

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1290

RULES FOR ADMINISTRATION OF THE COMPASSIONATE USE OF MEDICAL CANNABIS PILOT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section

1290.10 Definitions

SUBPART B: DISPENSING ORGANIZATION DISTRICTS

Section

1290.20 Dispensing Organization Districts

SUBPART C: APPLICATION REQUIREMENTS FOR A DISPENSARY REGISTRATION AUTHORIZATION

Section

1290.30 Dispensing Organization Principal Officers

1290.40 Dispensing Dispensary-Organization Authorization Process ~~and Requirements~~

1290.50 Dispensing Dispensary-Organization - Application Requirements for

Authorization

1290.60 Selection Process

1290.70 Selection Criteria

1290.80 Fees

SUBPART D: DISPENSARY REGISTRATION

Section

1290.100 Dispensing Dispensary-Organization - Registration Process

1290.110 Dispensing Dispensary-Organization - Registration Requirements

1290.120 Dispensing Organization Registration Bond

1290.~~120~~130 Changes to a Dispensing Dispensary-Organization Registration

1290.~~130~~140 Request to Change-Relocate a Dispensary ~~Location~~

1290.~~140~~150 Dispensing Organization Renewals

SUBPART E: REGISTRATION OF DISPENSING ORGANIZATION AGENTS

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 41
- 42 Section
- 43 1290.~~150~~200 Dispensing Organization Agent-In-Charge
- 44 1290.~~160~~210 Dispensing Organization Agents
- 45 1290.~~170~~220 Persons with Significant Influence or Control; Disassociation
- 46 1290.~~180~~230 State and Federal Criminal History Records Check

SUBPART F: DISPENSARY OPERATION

- 47
- 48
- 49 Section
- 50 1290.~~190~~300 Operational Requirements

SUBPART G: SECURITY AND RECORDKEEPING

- 51
- 52
- 53
- 54 Section
- 55 1290.~~200-400~~ Inventory Control System
- 56 1290.~~210-405~~ Storage Requirements
- 57 1290.~~220-410~~ Security Requirements
- 58 1290.~~230-415~~ Record Keeping
- 59 1290.~~240-420~~ Cleaning and Sanitation
- 60 1290.~~250-425~~ Administration
- 61 1290.~~260-430~~ Dispensing Medical Cannabis
- 62 1290.435 Signage
- 63 1290.440 Recall of Medical Cannabis
- 64 1290.445 Report of Loss or Theft of Cannabis
- 65 1290.450 Destruction and Disposal
- 66 1290.455 Dispensary Advertisements
- 67 1290.460 Closure of a Dispensary
- 68 1290.465 Zoning Rules Related to Dispensary
- 69 ~~1290.270~~ Report of Loss or Theft of Cannabis
- 70 ~~1290.280~~ Destruction and Disposal
- 71 ~~1290.290~~ Dispensary Advertisements
- 72 ~~1290.295~~ Closure of a Dispensary
- 73 ~~1290.298~~ Zoning Rules Related to Dispensary

SUBPART H: DISCIPLINE

- 74
- 75
- 76
- 77 Section
- 78 1290.~~300-500~~ Investigations
- 79 1290.~~310-510~~ Grounds for Discipline
- 80 1290.~~320-520~~ Temporary Suspension

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 81 | ~~1290.330-530~~ Consent to Administrative Supervision Order
- 82 | ~~1290.340-540~~ Subpoenas; Oaths; Attendance of Witnesses
- 83 | ~~1290.350-550~~ Certification of Record; Receipt Request for hearing
- 84 | ~~1290.360-560~~ Transcript; Record of Proceedings
- 85 | ~~1290.370-570~~ Findings and Recommendations
- 86 | ~~1290.380-580~~ Restoration of Registration from Discipline Rehearing
- 87 | ~~1290.390-590~~ Appointment of a Hearing Officer
- 88 | ~~1290.580~~ Transcript; Record of Proceedings Restoration of Registration from Discipline
- 89 | ~~1290.400-590~~ Certification of Record; Receipt
- 90 | Appointment of a Hearing Officer

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SUBPART I: GENERAL

- 92
- 93
- 94 Section
- 95 | ~~1290.500-600~~ Intergovernmental Cooperation Confidentiality
- 96 | ~~1290.510-610~~ Variances Intergovernmental Cooperation
- 97 | ~~1290.520-620~~ Granting Administrative Decisions Variances

98

99 **AUTHORITY:** Implementing and authorized by the Compassionate Use of Medical Cannabis  
100 Pilot Program Act [410 ILCS 130/1].

101

102 **SOURCE:** Adopted at 38 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

103

104 **Section 1290.10 Definitions**

105

106 Definitions for this Part can be located in Section 10 of the Compassionate Use of Medical  
107 Cannabis Pilot Program Act. The following definitions shall also apply to these rules:

108

109 | "Act" means the Compassionate Use of Medical Cannabis Pilot Program Act [410  
110 | ILCS 130/1].

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111

112 | "ADA" ~~is~~ means the Americans with Disabilities Act of 1990 (~~42~~ 42 USC 12101).

113

114 | "Address of record" means the address recorded by the Division in the applicant's  
115 | or registrant's application file or registration file maintained by the Division.

116

117 | "Administratively complete" means that a dispensary registration application  
118 | meets all requirements of the Act and this Part.

119

120 | "Agriculture" means the Illinois Department of Agriculture.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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“Applicant” means any person who is applying with the Illinois Department of Financial and Professional Regulation for Authorization to register a dispensary under the Act.

“Area zoned for residential use” means an area zoned exclusively for residential use; provided that in municipalities with a population over 2,000,000 people, an “An area zoned for residential use” means an area zoned as a residential district or a residential planned development.

“Application date” is the date the application for Authorization or Registration was delivered to and received by the Division, and the applicant received a receipt noting the date.

“Authorization notice” ~~is means~~ the notice ~~or letter~~ sent by the Division to the applicant that has been granted an Authorization. The Authorization notice will include a registry identification number to be used on all future communication with the Division.

“Batch” means a specific harvest of cannabis or cannabis infused products that are identifiable by a batch number, every portion or package of which is uniform within recognized tolerances for the factors that were subject to a laboratory test and that appear in the labeling.

“Batch number” means a unique numeric or alphanumeric identifier assigned to a batch by a cultivation center when the batch is first planted.

“Cannabis Control Act” means the Cannabis Control Act [720 ILCS 550].

“Cannabis” means *marihuana, hashish and other substances which are identified as including any parts of the plant Cannabis Sativa and including ~~any and all~~ 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 such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any*

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

161 *other compound, manufacture, salt, derivative, mixture, or preparation of such*  
162 *mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the*  
163 *sterilized seed of such plant which is incapable of germination. (Section 3 of the*  
164 *Cannabis Control Act)*

165  
166 “CPA” means certified public accountant.

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167  
168 “Damaged” shall have its common meaning and include medical cannabis that is  
169 unusable, unused, expired, spoiled, contaminated, deteriorated, mislabeled,  
170 undesired, excess, adulterated, misbranded, deteriorated or in containers or  
171 packaging that was tampered with or opened.

172  
173 “Department” means the Illinois Department of Financial and Professional  
174 Regulation.

175  
176 “Director” means the Director of the Division of Professional Regulation ~~in~~ of  
177 the Illinois Department of Financial and Professional Regulation or his or her  
178 designee.

179  
180 “Dispensing ~~Organization~~” or “dispensary organization” means a medical  
181 cannabis dispensing organization as defined in the Act.

182  
183 “Dispensary ~~premises~~” means the physical premises where medical cannabis is  
184 dispensed by a dispensing dispensary organization agent.

185  
186 “Dispensing organization agent” or “dispensary agent” means a medical cannabis  
187 dispensing organization dispensing organization agent as defined in the Act.

188  
189 \_\_\_\_\_ “Dispensing organization agent in charge” or “dispensary agent in  
190 charge” means the person who has day to day control and management over the  
191 dispensary.

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192  
193 “Dispensing organization backer” means any person or entity with a direct or  
194 indirect financial interest in the dispensing organization, but does not include a  
195 person or entity who holds an interest that does not exceeding one percent per-  
196 cent of the total ownership or interest rights in the dispensing organization and the  
197 person does not participate directly or indirectly in the control, management or  
198 operation of the dispensing organization.  
199



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

239 "Fingerprint-based criminal history records check" means a fingerprint-based  
240 criminal history records check conducted by the ~~Department of Illinois State~~  
241 ~~Police~~ISP in accordance with the Act, Title 20, Section 1265.30 of the Illinois  
242 Administrative Code, Electronic Transmission of Fingerprint Requirements or the  
243 Illinois Uniform Conviction Information Act (UCIA) [20 ILCS 2635].

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244  
245 "Good standing" means the dispensing organization's registration is not under  
246 investigation, is not on probation and ~~has-is not-been~~ subject to ~~any~~ disciplinary or  
247 other restrictions by the Division as defined in the Act or this Part.

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248  
249 "HIPAA" means the Health Insurance Portability and Accountability Act, (45  
250 CFR 164).

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251  
252 "ISP" means Illinois Department of State Police.

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253  
254 "Limited access area" means a building, room, or other area under the control of  
255 the dispensing organization and upon the registered premises with access limited  
256 to qualifying patients, designated caregivers, dispensary owners and other  
257 dispensary agents or service professionals, conducting business with the  
258 dispensing organization.

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259  
260 "Livescan" means an inkless electronic system designed to capture an individual's  
261 fingerprint images and demographic data (~~name, sex, race, date of birth, etc.~~) in a  
262 digitized format that can be transmitted to the state central repository, ~~Illinois~~  
263 ~~State Police (ISP)~~, for processing. The data is forwarded to the ISP, Bureau of  
264 Identification (BOI) over a Virtual Private Network (VPN) and then processed by  
265 the ISP's Automated Fingerprint Identification System (AFIS). Once received at  
266 the BOI for processing, the inquiry may then be forwarded to the Federal Bureau  
267 of Investigation (FBI) electronically for processing.

