pack CONSULTING, LLC
Civil Engineering
Land Planning
Land Surveying
Project Entitlements
Stormwater Management
1612 Ogden Avenue, Suite 202, Lisle, IL 60532
Office: (630) 964-3117 • wolfpackcg.com

REVISIONS

LANDSCAPE PLAN

PATRICK HYUNDAI OUTLOT

PALATINE, ILLINOIS

PROJ. MGR.: PJW
PROJ. ENG.: JF
DRAWN BY: MAD
DATE: 12-14-2015
SCALE: 1"=20'

SHEET NO. L1

PROJ. NUMBER:

PENDING APPROVAL - NOT FOR CONSTRUCTION

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Plan Commission
Tuesday, December 15, 2015

Present: Dennis Dwyer, Patrick Noonan, Rodney Bettenhausen, Conrad Hansen, Teri Williams, Dennis Bond, Assistant Director of Planning and Zoning Kevin Anderson.
Absent: Bob Kolososki, Jane Robins.

Minutes of the December 1 meeting were approved as corrected. The word "Lawrence" should be deleted from the bottom of page 2.

Report of Public Hearing – Case #15-100 –221 E. Lake Cook rd.
Chairman Dwyer read the notice of public hearing. The petitioner in Case #15-100, Keystone Ventures, LLC, seeks approval of a preliminary and final planned development to permit additional commercial buildings with an associated parking lot; approval of a preliminary and final plat of subdivision to permit a 3-lot subdivision; approval of a special use to permit a restaurant with a drive-through for approximately 1.15 acres at 221 E. Lake Cook rd.

The following petitioner's exhibits were introduced:
1. Petition for Preliminary and Final Planned Development
2. Palatine Real Estate Interest Disclosure Form
3. Real Estate Purchase Agreement
4. Engineering Plans revised 12/10/15
5. Site Plan Overview
6. Architectural Plans
7. Plat of Subdivision

The following persons were sworn in to present the request:
Tim Hague, Keystone Ventures
Jonathon Hague, architect

Tim Hague described the parcel as the northeast corner of a 5¼ parcel that was originally contemplated for storm water detention. The detention was subsequently housed in a sub parking lot chamber thus freeing up this parcel for development. He said that after extensive planning and staff review, the proposed plan is being presented for a three-lot subdivision. The Hyundai Dealership is the first of the three lots. The proposed restaurant (Space A) with a drive-through would be on Lot #2. The petitioner proposes a 5,000 square foot commercial building for one or multiple tenants for Lot #3.

Hague dubbed the hottest restaurant type in the market today as "fast/casual". He proposes parking for 45 cars, subject to change as the exact use is defined.

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

An access agreement on the east and south with the Patrick Hyundai dealership exists. A right-in, right-out curb cut exists on Lake Cook rd. Without full access on Rand rd., the developer proposes an internal access drive.

He noted that the parcel is shown as commercial in the Village of Palatine Comprehensive Plan "419".

The petitioner proposes monument signs on the south edge of the property and on Rand rd. Bettenhausen pointed out that the location of one of the signs would have to be changed since it is shown in the street.

Kevin Anderson was sworn in. He said he felt it was more expedient to create the proposed restaurant parcel with a special use now to expedite future development. When a specific restaurant is named, the special use will be passed to it.

Concerning access, he said internal traffic flow would be provided by two two-way drive aisles on the north and south sides of the buildings and a one-way north bound lane in between the buildings.

He said that the proposed drive-through lane does not meet village standards, wherein the zoning ordinance requires a minimum 12-foot wide drive aisle with a minimum 12-foot escape lane. The proposed drive aisle does not have an escape lane. Anderson said it makes more sense to staff to have a drive aisle along the south side of the western building one-way eastbound. "This would help resolve traffic conflicts and bring the proposal more into compliance with the intentions of the zoning ordinance."

Hague said the plan has been revised to show parking stalls that are 19 feet deep to meet village criteria. Any future modification to parking stalls would change the layout slightly, Anderson said. Regarding the location of handicap parking space location on the drive aisle, Anderson said that accessibility is state controlled. Hague said it could be modified to make it one-way eastbound.

Jonathon Hague described how the storm water line would be rerouted to take the water to the underground vault. It will have a volume control area. Anderson added that a wetland directly east of the site is where the current storm sewer discharges. This site would also discharge into this area. This was approved by the Army Corps of Engineers during its review of the Hyundai dealership.

Anderson said that the project is designed so the properties are self-contained. Therefore, they would have to have individual maintenance agreements.

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Anderson said the preliminary architectural drawings show the structures as being one-story tall.

Sam Castagna, 20686 Lake Cook rd., was sworn in. He wanted to know the status of the land today. He was told it was fallow.

Jason Landry, 2239 N. Rand rd., was sworn in. He presented what was labeled "Objector's Exhibit #1", early (2012) conceptual drawings of the site. He said he is located immediately south of the parcel, and is interested in cross access agreements for future development of his lot and those adjacent to him. All lots are long and narrow, he said.

Landry said he is concerned about the complete redevelopment of the parcel. He seeks access through their parking lot to his property. He noted the location of the proposed restaurants on the 2012 plan.

Anderson said the easement was recorded with Cook County. He said the village always anticipated as best it could to make this a cohesive development. He told Landry that his access rights would be secure as would be those of his neighbors. He will have access to both Rand and Lake Cook rds.

Landry said the only easement provided at present is behind what might be a future restaurant on Rand rd. Anderson responded that future developers would create new easements. This would be an engineering issue that would need future exploration, he added.

Landry said it is essential to him to have an easement for a future restaurant that would be built overlooking the water. Anderson responded about areas where easements would be impossible to create today as pieces of the Patrick property are coming in for development. He noted there is also a large (6-foot) grade change.

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Staff Recommendation
The proposal conforms to the Comprehensive Plan and Zoning Regulations for this parcel. The development would not alter the character of the property. Therefore, staff recommends approval with 17 conditions:

1. The development shall substantially conform to the plans attached hereto, except as such plans may be changed to conform to Village Codes and Ordinances.

2. A letter of credit in the amount of $50,000 shall be submitted to ensure the completion of the Planned Development.

3. An engineer's estimate of costs shall be submitted.

4. A letter of credit in the amount of 110% of the engineer's cost estimate shall be submitted.

5. Review fees in the amount of 3.5% of the engineer's cost estimate shall be submitted.

6. A maintenance agreement shall be submitted in a manner acceptable to the Village Attorney for future maintenance of the drive aisles and parking areas both on the newly subdivided property and the adjoining car dealership property. The agreement should acknowledge the existing access easement which was reserved for the property to the southeast. The maintenance agreement should also address shared maintenance responsibilities for the freestanding signs.

7. The parking stall designs shall be revised in a manner acceptable to the Director of Planning and Zoning.

8. A landscape plan shall be provided and should include parkway trees along Lake-Cook Road.

9. The architectural plans for the eastern building shall be reviewed by the Village Council prior to the issuance of a building permit.

10. The engineering plans shall be revised in a manner acceptable to the Director of Planning and Zoning and the Village Engineer.

11. The Plat of Subdivision shall be submitted on Mylar with all required signatures.

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

12. A Subdivision Improvement Agreement shall be submitted.

13. Recording fees in the amount of $600.00 shall be submitted.

14. The Plat of Subdivision shall be revised to show the proposed sign easement on the dealership property. Easement language shall be provided in a manner acceptable to the Village Attorney.

15. Condition #2 of R-64-12 shall remain in effect, and future access agreements shall be explored prior to the village council meeting.

16. A south drive aisle shall be revised in a manner acceptable to the village manager.

17. No sign shall be permitted in the Lake Cook rd. right-of-way.

Tim Hague said he is able to comply with all staff conditions.

The public hearing was closed at 9:10 p.m.

RECOMMENDATION

Noonan moved, Bond seconded that the plan commission recommend to the village council that it approve the request of the petitioner in Case #15-100, Keystone Ventures, LLC, who seeks approval of a preliminary and final planned development to permit additional commercial buildings with an associated parking lot; approval of a preliminary and final plat of subdivision to permit a 3-lot subdivision; approval of a special use to permit a restaurant with a drive-through for approximately 1.15 acres at 221 E. Lake Cook rd.

Said approval shall be conditional upon petitioner's complying with 17 staff conditions listed above.

Unanimously carried
(6-0)

Communications

1. No meeting has been scheduled for January 5.
2. Jane Robins is taking a leave of absence for an indeterminate amount of time.

The meeting was adjourned at 8:50 p.m.

Natalie Meyer McKenzie, secretary

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PUBLIC NOTICE
A public hearing will be held before the Palatine Plan Commission on Tuesday, December 15, 2015, at 8:00 PM, at the Palatine Police Department in the Community Meeting Room, 595 N. Hicks Road, relative to a request for the following:
1. Preliminary and Final Planned Development to allow 2 additional commercial buildings with an associated parking lot;
2. Preliminary and Final Plat of Subdivision to permit a 3 lot subdivision; and
3. A Special Use to permit a restaurant, with a drive through
The property is commonly known as 221 E. Lake Cook Road (subject Petition is for the vacant area east of the existing automobile dealership). PIN # 02-02-102-034
The above petition has been filed by Tim Hague – Keystone Ventures and is available for examination in the office of the Village Clerk, 150 W. Wilson Street.
FILE #:15-100
VILLAGE OF PALATINE
Dennis Dwyer, Chair
Palatine Plan Commission
DATED: This 30th day of November, 2015
Published in Daily Herald November 30, 2015 (4426259)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 30, 2015 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Ballzyn
Authorized Agent

Control # 4426259

Attachment: Planned Development Ordinance Patrick Hyundai Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

KEYSTONE VENTURES

REAL ESTATE DEVELOPMENT

April 1, 2022

Ben Vyverberg
Director of Planning and Zoning
Community Development Department
Village of Palatine
200 E. Wood Street
Palatine, IL 60067

via email: bvyverberg@palatine.il.us

Dear Mr. Vyverberg,

As you know, we are the owner of real estate commonly known as Lot 3 in Patrick Hyundai Subdivision – Phase 2 ("Phase 2") in Palatine, Illinois.

The Village has suggested that because of the shared access and contiguity of Phase 2 with Lot 1 in Patrick Hyundai Subdivision ("Phase 1"), the current B-5 zoning existing on Phase 1 should be extended to Phase 2.

Please consider this as our request for the Village to so extend the B-5 Highway Business District zoning classification to Phase 2.

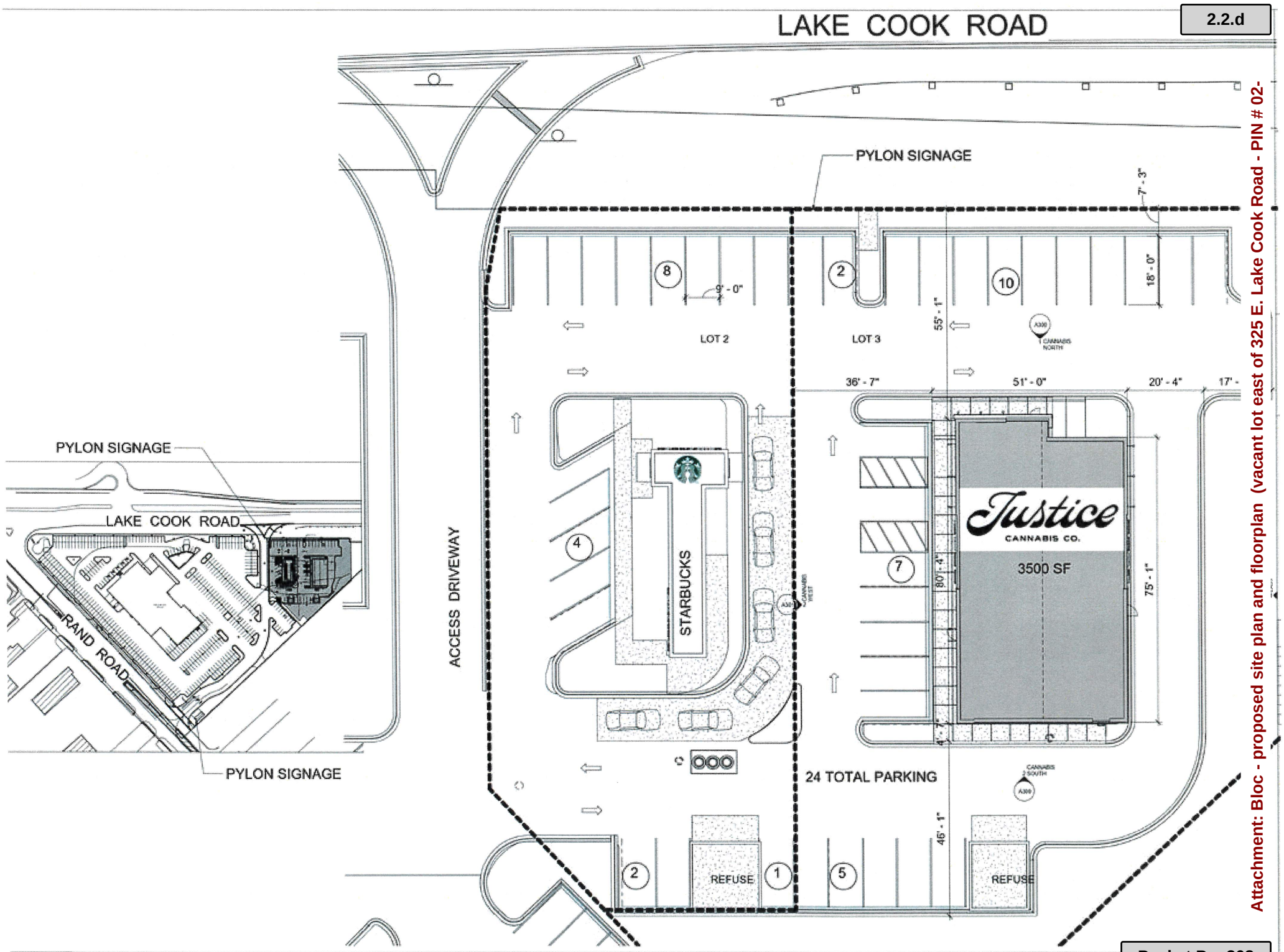
Best,

Palatine Lake Cook Road LLC

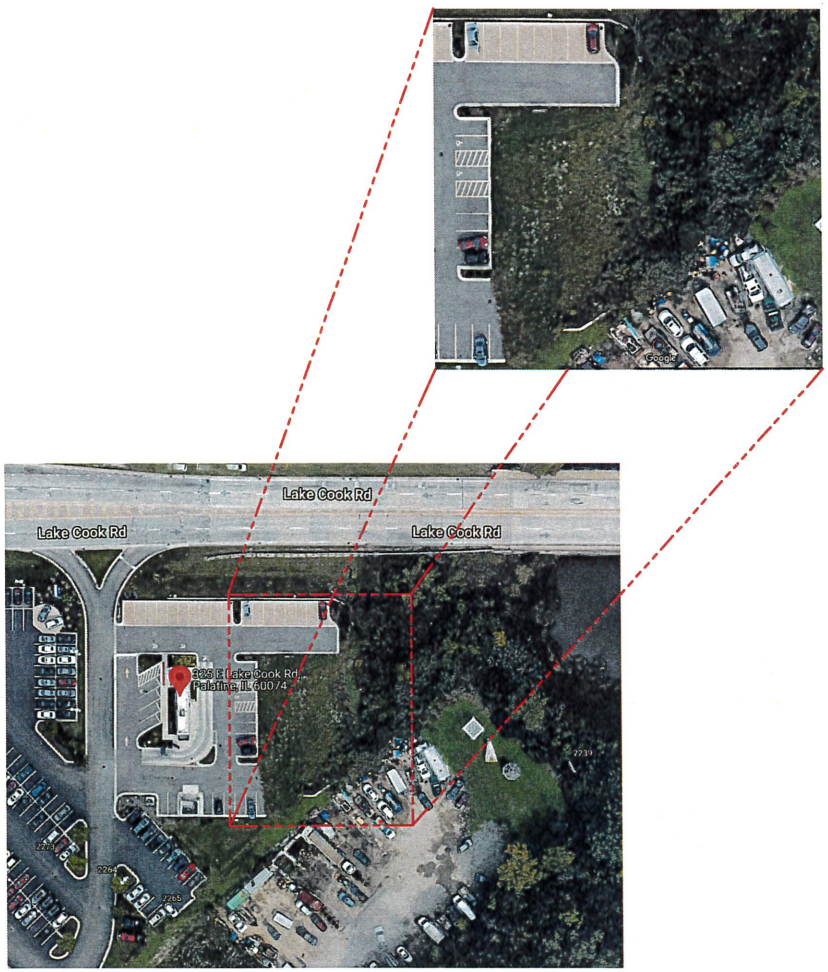
By: _____
Timothy Hague, Manager

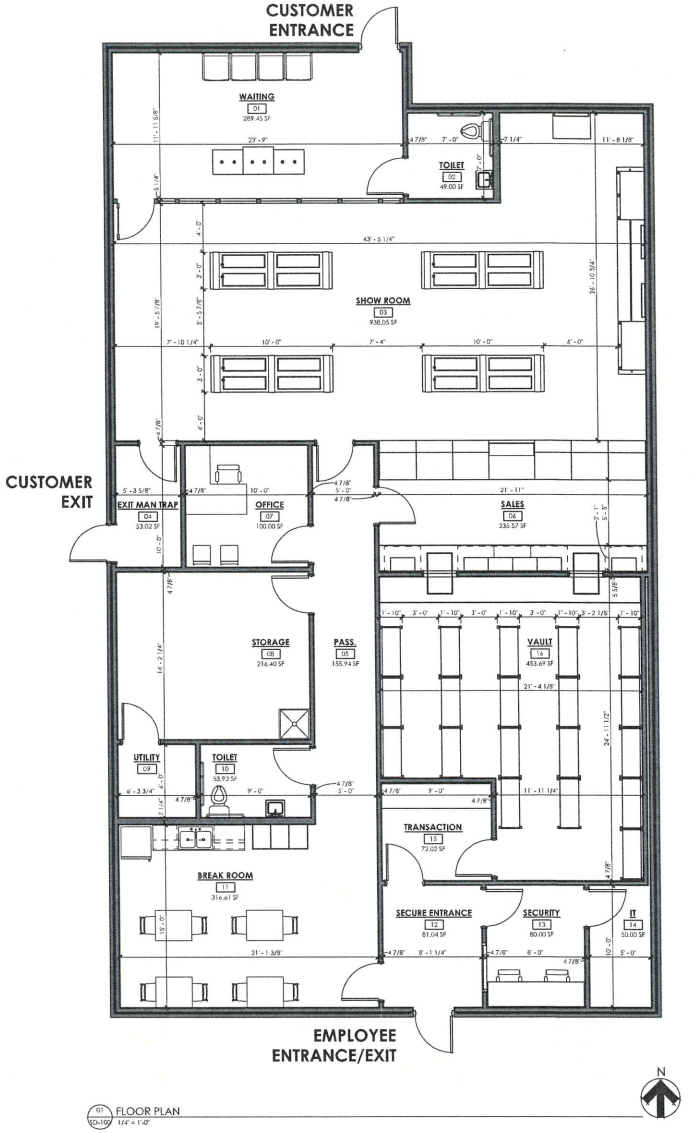
Keystone Ventures, LLC • 418 Clinton Place • River Forest, Illinois 60305
P 708.366.0550 • F 708.366.8815

Attachment: Patrick Hyundai Phase 2 Planned Development amendment transmittal letter (vacant lot east of 325 E. Lake Cook Road - PIN # 02-



Attachment: Bloc - proposed site plan and floorplan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-





FLOOR PLAN
1/4" = 1'-0"

THIS SCHEMATIC DESIGN DRAWING HAS BEEN APPROVED FOR THE DESIGN PROJECT TO PROCEED INTO THE DESIGN DEVELOPMENT PHASE AND CONSTRUCTION DOCUMENTS PHASE BY THE FOLLOWING CLIENT REPRESENTATIVES:

Date _____

Date _____

Date _____

Date _____

VERVE DESIGN STUDIO
1558 S. BROADWAY
ST. LOUIS, MISSOURI 63104
314-822-4007
www.VERVEDS.com
STATE OF ILLINOIS LICENSE
001-021961

NOT FOR CONSTRUCTION

GEOFFREY LEWIS CROWLEY
LICENSE - 001-021961

BLOC
325 EAST LAKE COOK RD.

SCHEMATIC DESIGN

MARK	DATE	DESCRIPTION

THIS SHEET IS PART OF A COMPLETE SET OF CONSTRUCTION DOCUMENTS. SEE DRAWING INDEX FOR COMPLETE LIST OF DOCUMENTS. SHEET SIZE 30 X 42

VERVE PROJECT NO.: 21

ISSUE DATE: 02/24/2022

SHEET NAME: SCHEMATIC FLOOR PLAN

SHEET NO. SD-100

© 2022 VERVE

2/24/2022 4:32:56 PM C:\Users\jones\Documents\21096 - BLOC 5 - 16 - 325 E. Lake Cook_jonesN24X5.rvt

Attachment: Bloc - proposed site plan and floorplan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-

Botavi Wellness LLC, an Illinois limited liability company is applying for a Special Use designation for the property located at 323 Lake Cook Road for the operation of a Cannabis Dispensary as provided for pursuant to Palatine Zoning Code Section 15.01 for the operation of a fully legal, state-regulated Cannabis Dispensary. Botavi Star Equity is an affiliate of Justice Cannabis Co. and has secured the necessary licensing required by the State of Illinois. If approved, the Dispensary shall be operated under the name "Bloc" as will all other dispensaries operated by JG IL LLC d/b/a Justice Cannabis Company an Illinois limited liability company.

This Dispensary will be the first to be operating in Palatine and we believe well located and fully compliant with all terms and requirements of. Section 15.01 as well for all Special Uses within Palatine (details further outlined below) and will service recreational users.

As noted above the property in question meets the location requirements in that it is located more than: (1) Fifteen hundred feet (1500 feet) of the property line of any school, nursery school, pre-school, primary or secondary school or daycare facility, (2) five hundred feet (500 feet) of the property line of any park district property.

In regard to the operation of the dispensary as required per Village Code:

Traffic and parking

The parking at the facility will meet the needs of a dispensary of this size based on experience with the other dispensaries as operated by Justice Cannabis. In this regard:

1. Within the envelope of the subject property it will have 24 parking spaces The minimum required number of parking spaces by code is1 space per 300 square feet of gross floor area. The gross floor area of the building on the subject property is 3500 square feet and as such requires a minimum of 12 parking spaces.

2. Many of the current customers at other facilities pre-order their products, limiting the time they spend in the store. Average visit by a customer is under five (5) minutes.

3. Justice Cannabis' clientele typically come throughout the day and do not follow "rush hour" patterns.

Loitering/On-site consumption

A. Strictly prohibited by law. Our customers know this, and our experience indicates this is not a problem.
B. Armed security guards shall be enforcing

Attachment: Botavi Wellness - business plan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Security

A. Justice Cannabis has a National Security Director that will oversee the operations. Facility shall be operated under security and surveillance plans in accordance with State Statute 410 ILCS 705/15-100 for such businesses through
B. The facility will have 30 to 50 high-definition cameras located throughout the building inside and out.
B. The cameras will have facial recognition ability and the ability to read license plates.
C. Justice Cannabis will offer the local police a direct feed into all cameras.
D. We will have two (2) armed security guards on site during all business hours. Security guards to be through a third-party provider as required per Illinois Statute.

Hours of operation

A. Typically ask for approvals requested for 8:00 AM to 8:00 PM, but likely will have fewer hours varying by day.
B. Willing to work with the Community and adjust hours as requested.

Lighting

A. The parking area will be fully lit in accordance with applicable Palatine codes.

Advertising

A. Dispensary name will be "Bloc" which will be in line with all other dispensaries operated by the Justice Cannabis family of dispensaries.
B. Will not include any cannabis type decorations or blatant verbiage anywhere in company advertising.

Impact on Local Economy – Employment

A. Generally, six to twelve employees on site at all times, depending on day and time.
B. Location will typically hire twenty-two per location, eighteen full-time and four part-time
C. Will, to the extent possible, look to hire from the local community and typically will have job fairs on site prior to opening.
D. Advertisement handled through local channels for employees

Impact on Local Economy – Tax Revenue

C. As indicated, the Village will receive 3% of gross sales.
D. Gross sales projected to be between $500,000 and $1,000,000 per month.
E. Based on estimates for this location (based on experiences with other Justice Cannabis' existing dispensaries), it is anticipated that this dispensary will earn towards the high end of that range.

Attachment: Botavi Wellness - business plan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Special Use Requirements

In regard to the general Special Use Requirements of Section 14.05 of Palatine Village Code we believe the Applicant's proposed use and property in question meet same for the reasons as noted below:

(1) Is deemed necessary for the public convenience at the location . **In order to operate the use as intended a Special Use is necessary.**

(2) Is so designed, located, and proposed to be operated that the public health, safety and welfare will be protected. **The property in question is in an area well-suited for additional traffic and customers that may contribute to surrounding businesses, as well bring in others from outside of Palatine. The current zoning allows for the proposed use as a Special Use.**

(3) Will not cause substantial injury to the value of other property in the neighborhood in which it is located. **The proposed use should be compatible to the adjoining uses and no reason to believe any negative impact, and as noted above moreso a positive impact with additional traffic to the area.**

In further regard to the Applicant and its operational partner, Justice Cannabis:

JG IL LLC d/b/a Justice Cannabis Company an Illinois limited liability company Founded in Chicago in 2014 by two civil rights attorneys, Jon Loevy and Mike Kanovitz . Loevy and Kanovitz who were the founders and co-chairmen of a public interest-oriented law firm in Chicago devoted primarily to civil rights and the protection of government and taxpayers from contractor fraud and waste.

Darin Carpenter serves as the CEO of Justice Cannabis has been responsible for the daily operations and management of several well-known profitable cannabis companies ("Flora"- Chief Operating Officer and "Tryke"- Director of Operations/ Manager of cultivation/extraction operations).

- Justice Cannabis Co. is comprised of a winning dispensary team:
    1. Team members that are experts in their fields from:
        - Real Estate
        - Retail Operations
        - Security
        - Compliance
    2. Team members come to Justice Cannabis Co. with a history of successful results building and managing financially sustainable facilities.

Attachment: Botavi Wellness - business plan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

- All of Justice Cannabis Company's dispensaries are doing business as BLOC Dispensary
- Justice Cannabis Company is very committed to its proposed dispensary operations in Illinois
    - Justice Cannabis Company an existing cultivation site near Effingham, IL producing cannabis products since 2017
    - Through its network and current licenses, there will be up to ten (10) BLOC dispensaries in Illinois
    - As noted above, the license to be used in Palatine was secured by Botavi Wellness LLC which is owned in part by a family member of one of the founders of Justice Cannabis

Current Dispensaries operated by Justice Cannabis Company (as of 1/27/22)

- BLOC Dispensary – Belton, MO
- BLOC Dispensary – Farmington MO
- BLOC Dispensary - Richmond Heights MO
- BLOC Dispensary - Valley Park MO
- BLOC Dispensary- Kirksville MO
- Bloc Pharmacy - South Jordan UT
- Bloc Pharmacy - St. George UT
- BLOC Dispensary – Bethlehem, PA (Photos Below)
- BLOC Dispensary - Dickson City PA
- BLOC Dispensary – Edwardsville PA

Attachment: Botavi Wellness - business plan (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RECEIVED
MAR 17 2022
PLANNING & ZONING DEPARTMENT

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street · Palatine, IL · 60067-5339
Telephone: (847) 359-9047 · Fax (847) 963-6247

CONTACT INFORMATION WORKSHEET

PETITIONER(S) Botavi Wellness LLC	**Business Name (If applicable)**
Address 2108 WEST ERIE, APT 2W, IL	City/State/Zip Code Chicago, IL 60612
Telephone 847-989-9287	Fax N/A
Email mitch@justicecannabisco.com	
Subject Property Address 323 E. Lake Cook Rd	
AUTHORIZED AGENT (if applicable) Craig S. Krandel	**Business Name (if applicable)** Timm & Garfinkel LLC
Address 407 Congress Pkwy Ste E	City/State/Zip Code Crystal Lake, IL 60014
Telephone 815-477-7476	Fax 815-333-0480
Email ckrandel@ltglegal.com	

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street · Palatine, IL · 60067-5339
Telephone: (847) 359-9047 · Fax (847) 963-6247

Office Use Only		
	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

date received

Background Information

PETITIONER(S) — **Business Name (if applicable)**
Botavi Wellness LLC

Subject Property Address
323 E. Lake Cook Rd

AUTHORIZED AGENT (if applicable) — **Business Name (if applicable)**
Craig S. Krandel — Timm & Garfinkel LLC

Address — City/State/Zip Code
407 Congress Pkwy Ste E Crystal Lake, IL 60014

Telephone	Fax	Email
815-477-7476	815-333-03480	ckrandel@ltglegal.com

Relationship to Petitioner (contractor, architect, etc.)
Attorney

TYPE OF APPLICATION (check one)

■ Special Use □ Special Use Amendment □ Variation

Existing Zoning District	Existing Land Use	Proposed Land Use
Planned Development	Vacant	Cannabis Dispensary(Recreational)

Generally describe your request:

Botavi Wellness LLC, an Illinois limited liability company is applying for a Special Use designation for the property located at 323 E. Lake Cook Rd. for the operation of a recreational Cannabis Dispensary as to be provided for pursuant to Palatine Zoning Code. If approved, the Dispensary dispensaries operated by JG IL LLC d/b/a Justice Cannabis Company.

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

VILLAGE OF PALATINE

Signature Page

I swear that the information contained on Page 1 herein and in any accompanying documents is accurate to the best of my knowledge.

3-12-22

Signature Date

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PALATINE

SPECIAL USE

Required Materials

- ■ Filing Fee of $ 865.00
- ■ Application Form
- ■ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- □ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ■ Real Estate Interest Disclosure Form (see attached)
- □ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)
- ■ Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

Additional Materials (as required by the Village)

- □ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- □ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- □ Photographs (e.g. ground-level or aerials)
- □ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Variation only, you do not need to answer these items.***

1. The use is deemed necessary for the public convenience at that location

This location as selected is specifically designated for the allowance of this type of business operation and in a location easily accessbble for the members of the Community.

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

The operation as proposed shall meet all applicable State and local ordinances and to be built out and operated in a fashion to promote public, health, safety and welfare. The operation will include armed guards at all times.

3. The use will not cause substantial injury to nearby property values

The use as Intended/proposed is compatible with surrounding uses and through the revenue generated will assist with property values.

4. With respect to live entertainment uses, the use shall not:
   a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
   b. Impose undue health, sanitation or safety burdens on the village
   c. Create excessive demands on the Village of Palatine Police Department
   d. Be of a nature otherwise prohibited by law or village ordinance
5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PALATINE

VARIATION

Required Materials

- ☐ Filing Fee of $ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

2. That the plight of the owner is due to unique circumstances

3. That the variation, if granted, will not alter the essential character of the locality

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:
   a. The particular surroundings, shape, or topographical conditions of the property
   b. A unique hardship for the property not generally applicable to other properties in the same zoning district
   c. The request is not based on a desire to make more money out of the property
   d. The petitioner has not created the alleged hardship for the property
   e. The request will not be detrimental to the public welfare or other properties in the neighborhood
   f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Real Estate Interest Disclosure Form

Name of Disclosing Party (individual, business, etc.)
Timothy Hague

Relationship to Petitioner (check one)

□ Petitioner □ Legal Entity holding an Interest (i.e. realtor, attorney, etc.)

■ Legal Entity Holding a Right of Control (i.e. landlord, etc.)

Address of Disclosing Party	City/State/Zip Code
48 Clinton Place River Forest, IL 60305	

Telephone	Fax	Email
708-366-0550	N/A	thague@keystoneventuresllc.com

Address of Subject Property	**City/State/Zip Code**
323 E. Lake Cook Rd	

Legal Description of Subject Property (see plat of survey or title)

Attached

List All Persons Deriving an Interest in Subject Property (i.e. owner, lessee, etc.)

Name	Address	Legal Interest
Palatine Lake Cook Road LLC	48 Clinton Place River Forest, IL 60305	Owner

I affirm that there are no other persons deriving any interest from or through me or from or through any other person or entities above set forth in the property which is the subject of the contract or application for which I am filing this disclosure notice whom I have not disclosed.

I understand that if there are any changes in the interest disclosed in this disclosure notice during the terms of the subject contract or before the Village has taken final action on the matter for which this disclosure notice is filed, I shall file a subsequent disclosure notice disclosing such changes.

Signature 14 MAR 2022 Date

SUBSCRIBED AND SWORN TO before me this 14 day of March 2022.

Notary Public Signature

CHELSEA DONOGHUE
Official Seal
Notary Public - State of Illinois
My Commission Expires Nov 9, 2022

Project Planner | Zoning Case #

Attachment: Special Use application (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

ORDINANCE NO. 0-6-16

AN ORDINANCE GRANTING PRELIMINARY AND FINAL PLANNED DEVELOPMENT APPROVAL 221 E. LAKE COOK ROAD (PATRICK HYUNDAI SUBDIVISION – PHASE 2)

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Published in pamphlet form by authority of the
Mayor and Village Council of the Village of Palatine
on January 11, 2016

ORDINANCE NO. 0-6-16

AN ORDINANCE GRANTING
PRELIMINARY AND FINAL PLANNED DEVELOPMENT APPROVAL
221 E. LAKE COOK ROAD (PATRICK HYUNDAI SUBDIVISION – PHASE 2)

WHEREAS, upon petition of owners of said property a public hearing was held by the Plan Commission of the Village of Palatine on December 15, 2015 and in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Preliminary and Final Planned Development to allow 2 additional commercial buildings with an associated parking lot, on the following legally described property:

A Resubdivision of that part of the Northeast 1/4 of the Northwest 1/4 of Section 2, Township 42 North, Range 10, East of the Third Principal Meridian in Cook County, Illinois.

commonly known as 221 E. Lake Cook Road (subject Petition is for the vacant area east of the existing automobile dealership). PIN # 02-02-102-034

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That Preliminary and Final Planned Development to allow 2 commercial buildings with an associated parking lot, is hereby granted, subject to the following condition(s):

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

1. The development shall substantially conform to the plans attached hereto, except as such plans may be changed to conform to Village Codes and Ordinances.

2. A letter of credit in the amount of $50,000 shall be submitted to ensure the completion of the Planned Development.

3. An engineer's estimate of costs shall be submitted in a manner acceptable to the Village Engineer.

4. A letter of credit in the amount of 110% of the engineer's cost estimate shall be submitted.

5. Review fees in the amount of 3.5% of the engineer's cost estimate shall be submitted.

6. The maintenance agreement should also address shared maintenance responsibilities for the freestanding signs.

7. The parking stall designs shall be revised in a manner acceptable to the Director of Planning and Zoning.

8. The landscape plan shall be revised in a manner acceptable to the Director of Planning and Zoning and should include parkway trees along Lake-Cook Road.

9. The architectural plans for the Lot 3 shall be reviewed by the Village Council prior to the issuance of a building permit.

10. The final engineering plans shall be revised in a manner acceptable to the Director of Planning and Zoning and the Village Engineer.

SECTION 2: That a copy of the report of the hearing and the public notice be attached hereto and form a part of this ordinance.