268  
269 "Livescan vendor" means an entity licensed by the Department ~~of Financial and~~  
270 ~~Professional Regulation~~ to provide commercial fingerprinting services under the  
271 Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and  
272 Locksmith Act of 2004. ~~[225 ILCS 447].~~

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273  
274 "Medical cannabis" means cannabis and its constituent cannabinoids, such as  
275 tetrahydrocannabinol (THC) and cannabidiol (CBD), used as an herbal remedy or  
276 therapy to treat disease or alleviate symptoms. Medical cannabis can be  
277 administered ~~in by~~ a variety of ~~methods~~ways, including, but not limited to:  
278 vaporizing or smoking dried buds; using concentrates; ingesting administering

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

279 tinctures or tonics; applying topicals such as ointments, balms; or consuming  
280 infused food products, ~~soda or teas; or taking capsules.~~

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281 .  
282  
283 *“Medical cannabis container” means a sealed, traceable, food compliant, tamper*  
284 *resistant, tamper evident container or package used for the purpose of*  
285 *containment of medical cannabis from a cultivation center to a dispensing*  
286 *organization. (Section 10 of the Act)*

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287  
288 “Medical cannabis infused products” means food, oils, ointments, sodas or teas,  
289 capsules or other products containing cannabis that are not smoked as defined in  
290 the Act.

291  
292 “Monitoring” means continuous and uninterrupted video surveillance of  
293 dispensary activities and oversight for potential suspicious actions. Monitoring  
294 through video surveillance includes the purpose of summoning a law enforcement  
295 officer to the premises during alarm conditions. The Division and law  
296 enforcement agencies shall have the ability to access a ~~dispensing dispensary~~  
297 organization’s monitoring system in real-time via a secure web-based portal.

298  
299 “Notify” means to send via regular United States mail and United States certified  
300 mail.

301  
302 “Ownership structure” means a showing of ~~any a~~ person with an ownership or  
303 financial interest in the ~~dispensing dispensary~~ organization.

304  
305 “Person” includes but is not limited to a natural person, sole proprietorship,  
306 partnership, joint venture, limited liability company, corporation, association,  
307 agency, business entity, not-for-profit or organization.

308  
309 “Principal ~~O~~fficer” includes a prospective dispensing organization or dispensing  
310 organization board member, owner, president, vice president, secretary, treasurer,  
311 partner, officer, member, shareholder or person ~~involved within~~ a profit sharing  
312 arrangement and is further defined in this Part.

313  
314 “Promptly” means as soon as reasonably practicable but not later than five days.

315  
316 “Registered” or “Registration” means a dispensing organization licensed-  
317 permitted, or otherwise certified by the ~~Division~~ Department of Financial and



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

318 | ~~Professional Regulation to operate a medical cannabis dispensary~~ as defined in  
319 | the Act.

320 | “Restricted Access Area” means a building, room, or other contiguous area under  
321 | control of the dispensing organization and upon the registered premises with  
322 | access limited to dispensary agents only, where cannabis is stored, ~~weighed,~~  
323 | packaged, sold, or processed for sale.  
324 |

325 | “Registration Packet” is the information and documents ~~filed-submitted~~ by the  
326 | ~~authorized a dispensing dispensary~~ organization ~~Authorized by with~~ the Division  
327 | to ~~demonstrate all requirements in the Act and this Part are met prior to the~~  
328 | ~~Division issuing a register a~~ dispensing organization ~~registration~~.  
329 |

330 | “Secretary” means the Secretary of the Department ~~of Financial and Professional~~  
331 | ~~Regulation~~.  
332 |

333 | “Third party vendor” means an entity providing industry related goods or  
334 | ~~services, but does not include common utilities for example, electric, water, phone~~  
335 | ~~or gas~~.  
336 |

337 | “Trust” means a fiduciary relationship in which one party, known as a trustor,  
338 | ~~gives another party, the trustee, the right to hold title to property or assets for the~~  
339 | ~~benefit of a third party, the beneficiary~~.  
340 |

341 | “Veteran” means person who served in one of the five active-duty Armed  
342 | ~~Services or their respective Guard or Reserve units, and who was discharged or~~  
343 | ~~released from service under conditions other than dishonorable~~.  
344 |

345 |  
346 |  
347 | **Section 1290.20 Dispensing Organization Districts**  
348 |

349 | a) To ~~geographically disperse~~ ~~implement the Act’s requirement that up to 60~~  
350 | ~~dispensing organizations be geographically dispersed~~ throughout the State the  
351 | following dispensing organization Districts are created with the accompanying  
352 | allocation of ~~R~~registrations.:

353 |  
354 | 1) That part of the State, outside of the Chicago metropolitan area, shall be  
355 | allocated ~~24-22 Registrations~~ ~~registrations~~ as follows:  
356 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 357 | A) Illinois State Police Districts 1, 6, 7, ~~10~~-12, 13, 14, 17, 18, 19, 20,  
358 | 21, and 22 shall each be a Dispensing Organization ~~dispensing-~~  
359 | ~~organization~~-District and shall be allocated one Registration  
360 | ~~registration~~-each.;
- 361 |  
362 | B) Illinois State Police Districts 8, 9, 10, 11, and 16 shall each be a  
363 | Dispensing Organization ~~dispensing-organization~~-District and shall  
364 | be allocated two Registrations ~~registrations~~-each.
- 365 |  
366 | 2) That part of the State within the Chicago metropolitan area but outside of  
367 | Cook County shall be allocated ~~15-14 registrations~~ Registrations as  
368 | follows:
- 369 |  
370 | A) DeKalb County shall be a Dispensing Organization ~~dispensing-~~  
371 | ~~organization~~-District and shall be allocated one  
372 | Registration ~~registration~~.;
- 373 |  
374 | B) DuPage County shall be a Dispensing Organization ~~dispensing-~~  
375 | ~~organization~~-District and shall be allocated three  
376 | Registrations ~~registrations~~.;
- 377 |  
378 | C) Grundy and Kendall Counties combined shall be a Dispensing  
379 | Organization ~~dispensing-organization~~-District and shall be  
380 | allocated one Registration ~~registration~~.;
- 381 |  
382 | D) Kane County shall be a Dispensing Organization ~~dispensing-~~  
383 | ~~organization~~-District and shall be allocated ~~three-two~~  
384 | Registrations ~~registrations~~.;
- 385 |  
386 | E) Lake County shall be a Dispensing Organization ~~dispensing-~~  
387 | ~~organization~~-District and shall be allocated three  
388 | Registrations ~~registrations~~.;
- 389 |  
390 | F) McHenry County shall be a Dispensing Organization ~~dispensing-~~  
391 | ~~organization~~-District and shall be allocated one  
392 | Registration ~~registration~~.;
- 393 |  
394 | G) Will County shall be a Dispensing Organization ~~dispensing-~~  
395 | ~~organization~~-District and shall be allocated three  
396 | Registrations ~~registrations~~.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 3) That part of Cook County outside of the City of Chicago shall be allocated 11 registrations as follows:
- A) Barrington, Hanover, and Palatine Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - B) Elk Grove and Schaumburg Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - C) Maine and Wheeling Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - D) New Trier and Northfield Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - E) Evanston and Niles Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - F) Leyden, Norwood Park, and Proviso Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - G) Berwyn, Cicero, Oak Park, River Forest, and Riverside Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - H) Lemont, Lyons, and Palos Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - I) Calumet, Stickney and Worth Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- J) Bremen, Orland, and Rich Townships combined shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
- K) Bloom and Thornton Townships combined shall be a dispensing Dispensing Organization ~~organization~~ District and shall be allocated one Registration ~~registration~~.
- 4) ~~4)~~The City of Chicago shall be allocated 13 ~~registrations~~ Registrations as follows:
  - A) Jefferson Township shall be a Dispensing Organization ~~dispensing organization~~ District and ~~shall be allocated~~ ~~shall have~~ two Registrations ~~registrations~~.
  - B) Hyde Park Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated two Registrations ~~registrations~~.
  - C) Lake Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated two Registrations ~~registrations~~.
  - D) Lakeview Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated two Registrations ~~registrations~~.
  - E) North Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - F) Rogers Park Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.
  - G) South Township shall be a Dispensing Organization ~~dispensing organization~~ District and shall be allocated one Registration ~~registration~~.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

477 | H) West Township shall be a Dispensing Organization ~~dispensing-~~  
478 | ~~organization~~-District and shall be allocated two  
479 | Registrations~~registrations~~.

481 | b) The Division has the authority to reallocate Registrations by rule based on patient ←  
482 | populations, geography, zoning, location or other reasonable purpose.

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484 | SUBPART C: APPLICATION REQUIREMENTS FOR A MEDICAL CANNABIS  
485 | DISPENSARY REGISTRATION AUTHORIZATION

486 | **Section 1290.30 Dispensing Organization Principal Officers**

488 | a) ~~For purposes of this Part, i~~In addition to the ~~individual or~~ individuals identified in  
489 | the ~~Dispensing Organization~~~~dispensary organization~~'s by-laws as Principal  
490 | Officers~~principal officers of the dispensary~~, the following individuals are  
491 | considered principal officers:  
492 |

- 493 |
- 494 | 1) If a corporation ~~is applying for a dispensary organization registration~~, the  
495 | officers of the corporation;~~;~~
  - 496 | 2) If a partnership ~~is applying for a dispensary organization registration~~, the  
497 | partners;~~;~~
  - 498 | 3) If a limited liability company ~~is applying for a dispensary organization~~  
499 | ~~registration~~, the members of the limited liability company;~~;~~
  - 500 | 4) If an association or cooperative ~~is applying for a dispensary organization~~  
501 | ~~registration~~, the members of the association or cooperative;~~;~~
  - 502 | 5) If a joint venture ~~is applying for a dispensary organization registration~~, the  
503 | individuals who signed the joint venture agreement;~~;~~ and
  - 504 | 6) If a business organization ~~type~~ other than the types ~~of business-~~  
505 | ~~organizations listed~~ in subsections (Aa)(1) through (5), the members of the  
506 | business organization.