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

SECTION 3: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 11th day of January, 2016

AYES: 5 NAYS: 0 ABSENT: 1 PASS: 0

APPROVED by me this 11th day of January, 2016

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

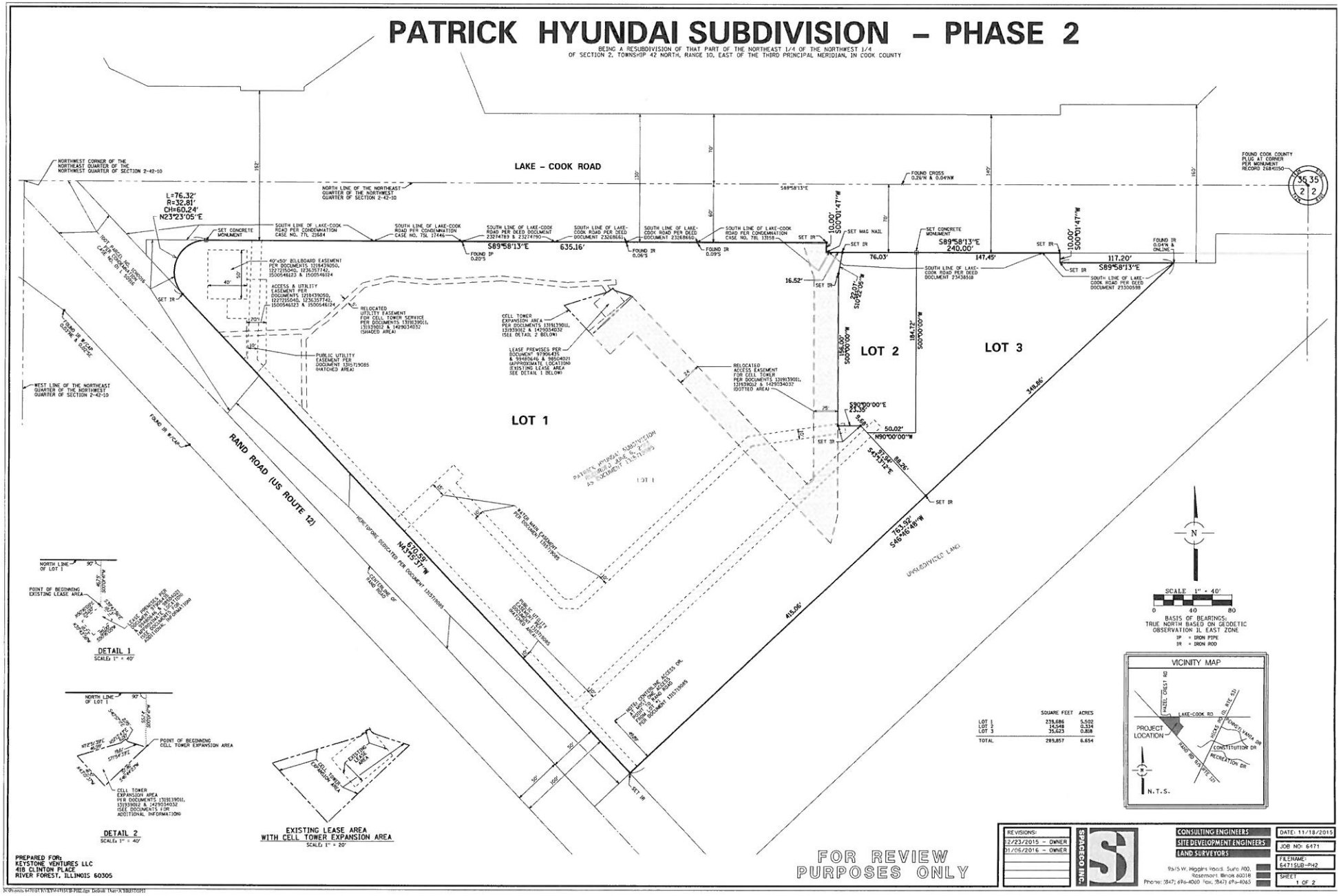
this 11th day of January, 2016

Village Clerk

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PATRICK HYUNDAI SUBDIVISION – PHASE 2

BEING A RESUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY



Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-

PATRICK HYUNDAI SUBDIVISION – PHASE 2

BEING A RESUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY

TAX P.I.N.: 02-02-102-034-0000

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT THEY HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE HEREON INDICATED.

THIS IS TO ALSO CERTIFY THAT AS OWNER OF THE PROPERTY DESCRIBED AS AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME, HAVE DETERMINED TO THE BEST OF OUR KNOWLEDGE THE SCHOOL DISTRICT IN WHICH EACH OF THE FOLLOWING LOTS LIE:

PALATINE CCSD 50
TOWNSHIP HSD 211
HARPER COLLEGE DISTRICT 512

DATED THIS ____ DAY OF _____ , A.D. 20____ .

_____
SIGNED

_____
PRINTED NAME AND TITLE

MORTGAGEE'S NOTARY PUBLIC

STATE OF ILLINOIS }
} SS
COUNTY OF _____ }

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ (IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED AND DELIVERED SAID INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____ , 20____

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES ON_____

OWNER'S CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS IS TO CERTIFY THAT _____ IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT THEY HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE HEREON INDICATED.

THIS IS TO ALSO CERTIFY THAT AS OWNER OF THE PROPERTY DESCRIBED AS AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME, HAVE DETERMINED TO THE BEST OF OUR KNOWLEDGE THE SCHOOL DISTRICT IN WHICH EACH OF THE FOLLOWING LOTS LIE:

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TOWNSHIP HSD 211
HARPER COLLEGE DISTRICT 512

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_____
SIGNED

_____
PRINTED NAME AND TITLE

MORTGAGEE'S NOTARY PUBLIC

STATE OF ILLINOIS }
} SS
COUNTY OF _____ }

I, _____, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT _____ (IS/ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH OWNER(S), APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE/THEY SIGNED AND DELIVERED SAID INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTORIAL SEAL THIS _____ DAY OF _____ , 20____

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES ON_____

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF PALATINE, ILLINOIS,

THIS ____ DAY OF _____ , A.D. 20 ____ .

_____
SIGNED: CHAIRMAN

_____
ATTEST: SECRETARY

VILLAGE COUNCIL CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

APPROVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALATINE, ILLINOIS,

THIS ____ DAY OF _____ , A.D. 20 ____ .

_____
SIGNED: MAYOR

_____
ATTEST: VILLAGE CLERK

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO THE VILLAGE OF PALATINE STANDARDS AND REQUIREMENTS, AND WORKING DRAWINGS AND SPECIFICATIONS FOR IMPROVEMENTS HAVE BEEN PREPARED IN CONFORMANCE WITH THE VILLAGE STANDARDS AND REQUIREMENTS, AND ENGINEERING FEES DUE TO THE VILLAGE OF PALATINE HAVE BEEN PAID.

DATED THIS ____ DAY OF _____ , A.D. 20 ____ .

_____
SIGNED: VILLAGE ENGINEER

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

I DO HEREBY CERTIFY THAT THERE ARE NO DEFERRED SPECIAL ASSESSMENTS OR UNPAID CURRENT ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.

DATED THIS ____ DAY OF _____ , A.D. 20 ____ .

_____
BY: VILLAGE COLLECTOR

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

WE HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR THE DIVERSION AND DETENTION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WITHIN THE RIGHTS OF THE SUBDIVISION AND THAT SUCH SURFACE WATERS WILL NOT BE DEPOSITED ON ADJACENT LAND OWNERS/PROPERTY IN SUCH CONCENTRATION AS MAY CAUSE DAMAGE BY EROSION OR SEDIMENTATION TO SUCH PROPERTY BECAUSE OF CONSTRUCTION OF THE SUBDIVISION.

DATED THIS ____ DAY OF _____ , A.D. 20 ____ .

_____
BY: OWNER

_____
BY: ILLINOIS PROFESSIONAL ENGINEER

SEND TAX BILL TO:

_____
_____
_____
_____

COOK COUNTY HIGHWAY DEPARTMENT CERTIFICATE

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

THIS PLAT HAS BEEN APPROVED BY THE COOK COUNTY HIGHWAY DEPARTMENT WITH RESPECT TO ROADWAY ACCESS PURSUANT TO 765 ILCS 205/2. HOWEVER, A HIGHWAY PERMIT CONFORMING TO THE STANDARDS OF THE COOK COUNTY HIGHWAY DEPARTMENT IS REQUIRED BY THE OWNER OF THE PROPERTY FOR THIS ACCESS.

_____
SUPERINTENDENT OF HIGHWAYS
COOK COUNTY, ILLINOIS

I.D.O.T. CERTIFICATE

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION WITH RESPECT TO ROADWAY ACCESS PURSUANT TO PARAGRAPH 2 OF "AN ACT TO REVISE THE LAW IN RELATION TO PLATS," 45 AMENDED. A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY THE DEPARTMENT.

_____
JOHN FORTMANN, P.E.
ACTING DEPUTY DIRECTOR OF HIGHWAYS
REGION ONE ENGINEER

PROPERTY DESCRIPTION:

LOT 1 IN PATRICK HYUNDAI SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 6, 2013 AS DOCUMENT 1315719085, IN COOK COUNTY, ILLINOIS.

STATE OF ILLINOIS }
} SS
COUNTY OF COOK }

WE DECLARE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED AND SUBDIVIDED BY SPACECO, INC., AN ILLINOIS PROFESSIONAL DESIGN FIRM, NUMBER 184-001157, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

SAID PROPERTY CONTAINS 289,857 SQUARE FEET OR 6.654 ACRES, MORE OR LESS.

WE FURTHER DECLARE THAT THE LAND IS WITHIN THE VILLAGE OF PALATINE WHICH HAS ADOPTED A CITY COMPREHENSIVE PLAN AND MAP AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS AMENDED.

WE FURTHER DECLARE, BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 17031C0043J MAP REVISED: AUGUST 19, 2008, IT IS OUR CONSIDERED OPINION THAT THIS PROPERTY LIES IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY SAID F.I.R.M. MAP

WE FURTHER DECLARE THAT STEEL RE-ENFORCING RODS (UNLESS OTHERWISE NOTED) WILL BE SET AT ALL LOT CORNERS.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.
GIVEN UNDER OUR HAND AND SEAL THIS _____ DAY OF _____ 20__ IN ROSEMONT, ILLINOIS.

_____
JERRY P. CHRISTOPH, I.P.L.S. No. 035-3540
LICENSE EXPIRES: 11-30-2014
(VALID ONLY IF EMBOSSED SEAL AFFIXED)

PREPARED FOR:
KEYSTONE VENTURES LLC
410 CLINTON PLACE
RIVER FOREST, ILLINOIS 60305

FOR REVIEW PURPOSES ONLY

REVISIONS:
12/23/2015 - OWNER
01/06/2016 - OWNER

SPACECO INC.

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-8020 Fax: (847) 696-4065

DATE: 11/18/2015
JOB NO: 6471
FILENAME: 6471SUB-PH2
SHEET: 2 OF 2

N:\Projects\6471\SURVEY\6471SUB-PH2.dgn Sheet 2 User:KTHOMPSON

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-

SITE SUMMARY	
TOTAL SITE AREA	43,088 SF
	0.98 AC
RESTAURANT 'A'	2,040 SF
RETAIL SPACE 'B'	5,000 SF
TOTAL RETAIL SPACE	7,040 SF
PARKING	
REQUIRED RETAIL PARKING (1/300SF):	18 CARS
REQUIRED RESTAURANT PARKING (1/100SF):	20 CARS
TOTAL REQUIRED PARKING:	38 CARS
PROVIDED PARKING	45 CARS

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
T 708.771.3900 F 708.771.3909

A-02

COPYRIGHT HAGUE ARCHITECTURE

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PROPOSED RETAIL BUILDING:
Appearance Commission
DECEMBER 04, 2015

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
t:708.771.3900 f:708.771.3905

Table of contents:

A-01 TITLE SHEET
A-02 SITE PLAN
A-03 FLOOR PLAN
A-04 BUILDING ELEVATIONS
A-05 BUILDING ELEVATIONS
A-06 EXTERIOR FINISHES
A-07 MONUMENT SIGN ELEVATION

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

COPYRIGHT 2015 HAGUE ARCHITECTURE

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

SITE SUMMARY	
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	0.98 AC
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PROVIDED PARKING	45 CARS

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
T 708 771 3900 F 708 771 3905

A-02

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

01 FLOOR PLAN
SCALE: 1/8" = 1'-0"

A-03

HAGUE ARCHITECTURE
416 PLANTON PLACE
RIVER PLANTON, ILLINOIS
60305
T 708.717.3000 F 708.717.3005

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD

PALATINE, ILLINOIS

HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305
t 708 771 3900 • f 708 771 3905

A-04

COPYRIGHT HAGUE ARCHITECTURE

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HAGUE ARCHITECTURE
RIVER FOREST, ILLINOIS

A-05

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PAINT -04 SHERWYN WILLIAMS
CHINA DOLL

PAINT -05 SHERWYN WILLIAMS
BITTERSWEET STEM

PAINT -06 SHERWYN WILLIAMS
PRACTICAL BEIGE

PAINT -07 SHERWYN WILLIAMS
OAK BARREL

PAINT -08 SHERWYN WILLIAMS
JULIET BROWN

PAINT -09 SHERWYN WILLIAMS
STURDY BROWN

PAINT - 10 SHERWYN WILLIAMS
JAVA

PAINT - 11 SHERWYN WILLIAMS
FRENCH ROAST

PAINT - 12 SHERWYN WILLIAMS
MANSARD BROWN

HARDIE CEDERMILL 10" SIDING

ACM PANELS - PREFINISHED TO MATCH
DUNKIN ORAGE PMS165C

AWNING - SUNBRELLA TRUE BROWN

CLEAR LO-E GLASS / CLEAR ANODIZED
ALUMINUM STOREFRONT

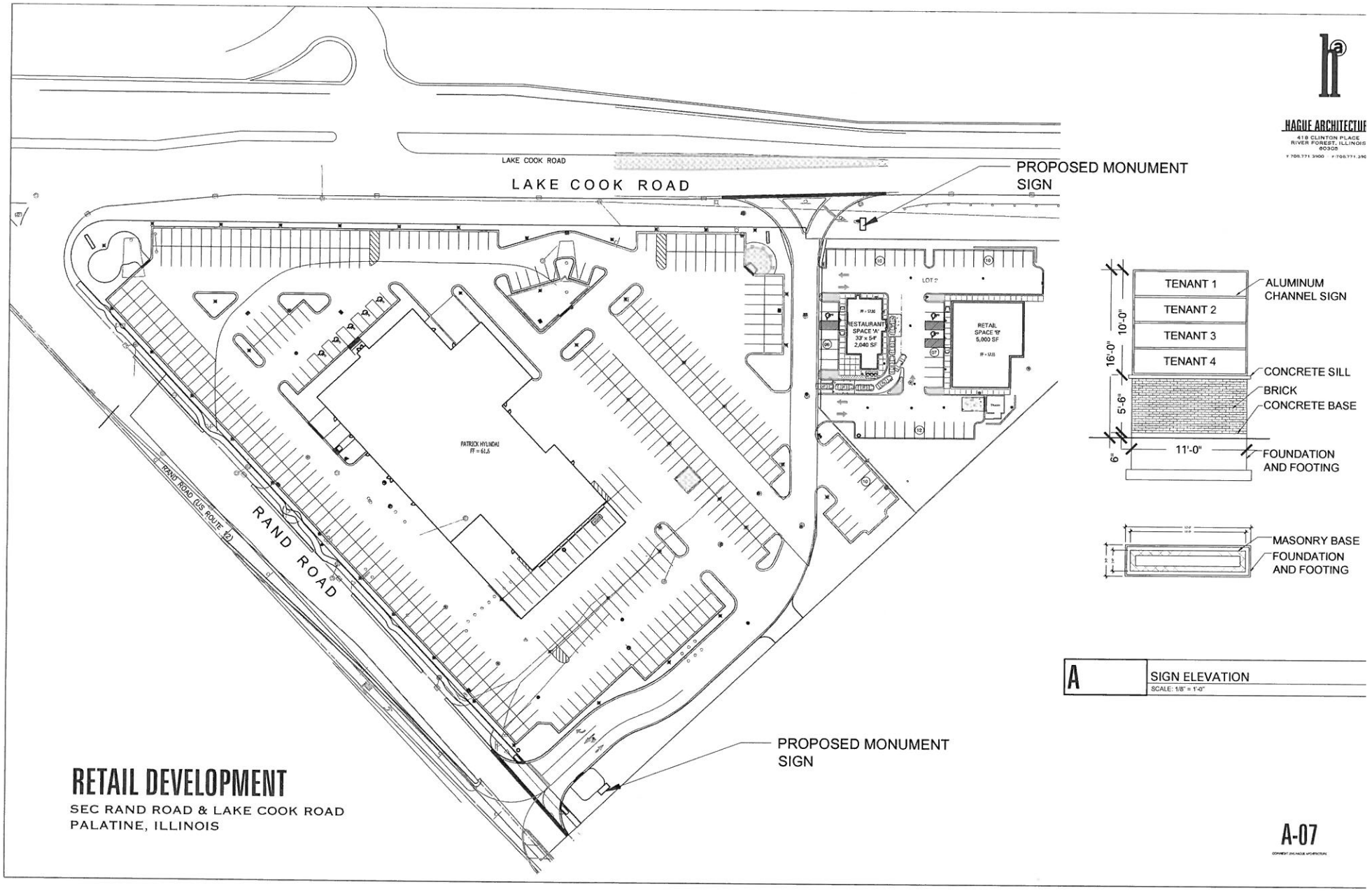
EXTERIOR FINISHES

RETAIL DEVELPOMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

HARDIE ARCHITECTURE
418 CHICAGO AVENUE
RIVER FOREST, ILLINOIS
60305

A-06



HAGUE ARCHITECTURE
418 CLINTON PLACE
RIVER FOREST, ILLINOIS
60305

RETAIL DEVELOPMENT

SEC RAND ROAD & LAKE COOK ROAD
PALATINE, ILLINOIS

A-07

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-

PRELIMINARY SITE IMPROVEMENT PLANS
for
PATRICK HYUNDAI OUTLOT

PALATINE, ILLINOIS
PROJECT NO:6471.03

ARCHITECT
KEYSTONE VENTURES, LLC
418 CLINTON PLACE
RIVER FORST, ILLINOIS 60305
PHONE: 708-366-0550

CALL J.U.L.I.E. 1-800-892-0123
WITH THE FOLLOWING:
COUNTY: COOK
CITY, TOWNSHIP: PALATINE, PALATINE
SEC. & ¼ SEC. NO.: T42N, R10E, SEC. 2 NW 1/4