507 | b) A ~~proposed-Dispensing Organization~~ ~~dispensing organization~~ may not be  
508 | established as a Trust. A Trust may not have an ownership interest in a  
509 | registered Dispensing Organization~~dispensary organization~~.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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**Section 1290.40 Dispensing Organization Authorization Process and Requirements**

- a) The Division shall review applications and issue Authorizations according to the requirements of the Act and this Part.
- 1) An applicant shall ~~first~~ file an application with the Division for Authorization to register a Dispensing Organization dispensary-organization in accordance with the requirements of this Part.
  - 2) ~~All~~ Applications for Authorizations shall be made on forms furnished by the Division. The application shall be signed by all ~~P~~principal ~~O~~fficers certifying under penalties of perjury that all information contained in the application is true and accurate.
  - 3) An applicant ~~may not submit more than~~ is limited to one -one application for ~~a dispensary~~ Authorization ~~in per any one~~ District per application period. -
  - 4) An applicant may submit separate applications for an Authorization in up to five Districts.
  - 5) Each application requires ~~its own~~ one application fee.
  - 6) ~~6) If an applicant~~ submitting an application in more than one District, the applicant shall identify the Districts ~~where it has submitted applications in~~ or Districts where it ~~maintains a current~~ is Registered redration.
  - ~~7) The Division shall accept applications for 10 working days following the date indicated on the Division's website.~~
  - ~~8) Applications shall be considered received on the date delivered in person during regular business hours and received by a Division employee at the Division's Chicago office.~~
  - 7) Each applicant must submit to and qualify through a fingerprint-based criminal history records check as set forth in this Part.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 556 |        ~~98)~~ The Division shall review each application to determine whether it meets  
557 |        the ~~application minimum~~ criteria, ~~and determine qualified applicants.~~  
558 |  
559 |        ~~9)~~ The Division may consider the location of proposed dispensaries relevant  
560 |        to each other, or existing dispensaries, in the same or adjacent Districts.  
561 |  
562 |        ~~10)~~ The Division shall determine the qualified applicants in each District  
563 |        based on the criteria set forth in this Part.  
564 |  
565 |        ~~11)~~ If the Division determines that a District has the same number of qualified  
566 |        applicants as registrations, then the Division will grant an Authorization to  
567 |        the qualified applicants in that District.  
568 |  
569 |        ~~12)~~ Upon receipt of the Authorization notice, the applicant may submit for  
570 |        Registration approval as provided for in this Part.  
571 |  
572 |        ~~1310)~~ If the Division determines that the number of qualified applicants exceeds  
573 |        the number of Authorizations available in a District, then the Division  
574 |        shall will select the most qualified applicant in that District in accordance  
575 |        with using the selection process established in this Part.  
576 |  
577 |        ~~1411)~~ The Division will issue an Authorization notice to the qualified applicants  
578 |        chosen through the selection process. Qualified applicants chosen through  
579 |        the selection process will receive an Authorization issued by the Division.  
580 |  
581 |        ~~1512)~~ If the Division determines that a dispensing organization District has no  
582 |        qualified applicants or fewer qualified applicants than authorized  
583 |        Registrationsregistrations, the Division shall post a notification on the  
584 |        Division's website detailing the dates of the next open application period,  
585 |        that the Division will invite submission of additional applications. The  
586 |        Division shall accept applications for 10 working days following the date  
587 |        indicated on the Division's website. Applications shall be processed as  
588 |        provided in this Part.  
589 |  
590 |        ~~1613)~~ No individual person or entity shall hold more than 5 five dispensary  
591 |        organization Registrationsregistrations. If, as a result of the process  
592 |        provided for in this Part, a qualified applicant has been granted more than  
593 |        five Authorizations or Registrations by the Division, the applicant shall  
594 |        promptly notify the Division. No person shall be a Principal Officer  
595 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

~~principal officer of in~~ more than five registered Dispensing Organizations~~dispensing organizations~~.

4714) If a Dispensing Organization~~dispensary organization~~'s Registration is ~~deemed~~ void or invalid for any reason, including but not limited to revocation, suspension or nonrenewal, the Division will post a notification on the Division's website detailing the dates of the next open application period and therefore a District is without a registered dispensary organization, the Division shall post a notice on its website and list the date or dates that the Division will accept dispensary applications for the District. Applications shall be processed as provided in this Part and shall be subject to the limitations in this Part.

~~18) The dispensary organization must receive a Registration from the Division prior to opening and dispensing medical cannabis.~~

b) Upon receipt of the Authorization notice, the applicant may submit for Registration approval.

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**Section 1290.50 Dispensing Organization - Application Requirements for Authorization**

a) ~~Authorization Applicants must file an a~~ Applications must be submitted on Division-provided forms ~~as described herein and submit include~~ the following information ~~to the Division;~~

b) ~~The Authorization Application shall include the following information:-~~

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1) The legal name of the proposed Dispensing Organization~~dispensing organization~~.

2) The name, address, telephone number, date of birth, social security number and e-mail address of the proposed Dispensing Organization~~dispensary organization~~'s ~~principal~~ Principal officers~~Officers~~. A post office box may not be used.

3) The name of the proposed dispensary.

4) If the entity applying is a sole proprietorship, a copy of ~~any~~ creation documents ~~or business license~~.



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 5) If the entity applying is a business organization other than a sole proprietorship, the following information for the entity applying:
- A) The type of business organization.
  - B) If a partnership, a copy of any partnership or joint venture documents, and if there is no written agreement, a statement signed by all Principal Officers stating affirming there is no agreement ~~signed by all principal officers.~~
  - C) If a limited liability company, a copy of the Articles of Organization, operating agreement, and certificate of good standing issued by the Secretary of State or obtained from the Secretary of State's website dated within seven 7 days ~~prior to the of~~ the date the application is filed with the Division. Limited liability company applicants shall include a listing of all affiliated persons or business entities holding an ownership interest in the company. ~~—~~
  - D) If a corporation, the name of the registered agent, a copy of the Articles of Incorporation, Corporate Resolutions if any, and, a certificate of good standing issued by the Secretary of State or obtained from the Secretary of State's website within seven 7 days ~~prior to of~~ the date the application is filed with the Division. If using an assumed name ~~(d/b/a)~~, a copy of the assumed name registration issued by the Secretary of State. Corporate applicants shall also include a listing of the registered agent, and a listing of all persons or business es entities holding an ownership interest in the corporation.
  - E) If an unincorporated association, organization or not-for-profit organization, documents or agreements relevant to its creation, ownership, profit sharing, and liability ~~documents, or if~~ there are no documents as detailed in this subsection, a statement signed by all Principal Officers stating so ~~stating there are no such documents signed by all the principal officers.~~
- 6) From each Principal Officer ~~principal officer~~, a statement indicating whether that person:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- A) Has held an ownership interest in a Dispensing Organization ~~dispensing organization~~ or its equivalent in another state or territory of the United States that had the dispensary registration or license suspended, revoked, placed on probationary status, or subject to any other disciplinary action.
- B) Is a physician that will be on the Dispensing Organization's board of directors or an employee, pursuant to Section 35(b)(5) of the Act. ~~Is a physician who certifies or intends to certify qualified patients for the use of medical cannabis or is in a partnership or other fee or profit sharing relationship with a physician who certifies qualified patients for the use of medical cannabis.~~
- C) Is a registered qualified patient or a designated caregiver.
- ~~A) Has an academic degree, certification or relevant experience with a medical cannabis business or in related industries.~~

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- 7) Disclosure of whether any Principal Officer has ever:
  - A) Filed for bankruptcy;
  - B) Defaulted on a student loan; or
  - C) Defaulted on alimony or child support obligation.
- 8) A resume for each Principal Officer, including whether that person has an academic degree, certification or relevant experience with a medical cannabis business or in a related industry.
- 9) A patient education plan detailing the benefits or drawbacks of cannabis strains or products in connection with the debilitating conditions identified in the Act, and initiatives to keep product costs reasonable.
- 10) A description of the training and education that will be provided to dispensary agents.
- 11) A copy of the proposed operating by-laws.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 12) A copy of the proposed business plan, that complies with the requirements in this Part including at a minimum, the following:
  - A) A description of products intended to be offered;
  - B) A description of services to be offered; and
  - C) A description of the process of dispensing cannabis from a restricted access area to a limited access area.
- 13) A copy of the proposed security plan that complies with the requirements in this Part including:
  - A) A description of the delivery process by which cannabis will be received from a cultivation center, including receipt of manifests, and protocols that will be used to avoid diversion, theft or loss at the dispensary acceptance point;
  - 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 access to the limited access areas is restricted to qualifying patients, designated caregivers, registered agents, service professionals and security personnel.
- 14) A proposed inventory control plan that complies with the requirements in this Part.
- 15) A proposed qualifying patient recordkeeping plan and verification system that complies with the requirements in this Part.
- 16) A copy of the local zoning ordinance sections relevant to dispensary operations. Documentation, if any, of the approval, conditional approval or the status of a request for zoning approval from the local zoning office for the proposed dispensary location.
- 17) For the building or land to be used as the proposed dispensary;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 756                    A) If the property is not owned by the applicant, a written statement  
757                    from the property owner and landlord, if any, certifying consent  
758                    that the applicant may operate a dispensary on the premises; or  
759  
760                    B) If the property is owned by the applicant, confirmation of  
761                    ownership.  
762  
763                    18) A copy of any proposed marketing or advertising plan or materials.  
764  
765                    19) A map of the area surrounding the proposed dispensary, extending a  
766                    minimum of 1,000 feet from the property line in all directions. The map  
767                    must clearly demonstrate that the property line of the proposed dispensary  
768                    is not located within 1,000 feet of the property line of a pre-existing public  
769                    or private preschool or elementary or secondary school or day care center,  
770                    day care home, group day care home or part day child care facility. The  
771                    map must clearly demonstrate that the dispensary is not in an area zoned  
772                    for residential use and identify the existing adjacent businesses.  
773  
774                    20) A plot plan of the dispensary drawn to scale. The applicant shall submit  
775                    general specifications of the building exterior and interior layout.  
776  
777                    21) A statement that the Dispensing Organization agrees to respond to the  
778                    Division's supplemental requests for information.  
779  
780                    ~~7) A description of the plan to educate patients, on the benefits or drawbacks of~~  
781                    ~~cannabis products specific to a patient's condition, and a plan to keep~~  
782                    ~~product costs reasonable for patients.~~  
783  
784                    ~~8) A description of the training and education that will be provided to~~  
785                    ~~dispensary agents.~~  
786  
787                    ~~9) A copy of the proposed operating by laws.~~  
788  
789                    ~~10) A copy of the proposed business plan, that complies with the requirements~~  
790                    ~~in this Part including at a minimum, the following:~~  
791  
792                    ~~A) A detailed description of products intended to be offered by the dispensary~~  
793                    ~~organization;~~  
794

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

795 ~~B) A detailed description of services to be offered by the dispensary~~  
796 ~~organization including any patient education or instruction on the benefits~~  
797 ~~of different cannabis strains or products, and,~~

799 ~~C) A detailed description of the process that a dispensary organization will~~  
800 ~~take to ensure that access to the premises will be limited to, qualifying~~  
801 ~~patients, designated caregivers, registered agents and security personnel.~~

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803 ~~11) A copy of the proposed security plan that complies with the requirements~~  
804 ~~in this Part including:~~

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806 ~~A detailed description of the process by which cannabis will be received from a cultivation~~  
807 ~~center, including protocols that will be used to avoid diversion, theft or~~  
808 ~~loss at the dispensary acceptance point, and,~~

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810 ~~A) A detailed description of the process or controls that will be implemented~~  
811 ~~to prevent the diversion, theft or loss of cannabis, security of the premises,~~  
812 ~~agents, patients and currency.~~

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814 ~~12) A copy of the proposed inventory control plan that complies with the~~  
815 ~~requirements in this Part.~~

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817 ~~A copy of the proposed qualifying patient recordkeeping plan and verification system that~~  
818 ~~complies with the requirements in this Part.~~

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820 ~~A copy of the current relevant local zoning ordinance and verification from the~~  
821 ~~local zoning office that the proposed dispensary location is in compliance~~  
822 ~~with the local zoning rules or restrictions.~~

824 ~~For the building or land to be used as the proposed dispensary:~~

826 ~~If the property is not owned by the applicant, a written statement from the~~  
827 ~~property owner and landlord, if any, certifying consent that the applicant~~  
828 ~~may operate a dispensary on the premises, and,~~

830 ~~B) If the property is owned by the applicant, confirmation of ownership.~~

832 ~~16) A copy of any proposed marketing or advertising plan including any~~  
833 ~~educational materials such as brochures, posters or promotional materials.~~

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 835 ~~17) A map of the area surrounding the proposed dispensary, extending a~~  
836 ~~minimum of one thousand feet from the property line in all directions. The~~  
837 ~~map must clearly demonstrate that the proposed dispensary is not located~~  
838 ~~within 1,000 feet of the property line of a pre-existing public or private~~  
839 ~~preschool or elementary or secondary school or day care center, day care~~  
840 ~~home, group day care home, part day child care facility. The map must~~  
841 ~~clearly demonstrate that the dispensary is not in an area zoned for~~  
842 ~~residential use in accordance with the Act.~~
- 843
- 844 ~~18) A plot plan of the dispensary drawn to scale. If the proposed dispensary~~  
845 ~~building is in existence at the time of the application, the applicant shall~~  
846 ~~submit general plans and specifications for the building interior layout. If~~  
847 ~~the building is not in existence at the time of application, the applicant~~  
848 ~~shall submit general plans for the exterior and interior layout for the~~  
849 ~~building to be constructed.~~
- 850
- 851 ~~19) A statement that dispensary organization agrees to respond to~~  
852 ~~supplemental requests for information from the Division.~~
- 853
- 854 eb) Financial Disclosure: The applicant shall provide a ~~financial~~ statement disclosing  
855 relevant business transactions and financial information connected with the  
856 application. ~~The applicant has a continuing duty to promptly disclose material~~  
857 ~~changes in the financial information provided to the Division. If an applicant is~~  
858 ~~issued a Registration, this duty of ongoing disclosure shall continue throughout~~  
859 ~~the registered period.~~ Financial disclosures include:
- 860
- 861 ~~1) The ownership structure of the Dispensing Organization dispensing-~~  
862 ~~organization including percentage ownership of each person or entity-~~  
863 ~~principal officer.;~~
- 864
- 865 ~~2) A current organization chart that includes position descriptions and the~~  
866 ~~names and resumes of each person holding each position. The resumes~~  
867 ~~shall establish each agent's specific skills, education, experience or~~  
868 ~~significant accomplishments that are relevant to owning or operating a~~  
869 ~~Dispensing Organization dispensary organization.;~~
- 870
- 871 3) Depending on business type as applicable: agreements between any two or  
872 more ~~Principal Officers~~ principal officers of the proposed dispensary-  
873 ~~organization~~ that relate to the assets, liabilities, property, profit or future  
874 profit of the Dispensing Organization ~~organization~~ or other comparable

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

documents that establish the legal structure of the applicant, ~~or relate to the business entity, operations, management or and control of the applicant,~~

4) A copy of compensation agreements ~~with between any dispensing organization backers or~~ persons having an indirect financial interest in the Dispensing Organization ~~dispensing organization.~~

~~5) A copy of a compensation agreement that provides, or will provide, payment or any financial benefit to the principal officers whether in the form of salary, wages, commissions, fees, stock options, interest, bonuses or otherwise;~~

~~6) 5) The nature, type, terms, covenants and priorities of all outstanding debts, including but not limited to~~ bonds, loans, mortgages, trust deeds, lines of credit, notes, ~~or other forms of indebtedness~~ issued or executed, or to be issued or executed, in connection with the ~~opening or operating of the~~ proposed dispensary.

~~7) 6) Audited financial statements for the previous fiscal year, which shall include, but not be limited to, an income statement, balance sheet, statement of retained earnings or owners' equity, statement of cash flows, and all notes to such statements and related financial schedules, prepared in accordance with generally accepted accounting principles, along with the accompanying independent auditor's report. The audit must be compiled by and certified by a licensed auditor or CPA. If the applicant was formed within the year preceding this application, provide certified financial statements for the period of time the applicant has been in existence.~~

~~8) 6) 7) Complete copies of all federal, state and foreign (with translation) tax returns filed by the owners or Principal Officers principal officers of the proposed Dispensing Organization dispensing organization for the last three 3 years, or for such the period each Principal Officer has filed tax the owners or principal officers have filed such returns if less than three years.~~

~~9) 8) Complete copies of the most recently filed federal, state and/or foreign (with translation) tax returns filed by each: (i) Dispensing Organization dispensing organization backer; and (ii) each backer member identified in the application.~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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~~10)9)~~ Disclosure of all funding sources used ~~to acquire or develop for the~~ proposed Dispensing Organization ~~business for which the Registration is sought,~~ including independent documentation ~~concerning verifying~~ the source of ~~these the~~ funds and copies of closing documents in connection with the purchase of a registered business.

~~11)10)~~ Projected total expenditures expected before the dispensary is operational.

~~12)11)~~ Projected annual revenue.

~~12)~~ Projected annual budget ~~13)~~ Projected annual budget.

~~14)~~ Disclosure of whether any principal officer has ever:

A) ~~Filed for bankruptcy;~~

B) ~~Defaulted on a student loan;~~

C) ~~Defaulted on alimony or child support payment, or;~~

D) ~~Been convicted of an excluded offense as defined in the Act.~~

~~13)~~ The applicant has a continuing duty to promptly disclose material changes in the financial information provided to the Division. If an applicant is issued a Registration, this duty of ongoing disclosure shall continue throughout the registered period.

ec) Documentation acceptable to the Division that the ~~person applicant applying for Registration~~ has at least \$400,000 in liquid assets under ~~their its~~ control for each application ~~for authorization submitted~~. Documentation acceptable to the Division includes:

- 1) A signed statement from an Illinois Licensed ~~CPA, Certified Public Accountant~~ or Financial Institution attesting to proof of \$400,000.00 in liquid assets under the control of a ~~Principal Officer principal officer(s) and/or the~~ entity applying ~~and~~;
- 2) Two copies of the signed statement are required, one must be dated at least 30 calendar days before the application ~~date of application~~, and one must

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

955 be dated within five days of the application date ~~the application is~~  
956 ~~submitted to the Division.~~

957  
958 3) Documentation otherwise authorized by the Division in writing.