48 HOURS BEFORE YOU DIG.
EXCLUDING SAT., SUN. & HOLIDAYS

BENCHMARK
ELEVATION:
DESCRIPTION: SEE SHEET ET FOR BENCHMARK INFORMATION

NOTE:
SPACECO, INC. IS TO BE NOTIFIED AT LEAST THREE (3) DAYS PRIOR TO STARTING CONSTRUCTION AND SHALL BE INCLUDED IN THE PRECONSTRUCTION MEETINGS

INDEX

SHEET #	SHEET I.D.	SHEET DESCRIPTION
1	C1	COVER SHEET
2	ET	EXISTING CONDITIONS
3	GM	GEOMETRIC PLAN
4	GP	GRADING PLAN
5	UT	UTILITY PLAN

LOCATION/MWRD ROUTING MAP

KEY MAP

REVISIONS

ORIGINAL PLAN DATE: AUGUST 14, 2015

#	SHEET #	REMARKS	DATE
1	3-5	REVISED SITE PLAN	12/10/15

ENGINEER
MICHAEL MONDUS, P.E. DATE
ILLINOIS REGISTRATION NO.: 062-062051
EXPIRATION DATE: 11/30/2017
SEAL
PROFESSIONAL DESIGN FIRM NO.: 184-001157
EXPIRATION DATE: 04/30/2017
THIS PLAN MUST BE ACCOMPANIED WITH WRITTEN SIGNATURE, SEAL AND EXPIRATION DATE OF SEAL OF THE ENGINEER

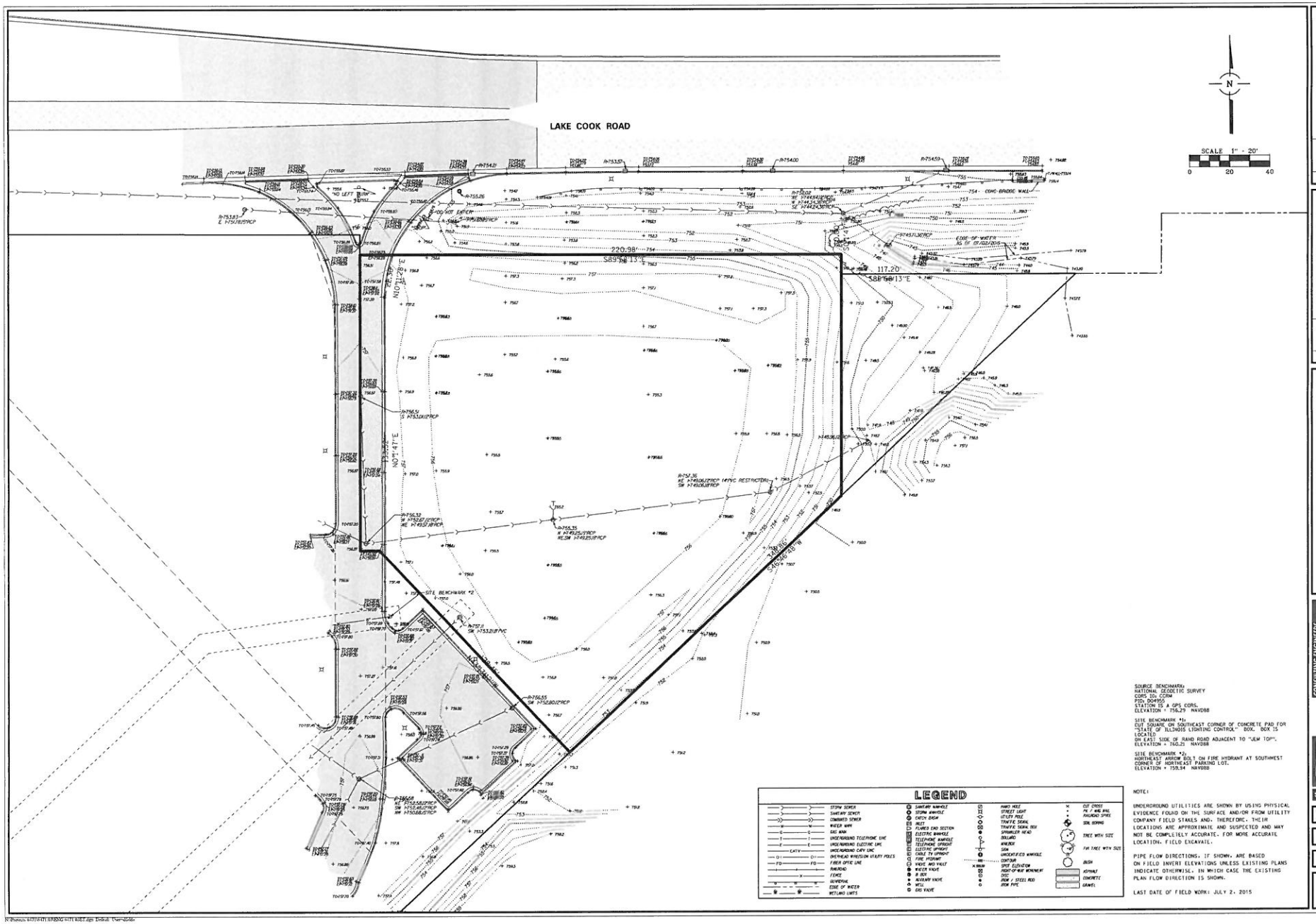
SPACECO INC.
CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

FILENAME: 6471COVER.DGN
DATE: 08/14/15
JOB NO: 6471.03
SHEET: C1
1 OF 5

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



NO. DATE REMARKS

NO. DATE REMARKS

EXISTING CONDITIONS

PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

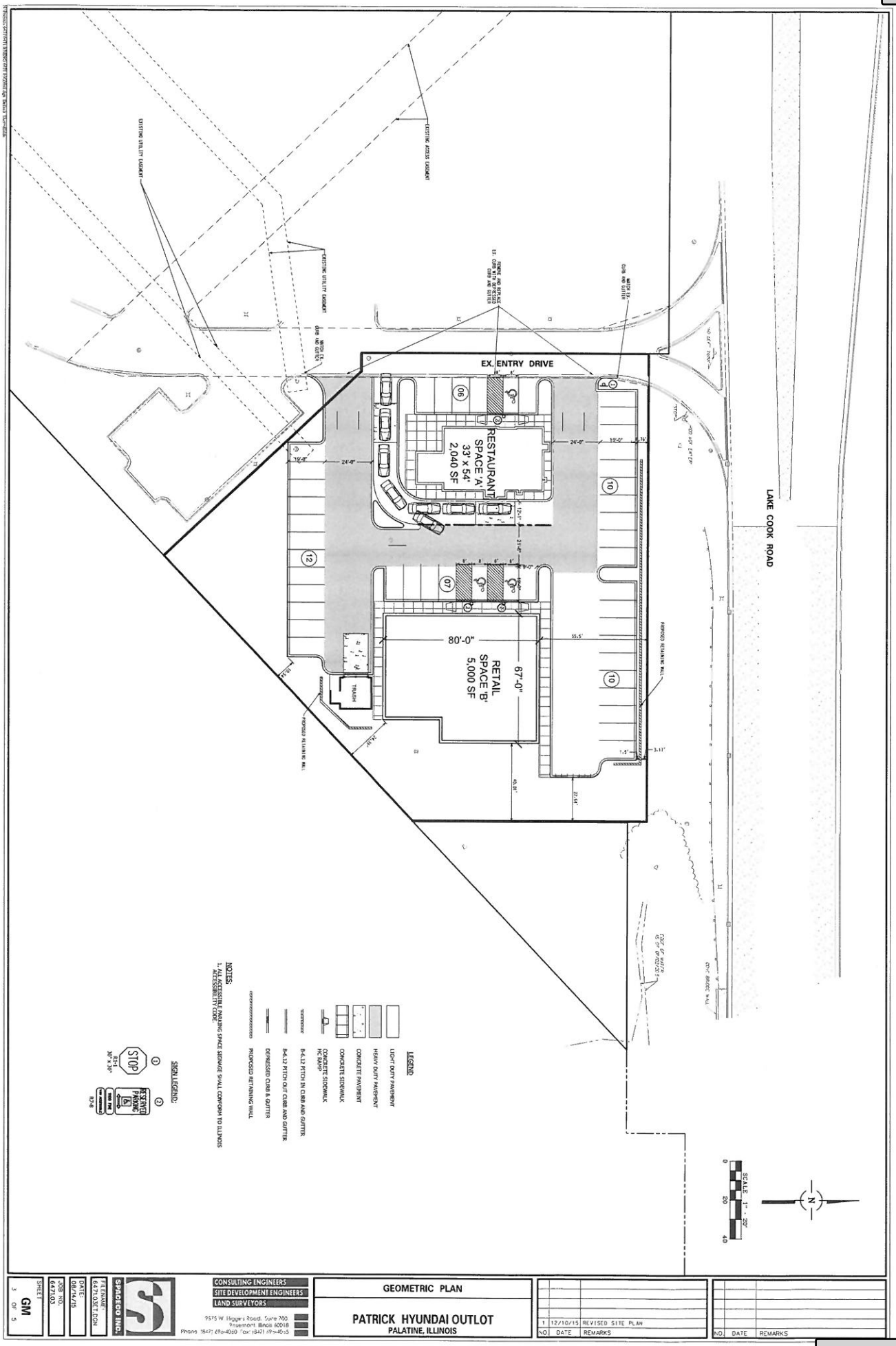
CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

5775 W Higgins Road, Suite 700
Hoffman Estates, IL 60010
Phone: 847.519.4250 Fax: 847.519.4255

SPACECO INC.

FILENAME: 6471.03ET.DGN
DATE: 08/14/15
JOB NO. 6471.03
SHEET ET 2 OF 5

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-



CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

SPACECO INC.

9575 W. Higgins Road, Suite 700
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

GEOMETRIC PLAN

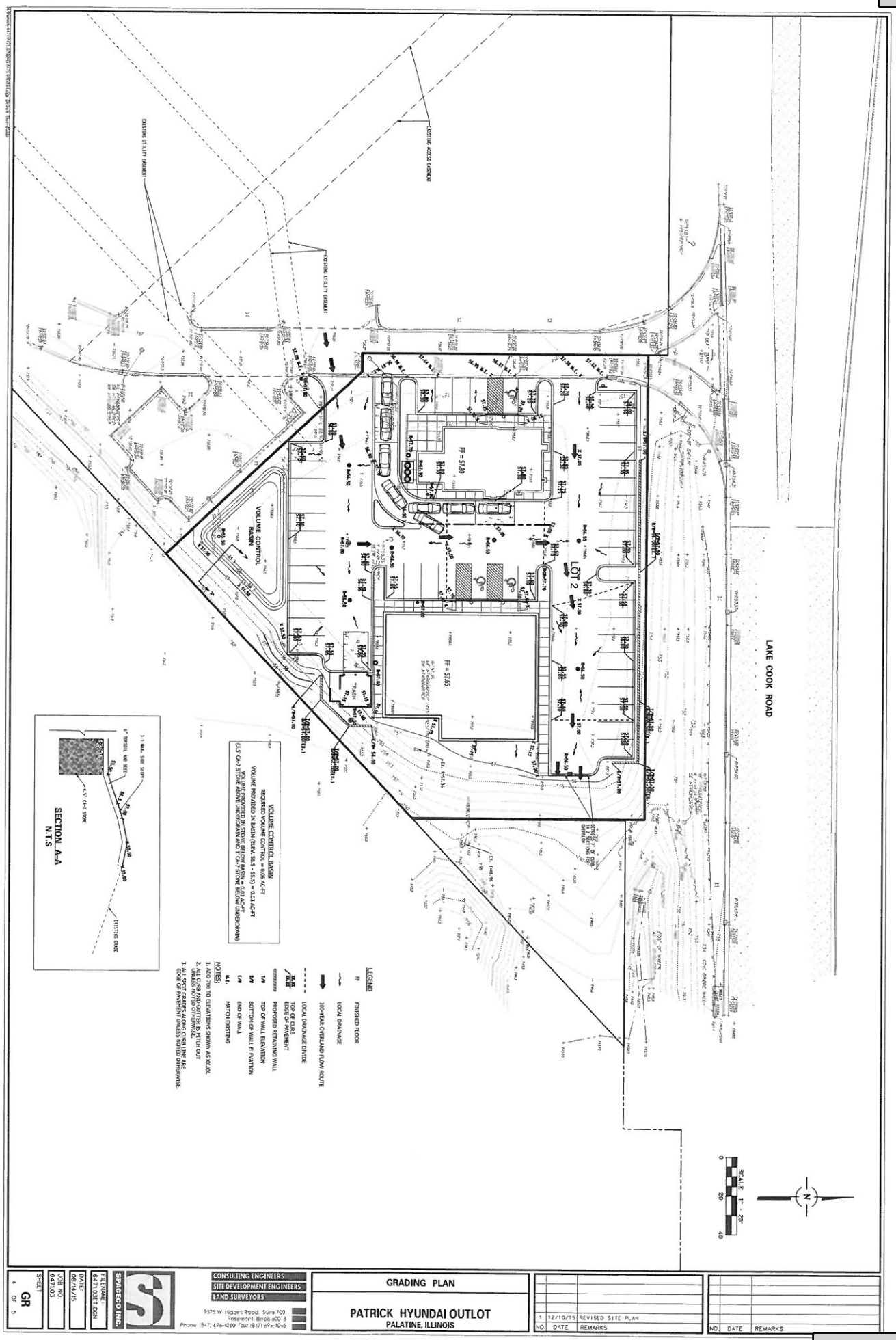
PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

NO	DATE	REMARKS
1	12/10/15	REVISED SITE PLAN

NO	DATE	REMARKS

FILENAME: 6427LOSET.DGN
DATE: 08/14/15
JOB NO. 6427.03
SHEET 3 OF 5
GM

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

SPACECO INC.
CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS
9575 W. Higgins Road, Suite 700
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

UTILITY PLAN

PATRICK HYUNDAI OUTLOT
PALATINE, ILLINOIS

NO.	DATE	REMARKS
1	12/10/15	REVISED SITE PLAN

NO.	DATE	REMARKS

FILENAME: 6427UDET.DGN
DATE: 08/14/15
JOB NO.: 6427.03
SHEET: UT
5 OF 5

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Stormwater Seed Mix
Cardno JFNew

Botanical Name	Common Name	PLS Ounces/Acre
Permanent Grasses/Sedges/Rushes:		
Carex crisatella	Crested Oval Sedge	2.00
Carex lurida	Bottlebrush Sedge	3.00
Carex vulpinoidea	Brown Fox Sedge	6.00
Elymus virginicus	Virginia Wild Rye	13.50
Glyceria striata	Fowl Manna Grass	1.25
Juncus effusus	Common Rush	2.00
Leersia oryzoides	Rice Cut Grass	1.00
Panicum virgatum	Switch Grass	2.00
Scirpus atrovirens	Dark Green Rush	2.00
Scirpus cyperinus	Wool Grass	1.00
Scirpus fluviatilis	River Bulrush	0.25
Scirpus validus	Great Bulrush	3.00
	Total	37.00
Temporary Cover:		
Avena sativa	Common Oat	360.00
Lolium multiflorum	Annual Rye	100.00
	Total	460.00
Forbs & Shrubs:		
Alisma spp.	Water Plantain (Variou	4.25
Asclepias incarnata	Swamp Milkweed	1.50
Aster novae-angliae	New England Aster	1.50
Bidens spp.	Bidens (Various Mix)	2.00
Helenium autumnale	Sneezeweed	1.50
Iris virginica	Blue Flag	2.00
Lycopus americanus	Common Water Horeh	4.00
Mimulus ringens	Monkey Flower	0.25
Penthorum sedoides	Ditch Stonecrop	1.00
Polygonum spp.	Pinkweed (Various Mix	0.50
Rudbeckia subtomentosa	Sweet Black-Eyed Sus	4.00
Rudbeckia triloba	Brown-Eyed Susan	1.00
Sagittaria latifolia	Common Arrowhead	1.50
Senna hebecarpa	Wild Senna	1.00
Solidago riddellii	Riddell's Goldenrod	1.00
Thalictrum dasycarpum	Purple Meadow Rue	0.50
	Total	2.00
		28.00

LANDSCAPE REQUIREMENTS

INTERIOR PARKING LOT

1 tree per 10 parking space or portion thereof

Parking spaces = 45

Trees Required = 5

Note: Existing Trees along Southeast property line to remain where possible. Trees required to be removed to accommodate site grading have been replaced in the landscape plan.

PLANT SCHEDULE

KEY	QTY	SPECIES	COMMON	SIZE	NOTES
SHADE TREES					
ACFR	4	*Acer x freemanii 'Marmo'*	Marmo Freeman Maple	2.5" cal	B&B
QURI	2	*Quercus bicolor*	Swamp White Oak	2.5" cal	B&B
TADI	3	*Taxodium distichum*	Common Baldcypress	2.5" cal	B&B
DECIDUOUS SHRUBS					
ARME	8	*Aronia melanocarpa 'Iroquois'*	Iroquois Beauty Black Chokeberry	18"	#5
COSE	23	*Cornus sericea 'Farrow'*	Arctic Fire Dogwood	24"	#5
FOGA	24	*Fothergilla gardenii 'Kl.Mtwo'*	Beaver Creek Dwarf Fothergilla	24"	B&B
RHAR	25	*Rhus aromatica 'Gro-Low'*	Grow Low Fragrant Sumac	18"	#5
EVERGREEN SHRUBS					
JUCH	21	*Juniperus chinensis 'Pfitzeriana Nicks'*	Nick's Compact Juniper	24"	#5
PERENNIALS AND GRASSES					
HEPM	135	*Hemerocallis 'Pardon Me'*	Pardon Me Daylily	#1	18" spacing
GETR	20	*Geum triflorum*	Prairie Smoke	#1	24" spacing
PAVI	35	*Panicum virgatum 'Cheyenne Sky'*	Cheyenne Sky Switchgrass	#1	24" spacing
SPHE	24	*Sporobolus heterolepis 'Tara'*	Dwarf Prairie Dropseed	#1	24" spacing
TURF					
TURF	8750 SF	*Festuca 'Black Beauty'*	Black Beauty Tall Fescue	-	-
VOLUME CONTROL BASIN SEEDING					
SEED	2100 SF	SEE STORMWATER SEED MIX			

NOTES

1 All turf areas shall be finely graded with a minimum of 6" of pulverized topsoil, free of vegetation, rocks, and other debris. Surface shall be prepared and protected from compaction prior to installation of sod.