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960  
961 d) An attestation under penalty of perjury signed and dated by each Principal Officer  
962 identified in subsection 1290.50(a)(2):

963  
964 1) That the person has not been convicted of an excluded offense;

965  
966 2) That the information provided to the Division is true and correct;

967  
968 3) That if the proposed organization is issued an Authorization, the applicant  
969 will not operate until the Division approves the applicant's Registration  
970 Packet, the dispensary is inspected and the applicant obtains a Registration  
971 from the Division;

972  
973 4) That the applicant acknowledges receipt and advisement of the notices  
974 contained in the application and agrees to and accepts the limitations of  
975 liability and the requirement to indemnify, hold harmless and defend the  
976 State of Illinois, including:

977  
978 A) Limitation of Liability—the State of Illinois shall not be liable to the  
979 Dispensing Organization, Dispensing Organization employees,  
980 family members or guest(s), qualifying patients or caregivers,  
981 qualifying patient's or caregivers employer or employees, family  
982 members or guest(s) for any damage, injury, accident, loss,  
983 compensation or claim, based on, arising out of or resulting from  
984 the registrant's participation in the Compassionate Use of Medical  
985 Cannabis Pilot Program Act, including, but not limited to, the  
986 following: arrest, seizure of persons or property, prosecution  
987 pursuant to federal laws by federal prosecutors, any fire, robbery,  
988 theft, mysterious disappearance or any other casualty; or the  
989 actions of any other registrants or persons. This Limitation of  
990 Liability provision shall survive expiration or the early termination  
991 of the Registration if the Registration is granted; and  
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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

993 B) The Division requires each Registrant to include a signed  
994 statement in the Registration Packet that, at minimum, certifies that  
995 the applicant has actual notice that, notwithstanding any State law:

996  
997 i) Cannabis is a prohibited Schedule I controlled substance  
998 under federal law;

999  
1000 ii) Participation in the Medical Cannabis program is permitted  
1001 only to the extent provided by the strict requirements of the  
1002 Act and this Part;

1003  
1004 iii) Any activity not sanctioned by the Act or this Part may be a  
1005 violation of state law;

1006  
1007 iv) Growing, distributing, or possessing cannabis in any  
1008 capacity, except through a federally-approved research  
1009 program, is a violation of federal law;

1010  
1011 v) Use of medical cannabis may affect an individual's ability  
1012 to receive federal or state licensure in other areas;

1013  
1014 vi) Use of medical cannabis, in tandem with other conduct,  
1015 may be a violation of State or federal law;

1016  
1017 vii) Participation in the Medical Cannabis program does not  
1018 authorize any person to violate federal law or state law and,  
1019 other than as set out in 410 ILCS 130/25, does not provide  
1020 any immunity from or affirmative defense to arrest or  
1021 prosecution under federal law or State law; and

1022  
1023 viii) Applicants shall indemnify, hold harmless, and defend the  
1024 State of Illinois for any and all civil or criminal penalties  
1025 resulting from participation in the program.

1026  
1027 C) The Division has the authority to include additional certifications  
1028 in the application that would be sufficient to ensure compliance  
1029 with the Medical Cannabis program and all other applicable laws.

1030 ~~e) A statement that, if the applicant is issued Authorization, the applicant will not operate~~  
1031 ~~until the applicant submits a dispensary registration application that is approved~~

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1032 | ~~by the Division, the dispensary is inspected, and the applicant obtains a~~  
1033 | ~~dispensing organization registration from the Division.~~
- 1034 |
- 1035 | ~~f) An attestation under penalty of perjury signed by each principal officer that the~~  
1036 | ~~information provided to the Division is true and correct.~~
- 1037 |
- 1038 | ~~g) Each principal officer identified in subsection 1290.50(b)(2) shall submit under~~  
1039 | ~~penalty of perjury a signed and dated:~~
- 1040 |
- 1041 | ~~1) Attestation that the person has not been convicted of an excluded offense as~~  
1042 | ~~defined in the Act, and,~~
- 1043 |
- 1044 | ~~2) Each principal officer shall submit to a fingerprint based criminal history records~~  
1045 | ~~check as set forth in this Part.~~
- 1046 |
- 1047 | ~~he)~~ All proposed ~~Principal Officers~~ ~~principal officers~~ must be natural persons. The  
1048 | Division will communicate ~~only~~ with the proposed ~~Dispensing dispensary~~  
1049 | ~~organization's Organization's Principal Officers~~ ~~principal officers~~. The Division  
1050 | will not ~~coordinate-communicate exclusively~~ with a consultant working on behalf  
1051 | of the proposed ~~Dispensing dispensary~~ ~~Organization~~.
- 1052 |
- 1053 | ~~if)~~ The name and resume of the proposed agent-in-charge.
- 1054 |
- 1055 | ~~ig)~~ The non-refundable application fee.
- 1056 |

1057 | **Section 1290.60 Selection Process**

- 1058 |
- 1059 | a) The Division will conduct a comprehensive, fair, and impartial evaluation of the  
1060 | applications timely received. It will award ~~Dispensing dispensary organization-~~  
1061 | ~~Organization Authorizations registrations~~ on a competitive basis.
- 1062 |
- 1063 | b) Applications will be assessed to determine whether they meet the mandatory  
1064 | minimum qualification criteria. ~~All A~~ application items are mandatory unless  
1065 | otherwise indicated. An applicant that fails to submit the information required by  
1066 | this Part may be disqualified prior to the review and scoring process.
- 1067 |
- 1068 | ~~c)~~ The Division will accept applications, assigning each one a sequential number.  
1069 | During the selection process, the application will be reviewed and referred to by  
1070 | its assigned number.
- 1071 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1072 | ~~d) e) The An application will be disqualified if one or more of the prospective~~  
1073 | ~~Principal Officers has been convicted of an excluded offense. evaluation process~~  
1074 | ~~will include a criminal records check.~~
- 1076 | ~~e) Where the Division receives more than one complete and timely filed application~~  
1077 | ~~for an Authorization in a District, the Division will choose the applicant through a~~  
1078 | ~~selection and scoring process.~~
- 1079 | ~~d) Applications meeting the minimum criteria will be scored based on the selection~~  
1080 | ~~criteria detailed in this Part.~~
- 1082 | ~~e) The Division may receive more than one administratively complete and timely~~  
1083 | ~~filed application for a dispensary Authorization in a dispensing organization~~  
1084 | ~~District. If the Division must choose an applicant, the Division shall choose the~~  
1085 | ~~applicant through a deliberate selection process and overseen by a panel selected~~  
1086 | ~~by the Director of the Division.~~
- 1088 | ~~f) During the application intake process for an Authorization, the Division will~~  
1089 | ~~accept applications, and assign each application a number sequentially. During~~  
1090 | ~~the selection process, the application will be reviewed and referred to by its~~  
1091 | ~~assigned application number.~~
- 1093 | ~~g) The Division will rank each complete application based on its total score.~~
- 1095 | ~~g) Authorizations will be issued to the applicants meeting at least the minimum~~  
1096 | ~~criteria in each category and with the highest total score overall per District and~~  
1097 | ~~based on the number of allocated Registrations per District.~~
- 1099 | ~~h) In the event that two or more applicants receive the same total high score, the~~  
1100 | ~~Division will select the applicant that received the highest score in the security~~  
1101 | ~~and recordkeeping categories. In the event that the applicants received the same~~  
1102 | ~~score in the security and recordkeeping categories, the tied applicants will be~~  
1103 | ~~interviewed by a panel of three selected by the Director of the Division.~~
- 1105 | ~~hi) The Division may issue up to sixty-60 dispensing-Dispensing organization~~  
1106 | ~~Organization Authorizations. If the Division concludes that during the first~~  
1107 | ~~request for applications, no qualified applications are timely received for a~~  
1108 | ~~District or Districts, the Division reserves the right to award fewer than sixty-60~~  
1109 | ~~Authorizations. If a second round of applications is requestedrequired, then the~~  
1110 | ~~second round will be conducted in the same manner as the first.~~  
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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1112 | ~~ij)~~ An Authorization notice will be sent to a successful applicant. The Authorization  
1113 | notice will include a registry identification number to be used on all future  
1114 | communication with the Division.  
1115 |

1116 | ~~kj)~~ A letter of denial to an applicant shall serve as a final administrative decision by  
1117 | the Division and shall be subject to the Administrative Review Law. [735 ILCS  
1118 | 5/Art.111].  
1119 |

1120 | ~~l)~~ To reassign a Registration, the Division will publish on its website and in such  
1121 | other places as the Division deems appropriate, a notice of open applications for  
1122 | dispensary Registration. The notice shall include:

1123 | ▲ (1) The number of Registrations anticipated to be awarded;

1124 | ▲ (2) Information on how to obtain an application;

1125 | ▲ (3) The deadline for receipt of applications;

1126 | ▲ (4) Acceptable methods for submitting an application;

1127 | ▲ (5) The available District;

1128 | **Section 1290.70 Selection Criteria**

1129 | a) ~~Each application shall address all requirements set forth in this Part. Applicants~~  
1130 | ~~must submit all required information, including that required in Section 1290.50.~~  
1131 | The failure by an applicant to ~~address~~ submit all of the ~~requirements~~ required  
1132 | information may result in the application being ~~denied~~ disqualified.  
1133 |

1134 | b) After receipt of the application, the Division may issue a deficiency notice to the  
1135 | applicant citing inadequacies ~~that may be and an offer to~~ cured by the applicant in  
1136 | the manner and timeframe set forth in the notification.

1137 | c) ~~The Division will score based on the quality of the application as compared to the~~  
1138 | ~~requirements set forth in this Part. The Division will consider the quality of the~~  
1139 | applicant's responses to required information and applicants will be scored on that  
1140 | information and the following categories:

1141 | 1) Suitability of the proposed dispensary;

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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A) ~~The applicant~~ demonstrates that the proposed dispensary location is suitable for public access, the layout promotes safe dispensing of medical cannabis, it is sufficient in size, power allocation, interior and exterior layout, lighting, parking, handicapped accessible parking spaces, ADA accessible entry and exits, any additional features beyond what is required by the ADA, product handling, and storage, and;

~~B) The applicant~~ provides a statement of reasonable assurance that the issuance of a Registration will not have a detrimental impact on the community, provides policies and practices for dispensary agents, to establish the day-to-day dispensary operation.