2 All planting areas shall be mulched with 4" of premium shredded hardwood bark mulch.

3 All plant material shall comply with the American Standards for Nursery Stock, ANSI Z60.1-2014.

4 Plant material shall be guaranteed for a period of one year from the time of acceptance. Any plant material replaced as part of guarantee shall be guaranteed for a period of one year from date of replacement. Contractor shall notify Owner of any maintenance deficiencies which may impact viability of warrantied plant material.

5 Contractor is responsible for staking and guying trees as necessary to maintain upright position.

6 Existing trees to remain are to be protected during construction to prevent damage. Tree protection shall extend 4 feet beyond dripline of tree canopy

SUSTAINABLE DESIGN | SUSTAINABLE LIVING

Wolf Pack CONSULTING, LLC

Civil Engineering
Land Planning
Land Surveying
Project Entitlements
Stormwater Management

1612 Ogden Avenue, Suite 202, Lisle, IL 60532
Office: (630) 964-3117 • wolfpackcg.com

REVISIONS

LANDSCAPE PLAN

PATRICK HYUNDAI OUTLOT

PALATINE, ILLINOIS

PROJ. MGR.: PW
PROJ. ENG.: JF
DRAWN BY: MAD
DATE: 12-14-2015
SCALE: 1"=20'

SHEET NO. L1

PROJ. NUMBER:

PENDING APPROVAL - NOT FOR CONSTRUCTION

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Plan Commission
Tuesday, December 15, 2015

Present: Dennis Dwyer, Patrick Noonan, Rodney Bettenhausen, Conrad Hansen, Teri Williams, Dennis Bond, Assistant Director of Planning and Zoning Kevin Anderson.
Absent: Bob Kolososki, Jane Robins.

Minutes of the December 1 meeting were approved as corrected. The word "Lawrence" should be deleted from the bottom of page 2.

Report of Public Hearing – Case #15-100 –221 E. Lake Cook rd.
Chairman Dwyer read the notice of public hearing. The petitioner in Case #15-100, Keystone Ventures, LLC, seeks approval of a preliminary and final planned development to permit additional commercial buildings with an associated parking lot; approval of a preliminary and final plat of subdivision to permit a 3-lot subdivision; approval of a special use to permit a restaurant with a drive-through for approximately 1.15 acres at 221 E. Lake Cook rd.

The following petitioner's exhibits were introduced:
1. Petition for Preliminary and Final Planned Development
2. Palatine Real Estate Interest Disclosure Form
3. Real Estate Purchase Agreement
4. Engineering Plans revised 12/10/15
5. Site Plan Overview
6. Architectural Plans
7. Plat of Subdivision

The following persons were sworn in to present the request:
Tim Hague, Keystone Ventures
Jonathon Hague, architect

Tim Hague described the parcel as the northeast corner of a 5¼ parcel that was originally contemplated for storm water detention. The detention was subsequently housed in a sub parking lot chamber thus freeing up this parcel for development. He said that after extensive planning and staff review, the proposed plan is being presented for a three-lot subdivision. The Hyundai Dealership is the first of the three lots. The proposed restaurant (Space A) with a drive-through would be on Lot #2. The petitioner proposes a 5,000 square foot commercial building for one or multiple tenants for Lot #3.

Hague dubbed the hottest restaurant type in the market today as "fast/casual". He proposes parking for 45 cars, subject to change as the exact use is defined.

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

An access agreement on the east and south with the Patrick Hyundai dealership exists. A right-in, right-out curb cut exists on Lake Cook rd. Without full access on Rand rd., the developer proposes an internal access drive.

He noted that the parcel is shown as commercial in the Village of Palatine Comprehensive Plan "419".

The petitioner proposes monument signs on the south edge of the property and on Rand rd. Bettenhausen pointed out that the location of one of the signs would have to be changed since it is shown in the street.

Kevin Anderson was sworn in. He said he felt it was more expedient to create the proposed restaurant parcel with a special use now to expedite future development. When a specific restaurant is named, the special use will be passed to it.

Concerning access, he said internal traffic flow would be provided by two two-way drive aisles on the north and south sides of the buildings and a one-way north bound lane in between the buildings.

He said that the proposed drive-through lane does not meet village standards, wherein the zoning ordinance requires a minimum 12-foot wide drive aisle with a minimum 12-foot escape lane. The proposed drive aisle does not have an escape lane. Anderson said it makes more sense to staff to have a drive aisle along the south side of the western building one-way eastbound. "This would help resolve traffic conflicts and bring the proposal more into compliance with the intentions of the zoning ordinance."

Hague said the plan has been revised to show parking stalls that are 19 feet deep to meet village criteria. Any future modification to parking stalls would change the layout slightly, Anderson said. Regarding the location of handicap parking space location on the drive aisle, Anderson said that accessibility is state controlled. Hague said it could be modified to make it one-way eastbound.

Jonathon Hague described how the storm water line would be rerouted to take the water to the underground vault. It will have a volume control area. Anderson added that a wetland directly east of the site is where the current storm sewer discharges. This site would also discharge into this area. This was approved by the Army Corps of Engineers during its review of the Hyundai dealership.

Anderson said that the project is designed so the properties are self-contained. Therefore, they would have to have individual maintenance agreements.

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Anderson said the preliminary architectural drawings show the structures as being one-story tall.

Sam Castagna, 20686 Lake Cook rd., was sworn in. He wanted to know the status of the land today. He was told it was fallow.

Jason Landry, 2239 N. Rand rd., was sworn in. He presented what was labeled "Objector's Exhibit #1", early (2012) conceptual drawings of the site. He said he is located immediately south of the parcel, and is interested in cross access agreements for future development of his lot and those adjacent to him. All lots are long and narrow, he said.

Landry said he is concerned about the complete redevelopment of the parcel. He seeks access through their parking lot to his property. He noted the location of the proposed restaurants on the 2012 plan.

Anderson said the easement was recorded with Cook County. He said the village always anticipated as best it could to make this a cohesive development. He told Landry that his access rights would be secure as would be those of his neighbors. He will have access to both Rand and Lake Cook rds.

Landry said the only easement provided at present is behind what might be a future restaurant on Rand rd. Anderson responded that future developers would create new easements. This would be an engineering issue that would need future exploration, he added.

Landry said it is essential to him to have an easement for a future restaurant that would be built overlooking the water. Anderson responded about areas where easements would be impossible to create today as pieces of the Patrick property are coming in for development. He noted there is also a large (6-foot) grade change.

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Staff Recommendation
The proposal conforms to the Comprehensive Plan and Zoning Regulations for this parcel. The development would not alter the character of the property. Therefore, staff recommends approval with 17 conditions:

1. The development shall substantially conform to the plans attached hereto, except as such plans may be changed to conform to Village Codes and Ordinances.

2. A letter of credit in the amount of $50,000 shall be submitted to ensure the completion of the Planned Development.

3. An engineer's estimate of costs shall be submitted.

4. A letter of credit in the amount of 110% of the engineer's cost estimate shall be submitted.

5. Review fees in the amount of 3.5% of the engineer's cost estimate shall be submitted.

6. A maintenance agreement shall be submitted in a manner acceptable to the Village Attorney for future maintenance of the drive aisles and parking areas both on the newly subdivided property and the adjoining car dealership property. The agreement should acknowledge the existing access easement which was reserved for the property to the southeast. The maintenance agreement should also address shared maintenance responsibilities for the freestanding signs.

7. The parking stall designs shall be revised in a manner acceptable to the Director of Planning and Zoning.

8. A landscape plan shall be provided and should include parkway trees along Lake-Cook Road.

9. The architectural plans for the eastern building shall be reviewed by the Village Council prior to the issuance of a building permit.

10. The engineering plans shall be revised in a manner acceptable to the Director of Planning and Zoning and the Village Engineer.

11. The Plat of Subdivision shall be submitted on Mylar with all required signatures.

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

12. A Subdivision Improvement Agreement shall be submitted.

13. Recording fees in the amount of $600.00 shall be submitted.

14. The Plat of Subdivision shall be revised to show the proposed sign easement on the dealership property. Easement language shall be provided in a manner acceptable to the Village Attorney.

15. Condition #2 of R-64-12 shall remain in effect, and future access agreements shall be explored prior to the village council meeting.

16. A south drive aisle shall be revised in a manner acceptable to the village manager.

17. No sign shall be permitted in the Lake Cook rd. right-of-way.

Tim Hague said he is able to comply with all staff conditions.

The public hearing was closed at 9:10 p.m.

RECOMMENDATION

Noonan moved, Bond seconded that the plan commission recommend to the village council that it approve the request of the petitioner in Case #15-100, Keystone Ventures, LLC, who seeks approval of a preliminary and final planned development to permit additional commercial buildings with an associated parking lot; approval of a preliminary and final plat of subdivision to permit a 3-lot subdivision; approval of a special use to permit a restaurant with a drive-through for approximately 1.15 acres at 221 E. Lake Cook rd.

Said approval shall be conditional upon petitioner's complying with 17 staff conditions listed above.

Unanimously carried
(6-0)

Communications

1. No meeting has been scheduled for January 5.
2. Jane Robins is taking a leave of absence for an indeterminate amount of time.

The meeting was adjourned at 8:50 p.m.

Natalie Meyer McKenzie, secretary

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PUBLIC NOTICE
A public hearing will be held before the Palatine Plan Commission on Tuesday, December 15, 2015, at 8:00 PM, at the Palatine Police Department in the Community Meeting Room, 595 N. Hicks Road, relative to a request for the following:
1. Preliminary and Final Planned Development to allow 2 additional commercial buildings with an associated parking lot;
2. Preliminary and Final Plat of Subdivision to permit a 3 lot subdivision; and
3. A Special Use to permit a restaurant, with a drive through
The property is commonly known as 221 E. Lake Cook Road (subject Petition is for the vacant area east of the existing automobile dealership). PIN # 02-02-102-034
The above petition has been filed by Tim Hague – Keystone Ventures and is available for examination in the office of the Village Clerk, 150 W. Wilson Street.
FILE #:15-100
VILLAGE OF PALATINE
Dennis Dwyer, Chair
Palatine Plan Commission
DATED: This 30th day of November, 2015
Published in Daily Herald November 30, 2015 (4426259)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published November 30, 2015 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

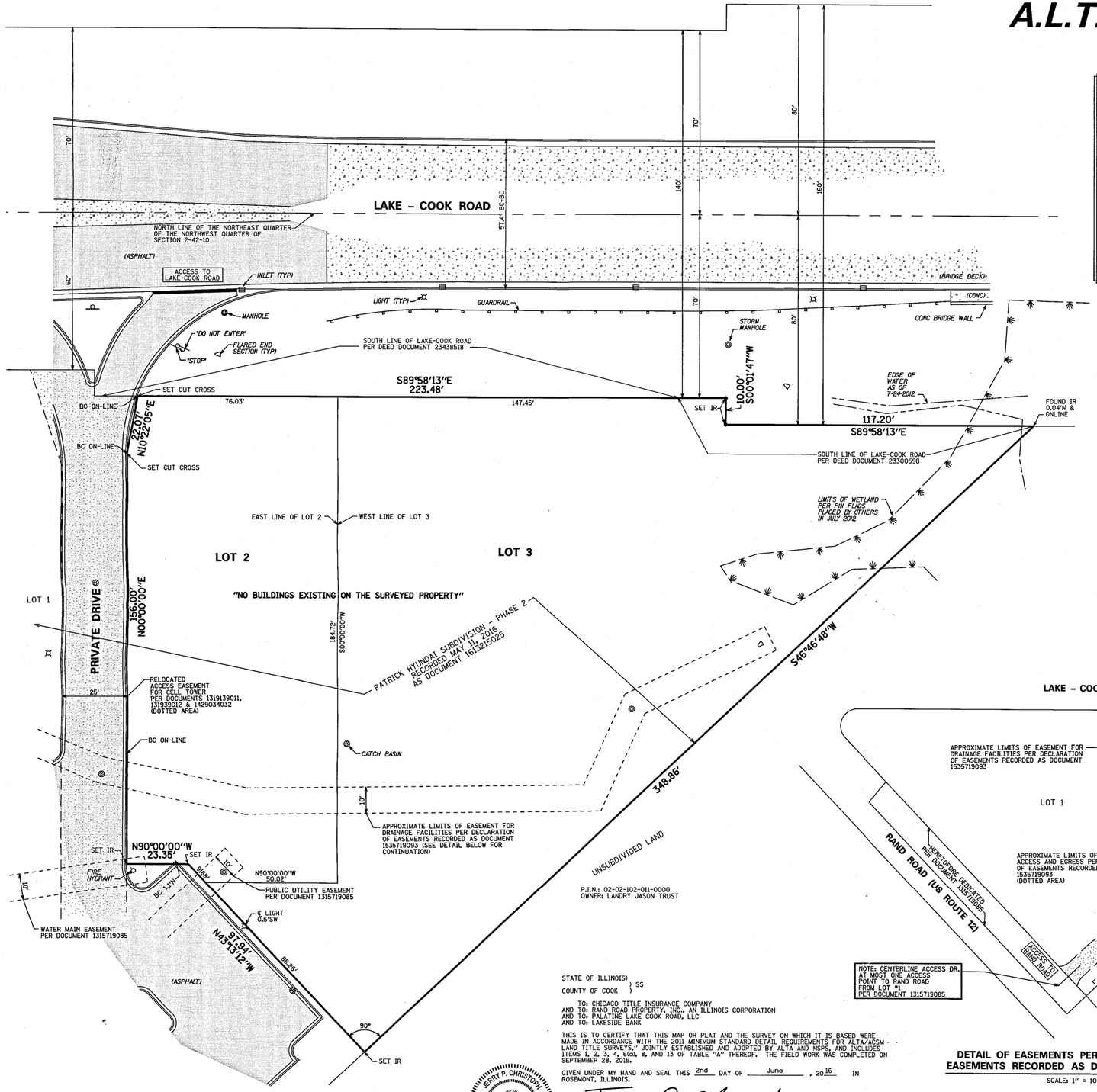
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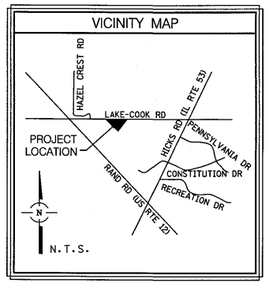
BY Paula Raetz
Authorized Agent

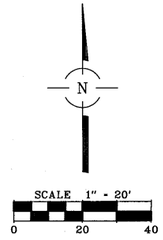
Control # 4426259

Attachment: Patrick Hyundai SUB Phase 2 (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

A.L.T.A /A.C.S.M. LAND TITLE SURVEY







BASIS OF BEARINGS:
TRUE NORTH BASED ON GEODETIC OBSERVATION IL EAST ZONE

BC = BACK OF CURB
IP = IRON PIPE
IR = IRON ROD

NOTES:

THIS SURVEY REFLECTS MATTERS OF TITLE AS LISTED ON AN ALTA OWNER'S POLICY OF TITLE INSURANCE BY CHICAGO TITLE INSURANCE COMPANY, POLICY NO.: PROFORMA 15892486NS RECEIVED: JUNE 2, 2016.

UNDERGROUND UTILITIES ARE SHOWN BY USING PHYSICAL EVIDENCE FOUND ON THE SURFACE AND/OR FROM UTILITY COMPANY FIELD STAKES, AND/OR ENGINEERING DESIGN PLANS. THEREFORE, THEIR LOCATIONS ARE APPROXIMATE AND SUSPECTED AND MAY NOT BE COMPLETELY ACCURATE. FOR MORE ACCURATE LOCATION, FIELD EXCAVATE. OTHER UTILITIES NOT SHOWN MAY EXIST. NO UNDERGROUND UTILITIES WERE LOCATED. BEFORE DIGGING CALL J.U.L.I.E. AT 1-800-892-0123.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SPACECO, INC IS AN ILLINOIS PROFESSIONAL DESIGN FIRM REGISTERED UNDER LICENSE NUMBER 184-001157.

TAX P.I.N. (PER TITLE COMMITMENT)
02-02-102-034-0000
(AFFECTS PARCEL AND OTHER PROPERTY)

ADDRESS:
NO ADDRESS FOR THE SUBJECT PARCEL WAS DISCLOSED IN RECORD DOCUMENTS OR OBSERVED WHILE CONDUCTING THE SURVEY.
(TABLE A ITEM 2)

BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 17031C0043J MAP REVISED: AUGUST 19, 2008, IT IS OUR CONSIDERED OPINION THAT THIS PROPERTY LIES IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY SAID F.I.R.M. MAP.
(TABLE A ITEM 3)

PROPERTY SURVEYED CONTAINS 50,171 SQUARE FEET, OR 1.152 ACRES, MORE OR LESS.
(TABLE A ITEM 4)

PER VILLAGE OF PALATINE INTERACTIVE ZONING MAP (ON-LINE) SURVEYED PARCEL ZONED P - PLANNED UNIT DEVELOPMENT.
(TABLE A ITEM 6A)

PROPERTY DESCRIPTION:

PARCEL 1:

LOTS 2 & 3 IN THE PATRICK HYUNDAI SUBDIVISION - PHASE 2, BEING A RESUBDIVISION OF THE PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 2016 AS DOCUMENT NUMBER 1613215025, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS THE ACCESS DRIVE IN THE DECLARATION OF EASEMENTS RECORDED DECEMBER 23, 2015 AS DOCUMENT NO. 1535719093.