2) Security Plan and Recordkeeping;

~~A) The security plan will demonstrate the capability for the prevention of the theft or diversion of medical cannabis. The security plan will demonstrate safety procedures for dispensary employees, patients and caregivers, and safe delivery and storage of cannabis and currency. It will evidence compliance with all security requirements in this Part.~~

~~The applicant's security plan demonstrates the capability for adequate security, theft prevention and diversion of medical cannabis and provides details on interfacing with ISP and the Division. It shall specifically evidence compliance with all security plan requirements in this Part.~~

~~A) B)~~

~~B) The applicant's security plan demonstrates safety procedures for dispensary employees, patients and caregivers; how currency will be handled and kept safe; and includes a community deleterious-prevention plan.~~

~~C) The applicant details its plan for record-keeping, tracking and monitoring inventory, quality control and other policies and procedures that will discourage unlawful activity. This plan shall include the applicant's strategy to interface with the Division and ISP on its plans for the destruction and disposal of cannabis.~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- ~~D) The applicant's security plan shall detail the dispensary layout, limited and restricted access areas, the enclosed, locked area that will be used to secure or store medical cannabis, including when the location is closed for business, all relevant security measures.~~
  - B) A plan for record keeping, tracking and monitoring inventory, quality control and other policies and procedures that will discourage unlawful activity. This plan will include the applicant's strategy to communicate with the Division and ISP on the destruction and disposal of cannabis.
  - ~~E) The applicant shall describe a detailed plan describing protocols and methods for the safe and secure receipt of deliveries of medical cannabis from cultivation centers.~~
- 3) Applicant's business plan, financials and operating plan:
- ~~A) A) The applicant shall provide a business plan that shall describe at a minimum, how the Dispensing dispensary organization- Organization will operate be managed on a long-term basis. This shall include the applicant providing a detailed description of the patient verification system, including purchases and denials of sale, confidentiality, and products and services to be offered.~~
  - ~~B) Amount and source of the equity and debt commitment for the proposed dispensary that demonstrates the immediate and long-term financial feasibility of the proposed financing plan, the relative availability of funds for capital and operating needs, and the financial capability to undertake the project.~~
  - B) The financial plan shall describe at a minimum, the amount and source of the equity and debt commitment to ensure financial stability, including a demonstration of the immediate and long-term financial health and resources for the design, development and operation of the dispensary.
  - C) The operating plan shall include at a minimum a timetable which provides an estimated time from Authorization through year one of Registration and the assumptions used as the basis for those estimates. It will include best practices for day-to-day dispensary operation and staffing.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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~~C) The business plan shall demonstrate a start-up timetable which provides an estimated time from registration of the dispensary to full operation, and the assumptions used for the basis of those estimates.~~

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4) Knowledge and Experience: ~~;~~

A) The applicant's ~~Principal Officers~~ principal officers must demonstrate experience and qualifications in business management ~~and/or medical industry experience~~ or experience with the medical cannabis industry. This includes ensuring optimal safety and accuracy in the dispensing and sale of cannabis.

~~B)~~ B) The applicant must demonstrate knowledge of ~~the various~~ cannabis product strains or varieties ~~to be sold~~, and describes the ~~number~~ and types and quantities of products planned to be sold. This ~~section will include~~ confirmation of whether the dispensary plans to sell medical cannabis paraphernalia ~~and or~~ edibles.

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~~A)~~

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d) The Division will award additional points for preferred but not required initiatives based on the applicant's ability to meet requirements in the following categories:

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1) Labor and Employment Practices: The applicant may describe plans to provide a safe, healthy and economically beneficial working environment for its agents, including, but not limited to, ~~its plans regarding workplace safety and environmental standards,~~ codes of conduct, healthcare benefits, educational benefits, retirement benefits, and living wage standards.

2) Research Plan: The applicant may provide the Division with a detailed proposal to conduct, or facilitate, a scientific study or studies related to the medicinal use of cannabis. ~~To the extent it has been determined, The the~~ applicant may include in its proposal, a detailed description of:

A) The methodology of the study to accurately assess the effects of cannabis,

B) The issues ~~(s)~~ to be studied,



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1271 | C) The method~~s(es)~~ that will be used to identify and select study  
1272 | participants,  
1273 |  
1274 | D) The identity of ~~all~~each -persons or organizations ~~that will be~~  
1275 | ~~worked with in connection~~associated with the study, including the  
1276 | role of each,  
1277 |  
1278 | E) The duration of the study and anticipated peer review, and;  
1279 |  
1280 | F) The intended use of the study results.  
1281 |  
1282 | 3) Community Benefits Plan: The applicant may provide a ~~detailed~~  
1283 | description of plans the applicant has to support the local community, ~~at~~  
1284 | ~~the local level~~the class of citizens served if awarded a dispensary  
1285 | ~~Registration, including or any a plan for~~reduction in product costs for  
1286 | indigent patients that qualify.  
1287 |  
1288 | 4) Substance Abuse Prevention Plan: The applicant may provide a detailed  
1289 | description of any plans it will take to combat substance abuse in its  
1290 | District, including the extent to which the applicant will partner or work  
1291 | with existing substance abuse programs.  
1292 |  
1293 | 5) Local Community/Neighborhood Report: The applicant may provide  
1294 | comments, concerns or support received regarding the potential impact of  
1295 | the proposed location on the local community and neighborhood. ~~This~~  
1296 | ~~shall include the local community's concerns or support on the proposed~~  
1297 | ~~location, proximity to substance abuse treatment centers, day care centers,~~  
1298 | ~~schools and halfway houses.~~  
1299 |  
1300 | 6) Environmental Plan: The applicant may demonstrate an environmental  
1301 | plan of action to minimize the carbon footprint, environmental impact, and  
1302 | resource needs for the dispensary.  
1303 |  
1304 | 7) Minority and/or Woman Ownership and Operation: The applicant may  
1305 | describe the percentage of minority or woman ownership. In addition, the  
1306 | applicant may describe how minorities and/or women will control the  
1307 | management and daily operations.Verification of Minority-Owned,  
1308 | Woman-Owned, Veteran-Owned, or Disabled Person-Owned:  
1309 | The Minority, Woman, Veteran, or Disabled applicants must own at least  
1310 | 51 percent of the entity applying for registration. The percentage totals

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1311 may include any combination of Minority, Woman, Veteran, or Disabled  
1312 applicants. The Minority, Woman, Veteran or Disabled applicant must  
1313 also share in control of management and day-to-day operations of the  
1314 dispensary. Documentation must be submitted at the time of application  
1315 that demonstrates the respective status of the applicant.

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1317 ~~8) A verification that the proposed managing agent in charge is licensed in a~~  
1318 ~~medical profession regulated by the Division.~~

1319 98) Illinois Based Applicants: ~~A verification~~Documentation that the  
1320 applicant's principal place of business is headquartered in Illinois,  
1321 ~~including: t~~The names, addresses and verification of the applicant's  
1322 proposed agents that reside in Illinois. The applicant may also provide a  
1323 plan for generating Illinois-based jobs and economic development.

1325 e) ~~e)The Division may verify information contained in each application and~~  
1326 ~~accompanying documentation to assess the applicant's character and fitness to~~  
1327 ~~operate a dispensary.~~

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1329 f) Should the applicant be awarded an Authorization, the information and plans  
1330 provided in the application become a condition of the Authorization. Failure to  
1331 comply with the conditions or requirements may subject the ~~dispensing-~~  
1332 ~~Dispensing O~~rganization to discipline, up to and including suspension or  
1333 revocation of its Authorization by the Division. Revocation of an Authorization  
1334 shall serve as a final administrative decision by the Division.

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1336 ~~f) A registration shall be issued to the applicant receiving at least the minimum-~~  
1337 ~~required score in each category and the highest total score overall.~~

1339 ~~g) In the event that 2 or more applicants for a dispensary registration receive the~~  
1340 ~~same total score, the Division shall select the applicant that received the highest~~  
1341 ~~combined score in the security and recordkeeping categories. In the event that the~~  
1342 ~~same 2 applicants received the same score in the security and recordkeeping-~~  
1343 ~~categories, the tied applicants will be interviewed by an unbiased panel selected-~~  
1344 ~~by the Division.~~

1345 **Section 1290.80 Fees**

1346 The following non-refundable fees shall be paid to the Division.:

1347 a) Application Fees.:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 1) The Authorization application fee is \$5,000. One ~~authorization~~ application fee is to be submitted with required for each application ~~for each District~~.
- 2) The Registration fee is \$30,000. One ~~registration~~ Registration application fee is required for each ~~registration~~ Registration.
- 3) The application fee for a Dispensing Organization ~~dispensing organization~~ agent is \$100. This fee includes the agent identification card.
- 4) The fee for a request to change the Division approved location of a Dispensing Organization ~~dispensing organization~~ within ~~the its~~ assigned ~~dispensing organization~~ District is \$5,000.

b) Renewal Fees:

- 1) The annual renewal fee for ~~the renewal of a~~ Dispensing Organization ~~dispensing organization registration~~ Registration certificate is \$25,000.
- 2) The annual renewal fee for ~~the renewal of a~~ Dispensing Organization ~~dispensing~~ agent identification card is \$50.

c) General Fees:

- 1) The fee for the issuance of a replacement Dispensing Organization ~~dispensary organization~~ Registration ~~registration~~ is \$50.
- 2) The fee for the issuance of a replacement Dispensing Organization ~~dispensing organization~~ agent identification card is \$50.
- ~~3) The fee for a certification of a registrant's record for any purpose is \$50.~~

- d) All monies collected under this Act shall be deposited in the Compassionate Use of Medical Cannabis Fund in the State treasury.