THE ABOVE PARCEL 2 DESCRIPTION IS SHOWN HEREON FOR REFERENCE PURPOSES AND IS NOT PART OF THE SURVEYED PROPERTY.

PROPERTY SUBJECT TO:

9. COVENANTS AND RESTRICTIONS (BUT OMITTING ANY SUCH COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS) CONTAINED IN PLAT OF SUBDIVISION RECORDED JUNE 6, 2013 AS DOCUMENT NO. 1315719085, RELATING TO PATRICK HYUNDAI SUBDIVISION WHICH DOES NOT CONTAIN A REVERSIONARY OR FORFEITURE CLAUSE.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM)

10. PUBLIC UTILITY EASEMENT PROVISION SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRICAL AND COMMUNICATIONS SERVICES, GAS, CABLE TELEVISION, STORM WATER DRAINAGE AND SANITARY SEWERS RESERVED FOR AND GRANTED TO COMMONWEALTH EDISON COMPANY, AMERITECH, NORTHERN ILLINOIS GAS COMPANY AND ANY CABLE COMMUNICATIONS FIRM OR COMPANY GRANTED A CABLE COMMUNICATIONS FRANCHISE BY THE VILLAGE OF PALATINE, AND THE VILLAGE OF PALATINE, AS SET FORTH ON THE PLAT OF PATRICK HYUNDAI SUBDIVISION RECORDED JUNE 6, 2013 AS DOCUMENT NO. 1315719085.
(SURVEYOR'S NOTE: EASEMENTS ARE SHOWN HEREON)

11. DECLARATION NOTATED ON THE PLAT OF PATRICK HYUNDAI SUBDIVISION RECORDED JUNE 6, 2013 AS DOCUMENT NO. 1315719085 THAT BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE MAP RATE NUMBER 17031C0043J MAP REVISED AUGUST 19, 2008 THIS PROPERTY LIES IN ZONE X (UNSHADED) AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY SAID MAP.
(SURVEYOR'S NOTE: SEE SURVEY TABLE A ITEM 3)

12. WATER MAIN EASEMENT PROVISIONS GRANTED TO THE VILLAGE OF PALATINE TO INSTALL, OPERATE, MAINTAIN, RELOCATE AND REMOVE, FROM TIME TO TIME, PIPES AND OTHER WATER FACILITIES USED IN CONNECTION WITH UNDERGROUND DISTRIBUTION OF WATER, WHICH TERMS ARE PROVIDED FOR IN THE PLAT OF PATRICK HYUNDAI SUBDIVISION RECORDED JUNE 6, 2013 AS DOCUMENT NO. 1315719085.
(SURVEYOR'S NOTE: EASEMENTS ARE SHOWN HEREON)

14. TERMS, PROVISIONS, CONDITIONS AND RESTRICTIONS AS CONTAINED IN ORDINANCE NO. O-127-12, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REDEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF PALATINE, PATRICK HYUNDAI OF PALATINE, LLC AND RAND ROAD PROPERTY, INC., FOR THE PROPERTIES AT THE SOUTHEAST CORNER OF RAND AND LAKE COOK ROADS RECORDED SEPTEMBER 17, 2012, AS DOCUMENT 1226149047, RELATING IN PART TO A REDEVELOPMENT AGREEMENT, TAX INCREMENT FINANCING AND TIF DISTRICT AND OTHER TERMS, PROVISIONS, CONDITIONS AND RESTRICTIONS AS FURTHER CONTAINED THEREIN.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM)

15. TERMS, PROVISIONS, COVENANTS AND CONDITIONS RELATING TO THE ANNEXATION OF THE LAND HEREIN AND OTHER PROPERTY TO THE VILLAGE OF PALATINE, AS CONTAINED IN THE INSTRUMENTS RECORDED JULY 13, 2007 AS DOCUMENT NOS. 0719415047 ORDINANCE NO. O-35-07,0719415049 AND 0719415050 ORDINANCE NO. O-64-07, AND OTHERS RECORDED FROM TIME TO TIME.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM)

16. TERMS AND PROVISIONS AS CONTAINED IN INSTRUMENT RECORDED SEPTEMBER 18,1992 AS DOCUMENT NUMBER 92692694 RELATING TO PERMIT FOR SEWER CONNECTION(S).
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM)

17. TERMS, CONDITIONS AND AGREEMENTS CONTAINED IN ORDINANCE AUTHORIZING THE EXECUTION OF ANNEXATION AGREEMENTS FOR 2264 AND 2265 RAND ROAD RECORDED JULY 13,2007 AS DOCUMENT 0719415048 AND AFFIDAVIT RELATING TO ANNEXATION RECORDED JULY 13, 2007 AS DOCUMENT 0719415051.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM)

19. TERMS AND CONDITIONS CONTAINED IN RESOLUTION R-2-16 RECORDED MAY 11, 2016 AS DOCUMENT NUMBER 1613215025 REQUIRING THE FOLLOWING:
THE PLAT OF SUBDIVISION IS TO BE REVISED TO SHOW THE PROPOSED SIGN EASEMENT;
THE PLAT SHOULD BE AMENDED TO REFERENCE CONDITIONS AFFECTING LOT 1.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM. SIGN EASEMENT WAS GRANTED PER DOCUMENT 1535719093, APPROXIMATE LIMITS OF SIGN EASEMENT PER DOCUMENT 1535719093 ON LOT 1 SHOWN IN DETAIL TO LEFT.)

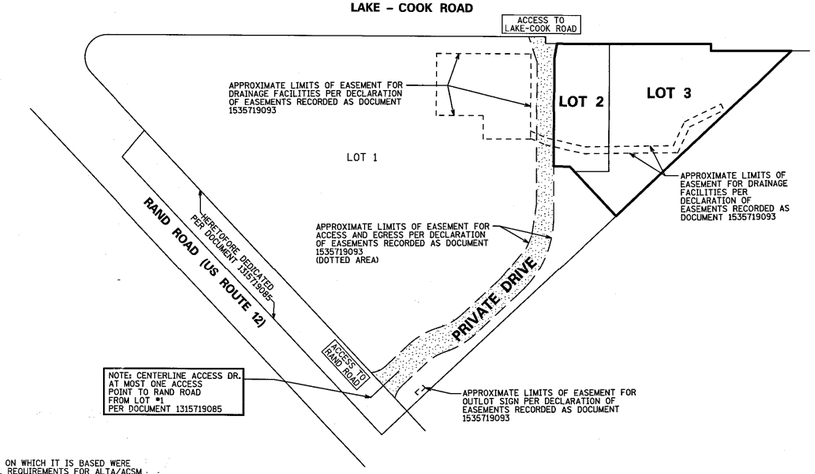
20. TERMS AND CONDITIONS CONTAINED IN THE VILLAGE OF PALATINE SUBDIVISION IMPROVEMENT AGREEMENT, RECORDED MAY 11, 2016 AS DOCUMENT NUMBER 1613215026.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.)

21. TERMS AND CONDITIONS CONTAINED IN ORDINANCE NO. O-6-16 RECORDED MAY 11, 2016 AS DOCUMENT NUMBER 1613215024.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM.)

22. TERMS AND CONDITIONS CONTAINED IN THE DECLARATION OF EASEMENTS RECORDED DECEMBER 23, 2015 AS DOCUMENT NO. 1535719093 REGARDING THE ACCESS DRIVE AND THE DRAINAGE FACILITIES.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY. APPROXIMATE LIMITS SHOWN IN DETAIL TO LEFT.)

PROPERTY ALSO SUBJECT TO:

DOCUMENTS RECORDED DECEMBER 23, 2015 AS DOCUMENT NUMBERS 1535719092. THESE INCLUDE A DEED TO GROSSPROPS ASSOCIATES, L.L.C., EASEMENTS, ACCESS, LEASES AND AMENDED REDEVELOPMENT AGREEMENT.
(SURVEYOR'S NOTE: DOCUMENT 1535719092 REFERS TO DECLARATION OF EASEMENTS DOCUMENT 1535719093, AMENDMENT TO REDEVELOPMENT AGREEMENT DOCUMENT 1535719096 AND ASSIGNMENT AND ASSUMPTION OF REDEVELOPMENT AGREEMENT DOCUMENT 1535719097. ALL DOCUMENTS AFFECT THE SURVEYED PROPERTY, SEE DETAIL BELOW FOR APPROXIMATE LIMITS OF EASEMENTS LISTED IN DOCUMENT 1535719092. NO PLOTTABLE ITEMS IN DOCUMENTS 1535719096 AND 1535719097.)



DETAIL OF EASEMENTS PER DECLARATION OF EASEMENTS RECORDED AS DOCUMENT 1535719093

SCALE: 1" = 100'

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

TO: CHICAGO TITLE INSURANCE COMPANY
AND TO: RAND ROAD PROPERTY, INC., AN ILLINOIS CORPORATION
AND TO: PALATINE LAKE COOK ROAD, LLC
AND TO: LAKESIDE BANK

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 8, AND 13 OF TABLE "A" THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 28, 2015.

GIVEN UNDER MY HAND AND SEAL THIS 2nd DAY OF June, 2016 IN ROSEMONT, ILLINOIS.

JERRY P. CHRISTOPH
3540
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
ROSEMONT, ILLINOIS

JERRY P. CHRISTOPH, P.L.S. No. 035-3540
LICENSE EXPIRES: 11-30-2016
jchristoph@spacecoinc.com

(VALID ONLY IF EMBOSSED SEAL AFFIXED)

RECEIVED
MAY 22 2017
BUILDING SERVICES

PREPARED FOR:
BENJAMIN, GUSSIN & ASSOCIATES
801 SKOKIE BOULEVARD
SUITE 100
NORTHBROOK, ILLINOIS 60062

REVISIONS:
05/25/2016
05/27/2016
06/02/2016 TITLE

SPACECO INC.

CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

DATE: 05/19/2016
JOB NO: 6471
FILENAME: 6471ALTA-L2L3
SHEET 1 OF 1

N:\Projects\6471\SURVEY\6471ALTA-L2L3.dgn Default User=jleskovsek

Attachment: ALTA survey with cross access drive to Rand Road (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

IDFPR
Illinois Department of
Financial and Professional Regulation
Division of Professional Regulation
www.idfpr.com

JB PRITZKER
Governor

MARIO TRETO, JR.
Acting Secretary

CECILIA ABUNDIS
Acting Director

Attachment: Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021 (vacant lot east of 325 E. Lake Cook Road

Results of Tied Applicant Lottery for Conditional Licenses Per BLS Region

The Tied Applicant Lottery, with 17 BLS Region drawings, was conducted on August 19, 2021 for 75 Conditional Adult Use Dispensing Organization Licenses ("Conditional License"). Below are the results of the drawings for each BLS region identifying the order in which each Tied Applicant was drawn. This order determines the order in which the Department of Financial and Professional Regulation ("Department") will award the available Conditional Licenses in each BLS region.

Applicants who have the opportunity to be awarded a Conditional License in the Tied Applicant Lottery are subject to strict limitations on the number of total licenses, as mandated by Public Act 102-98. An applicant's failure to report to the Department that it has exceeded the statutory license limitations will result in the Department's refusal to issue any of the Conditional Licenses resulting from Tied Applicant Lottery.

Below are the Department's certified results of the Tied Applicant Lottery for each drawing by BLS Region. Each list identifies the applicants who have an opportunity to receive a Conditional License from that drawing. In order to receive a Conditional License, each applicant must satisfy the statutorily mandated abandonment periods and tax-compliance checks.

Those applicants who have been selected for a conditional license are subject to the statutory requirements of the principal officer and license limitations and tax compliance checks, available here. If an applicant is required to abandon a license because it exceeds the license limitations, the applicant shall have five business days, from the day the results of the Tied Applicant Lottery are posted to the Department's website, to abandon, and the next drawn applicant will be notified of their opportunity to be awarded a conditional license. Additionally, if an applicant cannot prove its tax compliance within 60 days of winning a conditional license in accordance with 68 IAC 1291.95, the Department will deny issuance of the Conditional License(s) and the next drawn applicant will be notified of their eligibility to be awarded a conditional license. Therefore, the result lists below may change pending the abandonment of an applicant's conditional license and/or an applicant's failure to prove tax compliance. This means additional applicants, whose draw order followed the abandoning applicant's order, may become an awarded applicant.

The announced conditional licenses to be awarded may be subject to change as a result of court orders or administrative review.

Term	Meaning
Unique Lottery Number	The Unique Lottery Number is randomly assigned to a Unique Applicant Number. The Unique Lottery Number will be used to identify the results of the lottery drawing.

Unique Application Number	A Unique Application Number was assigned to all applications.
Applicant Name	The Applicant Name reflects the entity's name as submitted on the original application.
Order Drawn	This reflects the order in which the Unique Lottery Numbers were drawn by the Illinois State Lottery.

BLS Region #1 (Bloomington) 1 Conditional License Available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	20	3945565	PROJECT EQUITY ILLINOIS, INC.

BLS Region #2 (Cape Girardeau) 1 Conditional License Available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	3	3963613	BLOUNTS&MOORE

BLS Region #3 (Carbondale-Marion) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	19	3956504	TOFINO SHORELINE PARTNERS LLC

BLS Region #4 (Champaign-Urbana) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	13	3947041	FORTUNATE SON PARTNERS LLC

BLS Region #5 (Chicago-Naperville-Elgin) 47 Conditional Licenses Available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	82	3963113	BOTAVI WELLNESS LLC
2	703	3953534	SO BAKED TOO LLC
3	285	3953494	G P GREEN HOUSE LLC
4	463	3951611	GREEN & WILLIAMS, LLC
5	581	3953433	ILLINOIS HEALTH & WELLNESS, LLC

Attachment: Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021 (vacant lot east of 325 E. Lake Cook Road

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6	214	3947835	EEL - ILLINOIS LLC
7	658	3947917	MINT IL, LLC
8	6	3951397	AMERICANNA DREAM LLC
9	547	3947977	GRI HOLDINGS, LLC
10	390	3952145	GREEN & FOSTER, LLC
11	783	3950911	TOFINO SHORELINE PARTNERS LLC
12	35	3962777	BLOUNTS&MOORE
13	882	3949801	WORLD OF WEED
14	875	3949801	WORLD OF WEED
15	610	3950528	KANA GROVE NORTH LLC
16	376	3950381	GREEN & CAMPBELL LLC
17	714	3948861	SUITE GREENS, LLC
18	616	3963034	KAP-JG LLC
19	516	3947522	GREEN THERAPY LLC
20	165	3950459	CESAM, LLC
21	770	3953395	THE HERBAL CARE CENTER
22	546	3947977	GRI HOLDINGS, LLC
23	877	3949801	WORLD OF WEED
24	776	3951084	THF ILLINOIS, LLC DBA: GREENLIGHT
25	234	3962625	EMERALD COAST, LLC
26	80	3963113	BOTAVI WELLNESS LLC
27	338	3951363	GREEN & BRANSFORD, LLC
28	339	3951363	GREEN & BRANSFORD, LLC
29	834	3948580	WAH GROUP, LLC D/B/A LEAFING LIFE
30	322	3951363	GREEN & BRANSFORD, LLC
31	606	3952765	ISLAND THYME, LLC.
32	394	3952145	GREEN & FOSTER, LLC
33	313	3950908	GREEN & ALAMO, LLC
34	821	3952950	VILL-OPS, INC (DBA VIOLA)
35	614	3963034	KAP-JG LLC
36	632	3953497	KWB ONE LLC
37	345	3952431	GREEN & BREADLEY, LLC
38	410	3951950	GREEN & KINNICK, LLC

39	443	3948754	GREEN & RANDLE, LLC
40	94	3963113	BOTAVI WELLNESS LLC
41	59	3962777	BLOUNTS&MOORE
42	559	3949886	GWB ILLINOIS, LLC (DBA GREENWELL)
43	681	3948380	PERCEPTION CANNABIS CHICAGO SOUTH INC.
44	619	3963034	KAP-JG LLC
45	264	3962625	EMERALD COAST, LLC
46	734	3962642	TC APPLICO LLC
47	613	3963034	KAP-JG LLC

BLS Region #6 (Danville) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	16	3961942	MARIWORKS LLC

BLS Region #7 (Davenport-Moline-Rock Island) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	5	3961466	BOLDEN INVESTMENTS I LLC

BLS Region #8 (Decatur) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	13	3961518	INDUS365, LLC

17BLS Region #9 (Kankakee) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	9	3960532	DEER PARK PARTNERS, LLC

Attachment: Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021 (vacant lot east of 325 E. Lake Cook Road

Attachment: Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021 (vacant lot east of 325 E. Lake Cook Road

BLS Region #10 (Peoria) 3 Conditional Licenses available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	45	3955466	NORTHERN CARDINAL VENTURES, LLC
2	56	3955390	THE HERBAL CARE CENTER
3	71	3955300	WORLD OF WEED

BLS Region #11 (Rockford) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	64	3943874	WAH GROUP, LLC D/B/A LEAFING LIFE
2	32	3956674	GREEN JUSTICE LLC

BLS Region #12 (St. Louis) 4 Conditional Licenses available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	70	3954583	PROJECT EQUITY ILLINOIS, INC.
2	12	3955272	BOLDEN INVESTMENTS I LLC
3	55	3954435	ILLINOISCANNABIS49, INC.
4	16	3963630	BOTAVI WELLNESS LLC

BLS Region #13 (Springfield) 1 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	8	3956519	DEALERSHIP, LLC

BLS Region #14 (Northwest Illinois nonmetropolitan) 3 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	74	3942045	UHCC INC.
2	18	3959499	CANNDID SPIRIT TOO, LLC
3	14	3962080	BOTAVI WELLNESS LLC

BLS Region #15 (West Central Illinois nonmetropolitan) 3 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	23	3958501	DO MOR DEVELOPMENT, LLC
2	63	3958544	WESTSIDE SOCIAL JUSTICE LLC
3	61	3958544	WESTSIDE SOCIAL JUSTICE LLC

BLS Region #16 (East Central Illinois nonmetropolitan) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	32	3960477	TC APPLICO LLC
2	24	3960292	HOLISTIC ILLINOIS LLC

BLS Region #17 (South Illinois nonmetropolitan) 2 Conditional License available

Order Drawn	Unique Lottery Number	Unique Application Number	Applicant Name
1	1	3959288	127 IL, LLC
2	8	3962059	BOTAVI WELLNESS LLC

Attachment: Illinois Department of Professional Regulation - FINAL TA Results by BLS List 8-19-2021 (vacant lot east of 325 E. Lake Cook Road

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

ORDINANCE NO. 0-139-12

AN ORDINANCE GRANTING FINAL PLANNED DEVELOPMENT APPROVAL FOR 2264, 2265, 2273, 2275, 2293, 2301, 2307, 2313, 2319 & 2325 N. RAND ROAD (CASE NO. 12-72)

Published in pamphlet form by authority of the Mayor and Village Council of the Village of Palatine on October 8, 2012

ORDINANCE NO. O-139-12

AN ORDINANCE GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
FOR 2264, 2265, 2273, 2275, 2293, 2301, 2307, 2313, 2319 & 2325 N. RAND ROAD
(CASE NO. 12-72)

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on October 2, 2012 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Final Planned Development to permit the construction and operation of a new automobile dealership (Hyundai) including auxiliary service and repairs.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That Final Planned Development approval is hereby granted pursuant to Section 13.05 of the Palatine Zoning on the legally described property on Exhibit "A", attached hereto.