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SUBPART D: DISPENSARY REGISTRATION

**Section 1290.100 Dispensing Organization - Registration Process**

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1391 | a) No person may own, operate or act as a Dispensing Organization ~~dispensary-~~  
1392 | ~~organization~~ or represent that the person or organization is a registered  
1393 | Dispensing Organization ~~dispensary organization~~ unless first obtaining a  
1394 | Registration from the Division ~~pursuant to this Part.~~
- 1395 | ~~b) The Division shall assign dispensary organization registrations in accordance with~~  
1396 | ~~this Section and this Part.~~
- 1397 |
- 1398 |
- 1399 | ~~b) e) The Registration process for issuing a dispensary registration shall include the~~  
1400 | following:
- 1401 |
- 1402 | 1) If the Division issues an Authorization to an applicant, the Division will  
1403 | notify the applicant that it may file for a Registration with the Division.
- 1404 |
- 1405 | 2) Only ~~the an~~ applicants granted an Authorization ~~is are~~ permitted to register  
1406 | a Dispensing Organization ~~dispensing organization~~.
- 1407 |
- 1408 | 3) ~~To register with the Division, a~~ Dispensing Organization ~~dispensing-~~  
1409 | ~~organization shall file submit to the Division~~ all supporting information  
1410 | and documents in a Registration Packet. The Registration Packet shall  
1411 | include all required Registration ~~registration~~ materials in accordance with  
1412 | this Section and this Part. All Registration ~~registration~~ materials ~~required-~~  
1413 | ~~by this Part~~ shall be submitted together ~~and at the same time.~~
- 1414 |
- 1415 | 4) A Dispensing Organization ~~dispensary organization~~ must file the  
1416 | Registration Packet with the Division within 120 days of the date of the  
1417 | Authorization notification unless otherwise authorized by the Division.
- 1418 |
- 1419 | 5) The Division may identify ~~deficient incomplete~~ or missing information  
1420 | from the Registration Packet. ~~If the dispensary submits an incomplete~~  
1421 | ~~Registration Packet, T~~he Division may request additional information  
1422 | from the ~~dispensary organization~~ applicant, or the Division may deny the  
1423 | Registration Packet.
- 1424 |
- 1425 | 6) If a Registration Packet is denied by the Division, the Dispensing  
1426 | Organization ~~dispensing organization~~ may re-file it within 10 business  
1427 | days with information or documents which caused its denial ~~within 10-~~  
1428 | ~~business days, unless otherwise agreed to by the Division, including the~~  
1429 | ~~information or documents which caused its denial.~~ If the Registration  
1430 | Packet is denied by the Division more than three times, the Division may

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1431 | withdraw ~~the its~~ Authorization ~~from the dispensary organization~~. A letter  
1432 | withdrawing an Authorization shall serve as a final administrative decision  
1433 | by the Division ~~and shall be subject to the Administrative Review Law~~.

1434 |  
1435 | **dc)** Once all required information and documents have been submitted, the Division  
1436 | will review the Registration Packet. The Division may request revisions and  
1437 | retains final approval over dispensary features. Once the Registration Packet is  
1438 | complete and meets the Division's approval, the Division ~~shall will~~ conditionally  
1439 | approve the Registration. ~~Conditional-Final~~ approval is contingent on the ~~final~~  
1440 | build-out and Division inspection.

1441 |  
1442 | **ed)** Upon ~~final~~ completion of the dispensary ~~facility~~, the Dispensing Organization  
1443 | ~~dispensing organization~~ shall request an inspection. ~~The Division will inspect the~~  
1444 | ~~dispensary to confirm compliance with the Registration Packet, the Act and this~~  
1445 | Part.

1446 |  
1447 | ~~f)~~ ~~Prior to issuing a final Registration and approval to operate, the Division will~~  
1448 | ~~inspect the dispensary facility to confirm compliance with the Act and this Part.~~

1449 |  
1450 | **gc)** A Registration will be issued only after the completion of a successful inspection.

1451 |  
1452 | **hf)** Once the Division has ~~approved the dispensary facility and~~ issued a Registration,  
1453 | the dispensary organization shall notify the Division of the proposed ~~dispensary~~  
1454 | opening date. ~~The dispensary organization shall provide at least 3 days notice to~~  
1455 | ~~the Division prior to opening.~~

1456 |  
1457 | **ig)** A Dispensing Organization ~~dispensing organization in good standing with the~~  
1458 | ~~Division~~ is not prohibited from applying for a cultivation center ~~registration~~  
1459 | ~~permit in conformance connection~~ with the Department of Agriculture's rules.

1460 |  
1461 | **Section 1290.110 Dispensing Organization - Registration Requirements**

1462 |  
1463 | ~~a)~~ ~~A person granted an Authorization, shall submit a Registration Packet to the~~  
1464 | ~~Division that includes all the requirements in this Section.~~

1465 | **ba)** The Registration Packet will ~~include be consistent with~~ the ~~general~~ information  
1466 | contained in the ~~initial~~ application, and shall provide additional detail on  
1467 | construction, start-up and operation.  
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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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~~b) A person granted an Authorization, shall submit a Registration Packet to the Division that includes the following Registration requirements. A dispensary organization shall submit a Registration Packet to the Division including the following information:~~

- 1) The legal name of the Dispensing Organization;
- 2) The name of the dispensary facility;
- 3) The registry identification number for the Dispensing Organization;
- 4) The proposed physical address of the dispensary facility;
- 5) The address, telephone number, and e-mail address of the applicant's principal place of business if different from the location where the medical cannabis will be dispensed. A post office box is not permitted;
- 6) The name, address, date of birth and social security number for each proposed Dispensing Organization agent;
- 7) The proposed hours of operation;
- 8) Any proposed text or graphic materials to be shown on the exterior of the proposed dispensary;
- 9) The distance from the proposed dispensary's property line to the property line of the closest pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home and part day child care facility;
- 10) The anticipated date the Dispensing Organization will be ready for a Division inspection;
- 11) An attestation under penalty of perjury that the information provided to the Division for Registration is true and correct;
- 12) Certification issued by the local jurisdiction's zoning office authorizing the use of the proposed plot as a dispensary;

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1509           13) A site plan drawn to scale of the proposed dispensary showing streets,  
1510           traffic direction, sidewalks, trees, alleys, property lines, additional  
1511           buildings on-site, parking areas and handicapped parking spaces, fences,  
1512           exterior walled areas, garages, vehicle delivery access doors, hangars,  
1513           security features and outdoor areas as applicable;  
1514  
1515           14) A floor plan or blueprint drawn to scale of the building where the  
1516           proposed dispensary will be, which shall at a minimum show and identify:  
1517  
1518           A) Layout and square footage of each room;  
1519  
1520           B) Overall square footage of the dispensary facility;  
1521  
1522           C) Name and function of each room;  
1523  
1524           D) Doorways or pathways between rooms;  
1525  
1526           E) Means of ingress and egress;  
1527  
1528           F) Location of restricted and limited access areas;  
1529  
1530           G) Location of cannabis storage areas while the dispensary is open for  
1531           business;  
1532  
1533           H) Location of cannabis storage areas while the dispensary is closed  
1534           for business;  
1535  
1536           I) Location of the sink and refrigerator; if any,  
1537  
1538           J) Location of all safes or vaults that will be used to store cannabis,  
1539           cannabis products or currency;  
1540  
1541           K) Location of each computer used to check qualifying patient cards  
1542           or designated caregiver registry cards;  
1543  
1544           L) Location of each computer and cash register used for point of sale  
1545           transactions and to access the Division's verification system;  
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1547           M) Location of bullet-proof glass;  
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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1549                    N) Location of drawer, grate or conduit through the bullet-proof glass;  
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1551                    O) Location of bullet-proof walls, if any.;  
1552  
1553                    P) Location of fire exits;  
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1555                    Q) Location of each toilet facility;  
1556  
1557                    R) Location of a break room and personal storage lockers, if any;  
1558  
1559                    S) Location of patient counseling areas;  
1560  
1561                    T) Location of each video camera;  
1562  
1563                    U) Location of each panic button; and  
1564  
1565                    V) Location of natural and artificial lighting sources.  
1566  
1567                    15) Policies and procedures that comply with the requirements in this Part  
1568                    outlined in an Operation and Management Practices Plan, including:  
1569  
1570                    A) Inventory control;  
1571  
1572                    B) Qualifying patient and designated caregiver recordkeeping;  
1573  
1574                    C) Point of Sale recordkeeping;  
1575  
1576                    D) Security;  
1577  
1578                    E) Patient care education and support;  
1579  
1580                    F) Operations manual, including accessible business hours and safe  
1581                    dispensing; and  
1582  
1583                    G) A staffing plan that ensures adequate staffing, training and  
1584                    education.  
1585  
1586                    16) An explanation of products or services to be offered, if any, other than  
1587                    cannabis.  
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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1589 17) A plan for a continuous supply of medical cannabis to registered
- 1590 qualifying patients and designated caregivers.
- 1591
- 1592 18) The estimated volume of cannabis it plans to store at the dispensary.
- 1593
- 1594 19) A detailed description of air treatment systems that will be installed to
- 1595 reduce odors.
- 1596
- 1597 20) A description of the features that will provide accessibility to qualifying
- 1598 patients and designated caregivers as required by the ADA.
- 1599
- 1600 21) A plan detailing how the Dispensing Organization will perform a physical
- 1601 inventory of all medical cannabis on a daily basis.
- 1602
- 1603 22) An attestation that the Dispensing Organization will have safes or vaults
- 1604 with dimensions sufficient for storage of cannabis, cash and currency.
- 1605
- 1606 23) Documentation that the building meets State and local building and fire
- 1607 codes, and that all local ordinances are met for the proposed location.
- 1608
- 1609 24) A reasonable assurance that the issuance of a Registration will not have a
- 1610 detrimental impact on the community.
- 1611
- 1612 25) A plan to prevent patient overflow in waiting rooms and patient care areas.
- 1613
- 1614 26) A signed statement by each Principal Officer or agent that they will not
- 1615 divert medical cannabis.
- 1616
- 1617 27) The Registration fee.
- 1618
- 1619 28) Any additional information requested by the Division.
- 1620