SECTION 2: That final approval of a Final Planned Development is hereby granted to the above described property pursuant to Section 13.05 of the Palatine Zoning Ordinance, subject to the following conditions:

1. The development shall substantially conform to the Engineering Plans prepared by Spaceco Inc. dated 8/24/12 last stamped 9/26/12; and to the Architectural Plans prepared by Custom Facilities dated and last revised 8/24/12; and to the Sign Plans prepared by Architectural Graphics, Inc. last revised 8/24/12; and to the Landscape Plan prepared by Norris Design last revised 9/25/12 except as such plans may be changed to conform to Village Codes and Ordinances and the following conditions:
2. If there are any discrepancies between the Redevelopment Agreement and this Ordinance, the Redevelopment Agreement shall supersede.
3. Planning and Engineering review fees shall be paid in the amount of $3,051.65.
4. Cash-in-lieu of sidewalks along Lake-Cook Road shall be paid in an amount acceptable to the Village Engineer.
5. Handicap parking shall be provided in accordance with the Illinois Accessibility Code.
6. The landscaping plan shall be revised in a manner acceptable to the Director of Planning and Zoning.
7. The sanitary sewer shall be extended along the north side of Rand Road to the intersection with Lake-Cook Road in a manner acceptable to the Village Engineer.

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Depending on the final design and location of this sewer, an easement may need to be dedicated.

8. All of the sanitary sewers constructed under MWRD permit # 82-149 should be properly abandoned in a manner acceptable to the Village Engineer. The former MWRD permit should be officially closed out.
9. If the future building addition is similar to that shown on the engineering plans, it is approved as a component of this Petition and only a building permit and any other necessary permit will be required. Additional service parking must be identified at that time and the building expansion should be, at the determination of the Village, in substantial conformance to the engineering and architectural plans attached hereto. Any addition not in substantial conformance to said plans will require a Planned Development Amendment.
10. One of the existing billboards may be relocated as shown on the engineering plans and the terms of each billboards existence shall comply with the applicable conditions outlined in the Redevelopment Agreement.
11. The retaining walls will need to be designed by a structural engineer.
12. IDOT, CCHD, MWRD, IEPA and NPDES permits will be required.

SECTION 3: That the petition for final planned development, a copy of the public notice, be attached hereto and form a part of this ordinance.

SECTION 4: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 8 day of October, 2012

AYES: 6 NAYS: 0 ABSENT: 0 PASS: 0

APPROVED by me this 8 day of October, 2012

Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this 8 day of October, 2012

Village Clerk

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

EXHIBIT "A"

PARCEL 003:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE CENTER LINE OF RAND ROAD 304 FEET SOUTHEASTERLY OF THE POINT OF INTERSECTION OF THE CENTER LINE OF SAID ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION, (SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION); THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID ROAD 50 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 379.50 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION, 505.13 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID SECTION 97.17 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 310.35 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART TAKEN BY STATE OF ILLINOIS FOR ROUTE 60 AS SHOWN ON PLAT OF SURVEY RECORDED AS DOCUMENT 12592034) AND ALSO EXCEPT THE NORTH 60 FEET THEREOF) IN COOK COUNTY ILLINOIS.

AND ALSO PARCEL 004:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID RAND ROAD 354 FEET TO A POINT OF BEGINNING: THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 50 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 453 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 2 WHICH IS 606.74 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2 AFORESAID 101.61 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 379.50 FEET TO THE POINT OF BEGINNING (EXCEPT THE NORTH 60 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

AND ALSO PARCEL 005:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 404 FEET TO A POINT. OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 50 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 506.16 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 2, THAT IS 679.71 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2, AFORESAID 72.97 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 453 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

AND ALSO PARCEL 006:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD, 454 FEET TO A POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE CENTER LINE 50 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 559.30 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 2 THAT IS 752.68 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2 AFORESAID 72.97 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 506.15 FEET TO THE POINT OF BEGINNING, (EXCEPT THE SOUTHWESTERLY 50 FEET THEREOF AND EXCEPT THAT PART FALLING WITHIN THE NORTH 60 FEET OF SECTION), IN COOK COUNTY, ILLINOIS.

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

AND ALSO PARCEL 007:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2: THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 504 FEET TO A POINT OF BEGINNING THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 100 FEET, THENCE NORTHEASTERLY IN A STRAIGHT LINE 665.60 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 2, THAT IS 898.62 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, THENCE WEST ALONG THE NORTH LINE OF SECTION 2 AFORESAID, 145.94 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 559.30 FEET TO A POINT OF BEGINNING (EXCEPTING THEREFROM THAT PART LYING NORTH OF THE FOLLOWING DESCRIBED LINE, COMMENCING AT THE INTERSECTION OF THE EAST LINE OF AFORESAID NORTH EAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, THAT IS 70 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NORTH EAST 1/4, THENCE WEST PARALLEL WITH SAID NORTH LINE TO A POINT 494 FEET WEST OF AND 70 FEET SOUTH OF THE NORTH EAST CORNER OF SAID NORTH EAST 1/4, THENCE NORTH AT RIGHT ANGLES TO THE LAST DESCRIBED LINE 10 FEET, THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID NORTH EAST 1/4 TO THE WEST LINE OF THE NORTH EAST 1/4 OF THE NORTH WEST 1/4 OF SAID SECTION 2) IN COOK COUNTY, ILLINOIS.

AND ALSO PARCEL 021:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. DESCRIBED AS FOLLOWS:
COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 754 FEET TO THE POINT OF BEGINNING: THENCE SOUTHEAST ALONG THE CENTER LINE OF RAND ROAD, 50 FEET; THENCE NORTHEAST IN A STRAIGHT LINE 878.20 FEET TO A POINT ON THE NORTH LINE OF SECTION 2 AFORESAID, THAT IS 1190.50 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2 AFORESAID 72.97 FEET; THENCE SOUTHWESTERLY IN A

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

STRAIGHT LINE 825.05 FEET TO THE POINT OF BEGINNING, (EXCEPTING ANY PART OF THE LAND CONVEYED TO THE COUNTY OF COOK BY DEED RECORDED NOVEMBER 20, 1975 AS DOCUMENT 23300598 AND EXCEPT ANY PART OF THE LAND CONTAINED IN CONDEMNATION CASE 01L50859) IN COOK COUNTY, ILLINOIS.

AND ALSO PARCEL 030:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND WEST 4 ACRES OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH. RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 804 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEAST ALONG THE CENTER LINE OF RAND ROAD, 50 FEET; THENCE NORTHEAST IN A STRAIGHT LINE 931.34 FEET TO A POINT ON THE NORTH LINE OF SECTION 2 AFORESAID THAT IS 1263.47 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2 AFORESAID 72.97 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 878.20 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS.

AND ALSO PARCEL 031:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF RAND ROAD, 604 FEET TO A PLACE OF BEGINNING THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF RAND ROAD, 100 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 771.90 FEET MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION 2, THAT IS 1,044.56 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2, AFORESAID, 145.94 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE, 665.60 FEET MORE OR LESS TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE LAND TAKEN FOR ROAD PURPOSES) ALL IN COOK COUNTY, ILLINOIS.

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

AND ALSO PARCEL 032:
THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF RAND ROAD, 704 FEET TO THE PLACE OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF RAND ROAD 50 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 825.05 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 2, THAT IS 1,117.53 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF SECTION 2, AFORESAID, 72.97 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 771.90 FEET MORE OR LESS TO THE PLACE OF BEGINNING (EXCEPTING THEREFROM THAT PART OF THE LAND TAKEN FOR ROAD PURPOSES), ALL IN COOK COUNTY, ILLINOIS.

AND ALSO PARCEL 033-1:
THAT PART 01 THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2, THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID RAND ROAD 204.00 FEET TO A PLACE OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF RAND ROAD 100 FEET THENCE NORTHEASTERLY IN A STRAIGHT LINE 310.35 FEET TO A POINT IN THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, OF SAID SECTION 2 THAT IS 407.96 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, AFORESAID 177.15 FEET; THENCE SOUTHWESTERLY IN A STRAIGHT LINE 188.22 FEET TO THE PLACE OF BEGINNING (EXCEPT THE NORTH 60 FEET, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE THEREOF) IN COOK COUNTY, ILLINOIS.

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

AND ALSO PARCEL 033-2:
THAT PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE CENTER LINE OF RAND ROAD WITH THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2, SAID POINT OF INTERSECTION BEING 16.12 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTHEASTERLY ALONG THE CENTER LINE OF SAID RAND ROAD 204.00 FEET; THENCE NORTHEASTERLY IN A STRAIGHT LINE 188.22 FEET A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2 THAT IS 230.81 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2 AFORESAID 230.81 FEET; THENCE SOUTH 16.12 FEET TO THE PLACE OF BEGINNING (EXCEPT THAT PART TAKEN FOR LAKE-COOK ROAD) IN COOK COUNTY, ILLINOIS.

commonly known as 2264, 2265, 2273, 2275, 2293, 2301, 2307, 2313, 2319 & 2325 N. Rand Road
(PINs 02-02-102-003 thru 007; 02-02-102-021; 02-02-102-030 thru 033)

Attachment: O-139-12 - Patrick Hyundai Final PUD (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

RESOLUTION NO. R-64-12

A RESOLUTION GRANTING
FINAL SUBDIVISION APPROVAL FOR PATRICK HYUNDAI SUBDIVISION
2264, 2265, 2273, 2275, 2293, 2301, 2307, 2313, 2319 & 2325 N. RAND ROAD
(CASE NO. 12-72)

WHEREAS, the Palatine Subdivision Ordinance provides qualifications governing final approval of a Subdivision Plat in Article IV FINAL PLAT; and

WHEREAS, the PATRICK HYUNDAI SUBDIVISION has complied with all the provisions of the Subdivision Ordinance, including a public review before the Plan Commission of the Village of Palatine.

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Village Council of the Village of Palatine, that the Mayor and the Village Clerk be and are hereby directed and authorized to execute the final plat of subdivision "PATRICK HYUNDAI SUBDIVISION" pursuant to the Palatine Subdivision Ordinance Article IV, Sec. 4.01 (c) (2) (a) and subject to the following conditions:

1. The Final Plat of Subdivision shall be submitted on Mylar and shall substantially conform to the Plat of Subdivision prepared by Spaceco Inc. dated 8/27/12 last revised 9/11/12 except as such Plat may be changed to conform to Village Codes and Ordinances and the following conditions:
2. At the time of any future development to the south of the subject property, in which that development proposes to use the subject property's access aisle, an additional access easement shall be provided for the entirety of the access aisle through to Lake-Cook Road, in a format acceptable to the Village Attorney.

Attachment: Patrick Hyundai SUB (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

3. At the time of any future development to the south of this site, in which that development proposes to use the subject property's access aisle, an owner's maintenance agreement shall be prepared outlining the maintenance responsibilities and access rights for the drive aisle. The agreement shall be in a format acceptable to the Village Attorney.
4. The public utilities easement stretching though the site should be removed from the final Plat, as the final design of the sanitary sewer will not follow this route.
5. Recording fees shall be submitted in the amount of $300.00.

DATED: This 8th **day of** October**, 2012**

AYES: 6 **NAYS:** 0 **ABSENT:** 0 **PASS:** 0

APPROVED by me this 8th **day of** October**, 2012**

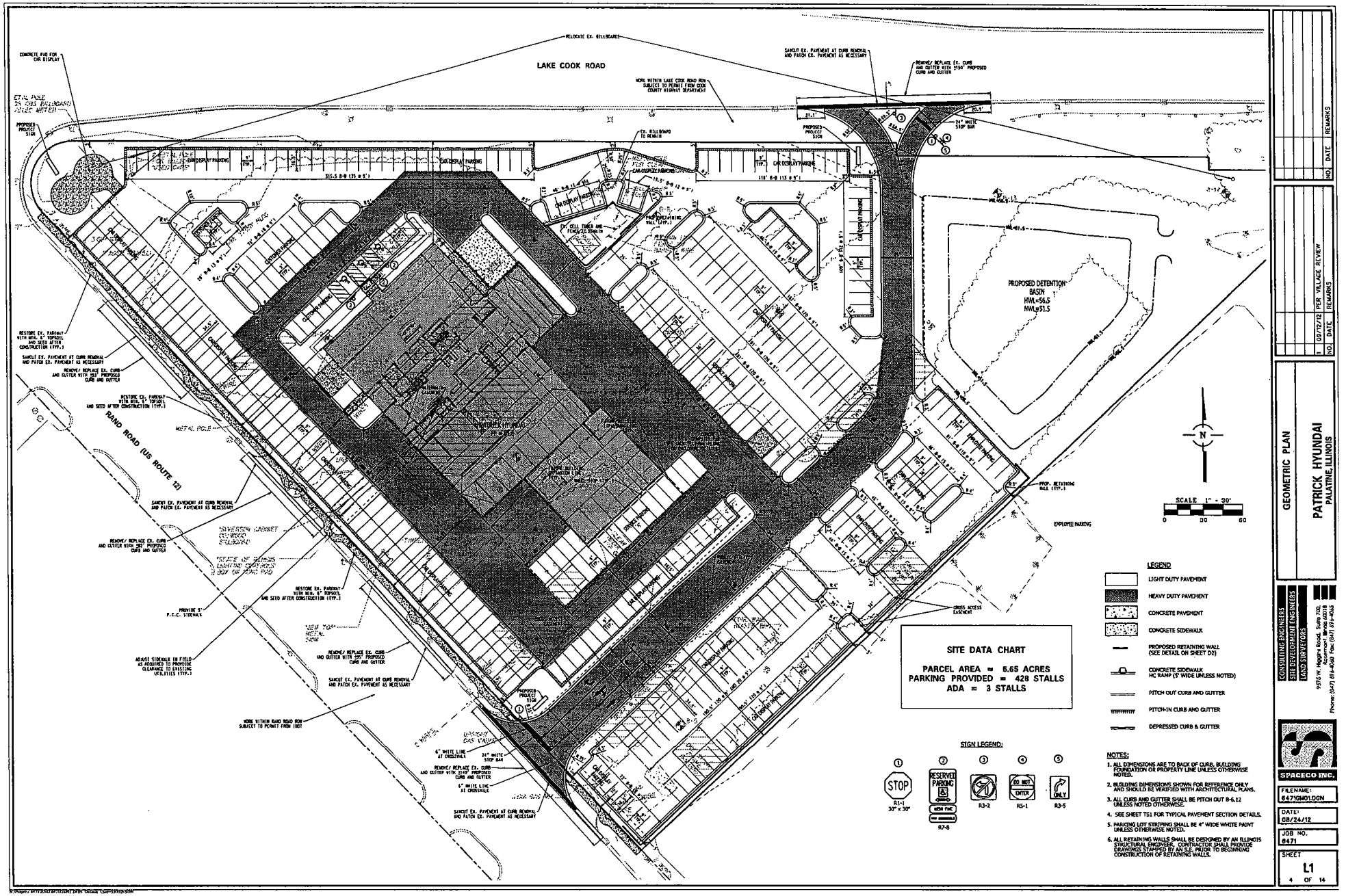
Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk

this 8 **day of** October**, 2012**

Village Clerk

Attachment: Patrick Hyundai SUB (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)



Attachment: Patrick Hyundai SUB (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote yes on pot shop

From:
Sent: Tuesday, April 12, 2022 8:38 AM
To: Tim Millar
Subject: Vote yes on pot shop

> **Caution:** This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote Yes on allowing Palatine to open its doors to the marijuana industry.

I am in favor of this measure.

Sincerely,

Ken Weiss
1508 N King George Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Jim Schwantz <JSchwantz@palatine.il.us>
Sent: Tuesday, April 12, 2022 10:47 AM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Cc: Reid Ottesen <ROttesen@palatine.il.us>
Subject: Fwd: Vote No! and reject Palatine pot shops!

---------- Forwarded message ----------
From
Date: Apr 12, 2022 9:32 AM
Subject: Vote No! and reject Palatine pot shops!
To: Jim Schwantz <JSchwantz@palatine.il.us>
Cc:

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Mayor Jim Schwantz,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Open education and research center for long term investment and return.
Invest in indoor all season swim arena and cater to general public so they can host events. That will give more return than POT.

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Maneesh Khosla
11 W Summerset Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Jim Schwantz <JSchwantz@palatine.il.us>
Sent: Tuesday, April 12, 2022 10:47 AM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Cc: Reid Ottesen <ROttesen@palatine.il.us>
Subject: Fwd: Vote No! and reject Palatine pot shops!

---------- Forwarded message ----------
From:
Date: Apr 12, 2022 8:58 AM
Subject: Vote No! and reject Palatine pot shops!
To: Jim Schwantz <JSchwantz@palatine.il.us>
Cc:

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Mayor Jim Schwantz,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Marijuana for medical purposes should be handled through doctors. The rest using it for recreational purposes makes our community less safe. Please don't allow this in Palatine!!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Maria Clark
608 E Home Ave
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From:
Sent: Tuesday, April 12, 2022 8:29 AM
To: Doug Myslinski <dmyslinski@palatine.il.us>
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Doug Myslinski,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Voting for no

Sincerely,

Purvi Saraiya
914 W Lukas Ave
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: In support of a cannabis dispensary in Palatine

---------- Forwarded message ----------
From: John Potter
Date: Apr 12, 2022 4:33 PM
Subject: In support of a cannabis dispensary in Palatine
To: Jim Schwantz <JSchwantz@palatine.il.us>
Cc:

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Mayor Schwantz,

I'm writing to express my support of the idea of establishing a cannabis dispensary in Palatine. They have been a positive impact for the state and nearby towns.

Thank you,
John Potter
138 W. Comfort St.
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:25 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 10:57 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

I will vote against anyone who is in favor of bringing a marijuana dispensary into Palatine. Increased income for Palatine is not more important than the well being of our residents.

Sincerely,

Karen Flasch
627 E Juniper Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:25 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 10:57 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Do we need tax revenue so bad that we stoop so low as to allow a pot shop in our community ? This

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

is akin to allowing adult book stores. We want Palatine to shine brightly and be a positive example. Please don't join with the nefarious communities that don't care about its residents for the sake of the almighty dollar .

Sincerely,

Adolf Stransky
946 N Ventura Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:25 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 11:12 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.
resturants
Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

How about a hardware store , or garden shop , oh ya we forced them all out of palatine instead of

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

encouraging them ? So we think a pot shop is now a good thing ? We need to get normal stores in and find ways to encourage normal stores , like ice cream, music , restaurants and make palatine a normal place to shop again . Google "Palatine pot shops" and it comes back with 5 shops within 6 miles don't you think we have enough !

Sincerely,

Joseph Flasch
627 E Juniper Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Palatine is a wonderful community of families with young children and teens. We do not need this in our community. It will only harm, not help.

Sincerely,

Stacy Margolis
914 E Plate Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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From: Tim Millar <TMillar@palatine.il.us>
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Palatine District 1 Councilman

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

We live in a townhouse in Palatine and our next door neighbors are smoking weed whenever they

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want to since they legalized marijuana Jan 2020. Pungent smells of weed seeped into our bedrooms ,bathrooms, attic and basement .As in the whole house .We called Palatine police 6X, apparently they can't do anything . They told us to moved us. Seriously ? Our sons has severe apnea and asthma and both of us has cardiac illness . Anyway after we talked to the association , the lawyer sent them letters and they finally stopped for a month but occasionally had been smoking . This is crazy ! They have the right to smoke by law, how about our rights for fresh and healthy air. Pandemic aside , this neighbor is killing us every time they smoke . Anyway , building another weed dispensary will escalate more issues for the everyone like us . Therefore , we VOTE NO!

Sincerely,

Analyn Trier
1175 E Randville Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 11:22 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

David Burda
522 E Cunningham Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote Yes! Approve Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote Yes! Approve Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 12:01 PM
To: Tim Millar
Subject: Vote Yes! Approve Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote YES on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is what our community needs and wants.

Research shows that:
•There is a difference between correlation and causation.

Please help keep our community safe and property values high. Vote Yes and approve Palatine pot shops!

Sincerely,

Jonathan Vetter
351 N Brockway St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 12:49 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Lisa Anikeeva
565 E Thornhill Ln
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 12:29 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

We do not want marijuana/pot shops in Palatine

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Sherry Dunwoody
625 N Eagle Ln
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 12:50 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Don Johnson
625 E Pompano Ln
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 1:11 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

WE DO NOT NEED OR WANT ANY POT SHOPS IN OUR COMMUNITY

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Charles Gawronski
1221 S Leo Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 1:13 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

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•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

We do not want any pot shops in our community

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Miglena Petrova
1221 S Leo Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Marijuana in Palatine?

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Marijuana in Palatine?

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 1:16 PM
To: Jim Schwantz; Tim Millar; Scott Lamerand; Doug Myslinski; Greg Solberg; Kollin Kozlowski; Brad Helms
Subject: Marijuana in Palatine?

> **Caution:** This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Good afternoon,

It is my understanding that the Village Council is considering bringing a pot store to Palatine. I am hoping this is not true or at least, not being seriously considered.

There is no benefit to the residents and the possible harm is overwhelming. Living on the north side of Palatine we are already dealing with gangs and the negative effects that has on our community. Though there may be a monetary reason to think it is a good idea to add pot to the mix of problems, money should never be a stronger reason to do something than health, safety, and crime issues that will accompany bringing pot to the community.

Please vote NO.

Thank you,

Patricia Rudy
resident of Pepper Tree Farms in Palatine

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote YES! ON Palatine Cannabis

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote YES! ON Palatine Cannabis

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 1:46 PM
To: Tim Millar
Subject: Vote YES! ON Palatine Cannabis

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Councilmember Tim Millar,

I am writing to urge you to vote YES on allowing Palatine to open its doors to the marijuana industry and bring in a cannabis dispensary. This is what our community needs and wants.

Sincerely,

Thomas Brauer
624 N Rohlwing Rd
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 3:20 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

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Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Don't do this just because other communities do it. Be a leader, not a follower!!!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Hank Montgomery
776 N Regis Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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To: Ben Vyverberg <BVyverberg@palatine.il.us>
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From:
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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

We live near the high school and don't want the kids driving down our street after using pot. Please vote no!

Sincerely,

Jamee Schafehen
556 E Mill Valley Rd
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 4:39 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

We do not need any pot shops in palatine

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Joseph Bianchi
923 N Sanborn Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 5:14 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Research shows that:
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Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Anna Kasprzyk
573 E Thornhill Ln
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: anti-marijuana flyer left at my door

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: anti-marijuana flyer left at my door

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 5:46 PM
To: Jim Schwantz; Tim Millar; Scott Lamerand; Doug Myslinski; Greg Solberg; Kollin Kozlowski; Brad Helms
Cc: Michael Jacobs; Hadley SkeffingtonVos
Subject: Re: anti-marijuana flyer left at my door

> **Caution:** This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Hello! I'm a recent member of the community.

Just wanted to voice my opinion on an anti-marijuana flyer left at my door. As one of your constituents I would ask that you consider voting YES to allowing this growing industry to open in our community. The detractions written by those opposed are baseless and discriminatory.

As an aside, I think its utterly ridiculous that it's considered acceptable for someone to leave propaganda on my property. I would ask that you disregard anything campaigns paid for by the "Save Our Society from Drugs" organization.

Thank you for reading, I hope you have a pleasant day.

Sincerely,
Joseph Stramaglia III

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:29 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 5:50 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

David Jones
922 N Ventura Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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Palatine District 1 Councilman

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Wanda Quijano
401 N Cambridge Dr
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12 2022 5:52 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Caroline Jones
922 N Ventura Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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Sent: Tuesday, April 12, 2022 6:29 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 6:06 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

No Pot in Palatine!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Mike Stineman
1019 S Elm St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:30 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 6:07 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Please vote against pot shops in Palatine! I'm so against it. Thanks

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Janet Stineman
1019 S Elm St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote YES - Approve Dispensaries in Palatine

From: Tim Millar <TMillar@palatine.il.us>
Sent: Tuesday, April 12, 2022 6:31 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote YES - Approve Dispensaries in Palatine

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 6:13 PM
To: Tim Millar
Subject: Vote YES - Approve Dispensaries in Palatine

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I received a flyer the village is considering opening a dispensary in Palatine. I'm writing to you to APPROVE of this measure. Buffalo Grove, Rolling Meadows, Wheeling, and Schaumburg currently have dispensaries while Palatine does not. The notion neighboring communities may be siphoning off sales tax revenue from our village is a problem which should be addressed immediately.

Please vote to approve a marijuana dispensary in Palatine. If a dispensary should not be in Palatine, citizens can show their disapproval by not shopping there, allowing the store to go out of business. The village should not stand in the way of possible tax revenue because a few citizens cannot come to terms marijuana is a legal in Illinois and want to relitigate the issue on a local case-by-case basis.

Sincerely,

Kent Hoffman
445 N Comfort Lane
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Wednesday, April 13, 2022 7:24 AM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 6:41 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Larry Ruff
873 W Dorset Ave
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

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Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 8:55 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Vote no on pot

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Barry Coyne
1504 W Edgewater Ln
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Wednesday, April 13, 2022 7:25 AM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Tuesday, April 12, 2022 9:33 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Matthew Halverson
130 S. Brockway St.
Palatine, IL 60067

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Mariah Halverson
130 S Brockway St
Palatine, IL 60067

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Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Thomas Schulz
882 N Martin Drive
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote YES and accept Palatine pot shops!

From: Doug Myslinski <dmyslinski@palatine.il.us>
Sent: Wednesday, April 13, 2022 7:31 AM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote YES and accept Palatine pot shops!

fyi

Doug Myslinski
Village of Palatine
Councilman District 3
P. 847.894.0003

From:
Sent: Wednesday, April 13, 2022 7:01 AM
To: Doug Myslinski <dmyslinski@palatine.il.us>
Subject: Vote YES and accept Palatine pot shops!

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Councilmember Doug Myslinski,

I am writing to urge you to vote YES on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is what our community needs or wants.

Please help keep our community safe and property values high. Vote YES and accept Palatine pot shops!

I urge you to vote YES on this and continue to bring economic improvement to the Village.

Sincerely,

Mark Combs
910 E Plate Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Wednesday, April 13, 2022 2:00 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Wednesday, April 13, 2022 9:01 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Every community I have seen adopt these shops has regretted it. It creates slums in neighborhoods. There is no need to have this in our community.

Sincerely,

Steve Svec
320 S Benton St
Palatine, IL 60067

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Ben Vyverberg

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Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Wednesday, April 13, 2022 10:08 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Joe Nabozny
169 W. Im
Palatine, IL 60067

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Tim Millar
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JoAnn Suiter
253 N Bissell Dr
Palatine, IL 60074

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Sent: Wednesday, April 13, 2022 5:55 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Wednesday, April 13, 2022 1:52 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Patrick Hogan
609 N Eagle Ln
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Wednesday, April 13, 2022 5:55 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Wednesday, April 13, 2022 2:20 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

For long term view for Palatine community health , should not allow to sell marijuana plant in pot

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

shop ..
Even though there is an instant $ benefit
to this community .

Sincerely,

Jungsin Jung
513. S . Brighton lane Palatine
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Wednesday, April 13, 2022 8:25 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Please tell me we're not as stupid as California, Colorado, and Washington for allowing pot into our city. You need to visit LA before making so bad a decision here.

Sincerely,

Forrest Skidmore
41 S Hickory St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote Yes! and Accept Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote Yes! and Accept Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 9:17 AM
To: Tim Millar
Subject: Vote Yes! and Accept Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote YES on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This IS what our community needs and wants.

Research shows that:
* Legalizing marijuana has actually showed a decrease in teen use.
•Taxes collected from the legal sale of marijuana support important local programs
•The record high fatal traffic accidents in Colorado was in 2002, well before the legalization of marijuana. Traces of THC remain in a user's system for up to 45 days well past the impairment stage.

Please help keep our community safe and property values high. Vote YES! and approve Palatine pot shops!

There is no reason not to open a legal dispensary in Palatine. I've been to a few in the area and they are all very professional and clean. Same with 99% of their clientele.

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

CHRISTOPHER HASSETT
333 S Royal Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 9:37 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

If pot shops are allowed in the end, I would like to request they not be within 1 mile radius of any

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

school.
Thank you for your consideration of this important matter.

Sincerely,

Kathy Walsh
449 E Juniper Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:26 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 10:13 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

William Agnello
1290 S Falcon Dr
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 10:30 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sue Nabozny
169 W Imperial Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From
Sent: Thursday, April 14, 2022 10:45 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Michael Obenauf
657 N Eagle Ln
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:27 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 10:57 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Beyond all the "research" & stats, I am opposed to "on demsnd" drug use-including "pot"-on moral

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

grounds. Just because we “can” doesn’t mean we “should.” There are better ways to solve our problems!

Sincerely,

Marilynn Helms
427 E Carpenter Dr
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 11:54 AM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

I've seen this happen to other cities, it brings in the wrong kind of people and it will take over parts of the town.

Sincerely,

Estephanie Carmona
547 E Baldwin Rd
Palatine, IL 60074

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 12:32 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Please vote for what is right for the people.

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Thomas OBrien
641 N Eagle Ln
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: I vote yes

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 1:28 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: I vote yes

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 12:48 PM
To: Tim Millar
Subject: I vote yes

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

Clearly the greatest danger for pot retailers is the requirement of using cash only. Legalize.

I personally find it repugnant all the misinformation and lies about this subject. I no longer use but have a good history with the substance and believe benign and even helpful to some. Stop the fear mongers.

Sincerely,

Richard Olin
226 S Benton St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 4:04 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 3:39 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

D Quant
832 W Brookside St
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

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Sent: Thursday, April 14, 2022 4:04 PM
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Tim Millar
Palatine District 1 Councilman

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To: Tim Millar
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sri Adusumilli
320 N Waynes Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! No queremos estupefacientes

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 4:05 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! No queremos estupefacientes

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 2:03 PM
To: Tim Millar
Subject: Vote No! No queremos estupefacientes

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Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
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•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

No queremos estupefacientes

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Sincerely,

Miguel Gomez
371 Inland dr
Wheeling, IL 60090

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote Yes!! and accept Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 4:05 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote Yes!! and accept Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 2:24 PM
To: Tim Millar
Subject: Vote Yes!! and accept Palatine pot shops!

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Councilmember Tim Millar,

I am writing to urge you to vote YES on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is exactly what our community needs or wants.

Research shows that you will receive the following list of bogus claims:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs. (Regulate use by increasing pot shops and this won't be an issue)
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence. (Pot ships have more widespread acceptance in areas where these rates already exist, they can bring revenue into struggling communities and reduce street drug sales)
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%. (Let's compare these to the number of violent crimes that have decreased)
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction. (Very few studies, new ones link medicinal use to incredibly positive outcomes and are far better than opiates and other medication)
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug. (Oh no, more services got the homeless, how awful *sarcasm*)

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

HOWEVER, this research is biased, stigmatizing and antiquated. Marijuana is medicine and should be regulated and kept safe and accessible for those who need it.

Please help keep our community safe and property values high. Vote yes and accept Palatine pot shops!

Pot shops reduce the number of street sellers, provide viable and sustainable economic stimulation and provide education of marijuanas positive impact on many people. We need progress, and abstaining from this industry due to outdated and stigmatizing research and anecdotes is naive and antiquated.

Sincerely,

Megan Drewer
794 N Virn allen Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Ben Vyverberg

Subject: FW: Vote No! and reject Palatine pot shops!

From: Tim Millar <TMillar@palatine.il.us>
Sent: Thursday, April 14, 2022 4:05 PM
To: Ben Vyverberg <BVyverberg@palatine.il.us>
Subject: FW: Vote No! and reject Palatine pot shops!

Best regards,

Tim Millar
Palatine District 1 Councilman

From:
Sent: Thursday, April 14, 2022 2:24 PM
To: Tim Millar
Subject: Vote No! and reject Palatine pot shops!

Caution: This is an external email, Please take care when clicking links or opening attachments. When in doubt, please talk with the sender or check with VOP IT

Councilmember Tim Millar,

I am writing to urge you to vote NO on allowing Palatine to open its doors to the marijuana industry and bring in pot shops. This is not what our community needs or wants.

Research shows that:
•Children who live near pot shops have more access to marijuana and are more likely to use it and other drugs.
•Density of pot shops and delivery services was positively related to the frequency of child abuse and neglect. There is also an increase in hospitalizations for marijuana use and dependence.
•Since recreational marijuana was legalized in Colorado in 2013, traffic deaths where drivers tested positive for marijuana increased 138% while all traffic deaths increased 29%.
•Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.
•Marijuana commercialization is having an impact on homeless services in places that are among the first to legalize the drug.

Please help keep our community safe and property values high. Vote No! and reject Palatine pot shops!

Sincerely,

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

Louis Riccio
64 E Country Club Ct
Palatine, IL 60067

Attachment: Public Comments - cannabis dispensaries (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)

PUBLIC NOTICE
A Public Hearing will be held before the Village of Palatine Plan Commission on Tuesday, April 19, 2022 at 7 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Planned Development Amendment to the Patrick Hyundai Phase 2 Planned Development to align the underlying use lists for the Planned Development – Ordinance #O-6-16 - to the B-5 – Highway Business District; and
Special Use for an adult use cannabis dispensing establishment.
The Special Use was filed for the property is commonly known as the vacant lot east of 325 E. Lake Cook Road (PIN #: 02-02-102-037-0000).
The above petition has been filed by Botavi Wellness LLC, with Craig Krandel as the authorized agent on behalf of the Petitioner. The proposed dispensary would be operated under the name of "Blac".
The Planned Development Amendment was filed by Keystone Ventures LLC (Tim Hague – Manager and property owner) and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 22-09
VILLAGE OF PALATINE
Dennis Dwyer, Chair
Palatine Plan Commission
DATED: This 4th day of April 2022.
Published in Daily Herald April 4, 2022 (4580392)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs
Daily Herald

Corporation organized and existing under and by virtue of the laws o the State of Illinois, DOES HEREBY CERTIFY that it is the publish of the **Northwest Suburbs DAILY HERALD**. That said **Northwes Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of: Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Gr Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates,Inverness, Melrose Park,Morton Gr Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg,Schiller Park, South Barrington, Streamwoo Wheeling, Wilmette

County(ies) of Cook
and State of Illinois, continuously for more than one year prior to th date of the first publication of the notice hereinafter referred to and general circulation throughout said Village(s), County(ies) and State

I further certify that the Northwest Suburbs DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to noti as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a copy, was published 04/04/2022
in said Northwest Suburbs DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, t authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Paula Raetz
Designee of the Publisher and Officer of the Daily Herald

Control # 4580392

Attachment: Public Notice (vacant lot east of 325 E. Lake Cook Road - PIN # 02-02-102-037)