~~A)The legal name of the dispensing organization,-~~

~~B)The name of the dispensary facility,-~~

~~C)The registry identification number for the dispensing organization,-~~

~~D)The proposed physical address of the dispensary facility,-~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- ~~E)The address, telephone number, and e-mail address of the applicant's principal office if different from the location where the medical cannabis will be dispensed. A post office box is not permitted;~~
- ~~F)The name, address, date of birth and social security number for each proposed dispensing organization agent;~~
- ~~G)The dispensing organization's proposed hours of operation;~~
- ~~H)Any proposed text or graphic materials to be shown on the exterior of the proposed dispensary facility;~~
- ~~I)A summary of the distance from the proposed dispensary's property line to the closest pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility;~~
- ~~J)The anticipated date the dispensing organization will be ready for an inspection by the Division;~~
- ~~K)An attestation under penalty of perjury that the information provided to the Division for approval to operate a dispensary is true and correct, and;~~
- ~~L)The signatures and date of each principal officer identified in the application.~~
- ~~2)A copy of documentation issued by the local jurisdiction to the dispensing organization authorizing use of the proposed building as a dispensary, including but not limited to a certificate of occupancy, a special use permit, or a conditional use permit.~~
- ~~3)A sworn notarized statement signed and dated that the dispensing organization is in compliance with local zoning ordinances or restrictions.~~
- ~~4)Explanation of products or services, if any, that will be offered in addition to cannabis and cannabis infused products.~~
- ~~5)An operations manual that demonstrates compliance with the Act and this Part.~~

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- ~~6) A staffing plan that ensures adequate staffing, adequate dispensary agent knowledge and experience, accessible business hours and safe dispensing.~~
- ~~7) A plan for a continuous supply of medical cannabis to registered qualifying patients and designated caregivers.~~
- ~~8) The estimated amount of cannabis it plans to store at the dispensary.~~
- ~~9) A site plan drawn to scale of the proposed dispensary showing streets, traffic direction, sidewalks, trees, alleys, property lines, additional buildings on site, parking areas and handicapped parking spaces, fences, exterior walled areas, garages, vehicle delivery access doors, hangars, security features and outdoor areas as applicable.~~
- ~~10) The location and site plan including a floor plan or blueprint drawn to scale of the building where the proposed dispensary will be, which shall at a minimum show and identify:
  - ~~A) Layout and square footage of each room,~~
  - ~~B) Overall square footage of the dispensary facility,~~
  - ~~C) Name and function of each room,~~
  - ~~D) Doorways or pathways between rooms,~~
  - ~~E) Means of ingress and egress,~~
  - ~~F) Location of restricted and limited access areas,~~
  - ~~G) Location of cannabis storage areas while dispensary is open for business,~~
  - ~~H) Location of cannabis storage areas while dispensary is closed for business,~~
  - ~~I) Location of the sink and refrigerator, if any,~~~~

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1708 ~~J) Location of all approved safes or vaults that will be used to store~~
- 1709 ~~cannabis, cannabis products or currency,~~
- 1710
- 1711 ~~K) Location of each computer used to check qualifying patient cards~~
- 1712 ~~or designated caregiver registry cards,~~
- 1713
- 1714 ~~L) Location of each computer and cash register used for point of sale~~
- 1715 ~~transactions,~~
- 1716
- 1717 ~~M) Location of bullet proof glass,~~
- 1718
- 1719 ~~N) Location of drawer, grate or conduit through the bullet proof~~
- 1720 ~~glass,~~
- 1721
- 1722 ~~O) Location of bullet proof walls,~~
- 1723
- 1724 ~~P) Location of fire exits,~~
- 1725
- 1726 ~~Q) Location of each toilet facilities,~~
- 1727
- 1728 ~~R) Location of a break room and personal storage lockers, if any,~~
- 1729
- 1730 ~~S) Location of patient counseling areas,~~
- 1731
- 1732 ~~T) Location of each video camera,~~
- 1733
- 1734 ~~U) Location of each panic button, and~~
- 1735
- 1736 ~~V) Location of natural and artificial lighting sources.~~
- 1737
- 1738 ~~11) Policies and procedures that comply with the requirements in this Part for:~~
- 1739
- 1740 ~~A) Inventory control,~~
- 1741
- 1742 ~~B) Qualifying patient and designated caregiver recordkeeping,~~
- 1743
- 1744 ~~C) Point of Sale recordkeeping,~~
- 1745
- 1746 ~~D) Security plan that the Division will review for approval, and,~~
- 1747

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- ~~E) Patient care education and support.~~
- ~~12) A detailed description of air treatment systems that will be installed to reduce off-site odors.~~
- ~~13) A description of the features, if any, that will provide accessibility to qualifying patients and designated caregivers beyond what is required by the ADA.~~
- ~~14) A plan detailing how the dispensary organization will perform a physical inventory of all medical cannabis on a daily basis.~~
- ~~15) An attestation that the dispensary organization will have safes or vaults with dimensions sufficient for storage of cannabis, cash and currency.~~
- ~~16) Documentation that the building meets state and local building and fire codes, and that all local ordinances are met for the proposed location.~~
- ~~17) A community deleterious prevention plan.~~
- ~~18) The applicable fee for a dispensing organization registration.~~
- ~~19) Any additional information requested by the Division.~~
- ~~e)~~
- ~~c) The Registration Packet shall be signed and dated by each Principal Officer.~~
- ~~d) Upon Division approval of the dispensing organization Registration Packet, the information and plans in the Registration Packet, information and plans approved by the Division become a condition of the Registration.~~
- ~~d) If an applicant fails to comply with the requirements of the Act and this Part, the Division may notify the applicant of the deficiencies and request that the Registrant comply. Failure to comply may subject the dispensing organization to discipline, up to and including suspension or revocation of its Registration.~~
- ~~e) A dispensing organization shall provide evidence of financial responsibility payable to the Division if the dispensing organization fails to timely and successfully complete the construction of a dispensary or if it fails to operate the dispensary in a manner that provides uninterrupted supply of cannabis to~~

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1788 ~~registered patients and designated caregivers during the term of the registration.~~  
1789 ~~Evidence of financial responsibility shall be provided by one of the following:~~
- 1790
- 1791 ~~1) Establishing and maintaining an escrow account in an Illinois financial institution~~  
1792 ~~in the amount of \$50,000, with escrow terms approved by the Division that it shall~~  
1793 ~~be payable to the Division in the event of circumstances outlined in this~~  
1794 ~~Subsection (e);~~
- 1795
- 1796 ~~2) Providing a surety bond in the amount of \$50,000, naming the dispensary~~  
1797 ~~organization as principal of the bond, with terms approved by the Division that~~  
1798 ~~the bond defaults to the Division in the event of circumstances outlined in this~~  
1799 ~~Subsection (e);~~
- 1800
- 1801 ~~e) Once all Registration documentation is complete and the Dispensing Organization~~  
1802 ~~meets the Division's approval, the Division will issue a conditional approval.~~
- 1803
- 1804 ~~f) After receipt of a conditional approval and the Dispensing Organization is ready~~  
1805 ~~to open, it shall contact the Division for an inspection. The dispensary shall not~~  
1806 ~~open until it has passed inspection and the Division has issued a Registration.~~
- 1807
- 1808 ~~g) Prior to opening, the Dispensing Organization shall notify the Division of the~~  
1809 ~~proposed opening date.~~
- 1810
- 1811 ~~fh) A Registration must be denied pursuant to Section 115(f) of the Act for any of the~~  
1812 ~~following reasons:~~
- 1813
- 1814 ~~1) The applicant registrant failed to submit the materials required by the Act~~  
1815 ~~and this Part; including that the plans submitted do not satisfy the~~  
1816 ~~security, oversight, or recordkeeping rules.~~
- 1817
- 1818 ~~2) The applicant registrant selected a location that is not in compliance with~~  
1819 ~~local zoning rules and cannot cure the zoning deficiency in a reasonable~~  
1820 ~~time; or does not meet the requirements of Section 140 of the Act;~~
- 1821
- 1822 ~~3) The applicant registrant does not meet the requirements of Section 130 or~~  
1823 ~~Section 140 of the Act;~~
- 1824
- 1825 ~~4) One or more of the Principal Officers principal officers has been convicted~~  
1826 ~~of an excluded offense offense;~~
- 1827

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1828 | 5) One or more of the Principal Officers ~~principal officers~~ has served as a n  
1829 | owner or officer ~~principal officer for of~~ a registered medical cannabis  
1830 | Dispensing Organization ~~dispensing organization~~ that ~~has~~ had its  
1831 | registration ~~Registration~~ revoked;
- 1832 |
- 1833 | 6) One or more of the Principal Officers ~~principal officers~~ is under 21 years  
1834 | of age; or
- 1835 |
- 1836 | 7) One or more of the Principal Officers ~~principal officers~~ is a registered  
1837 | qualified patient or a designated caregiver.
- 1838 |

1839 | ~~g) Once all documentation is complete, and the dispensary organization is prepared~~  
1840 | ~~to open the dispensary for business, the dispensary organization shall contact the~~  
1841 | ~~Division for a final inspection and final approval to open.~~

1842 |

1843 | ~~h) Once the Division has issued approval to operate, the dispensary organization~~  
1844 | ~~shall notify the Division of the proposed dispensary opening date. The dispensary~~  
1845 | ~~organization shall provide at least 3 days notice to the Division prior to opening.~~

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1847 | **Section 1290.120 Dispensing Organization Registration Bond**

1848 |

1849 | A Registration Bond is a requirement for the issuance of a Registration, maintenance of a  
1850 | Registration or reactivation of a Registration. A Dispensing Organization shall provide evidence  
1851 | of financial responsibility payable to the Division for failure to timely and successfully complete  
1852 | dispensary construction or failure to operate in a manner that provides an uninterrupted supply of  
1853 | cannabis. Evidence of financial responsibility shall be provided by one of the following:

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1854 |

1855 | a) Establishing and maintaining an escrow or surety account in an Illinois financial  
1856 | institution in the amount of \$50,000, with escrow terms approved by the Division  
1857 | that it shall be payable to the Division in the event of circumstances outlined in  
1858 | this Subsection. A financial institution may not return money in an escrow or  
1859 | surety account to the Dispensing Organization that established the account or a  
1860 | representative of the organization unless the organization or representative  
1861 | presents a statement issued by the Division indicating that the account may be  
1862 | released.

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1864 | b) Providing a surety bond in the amount of \$50,000, naming the Dispensing  
1865 | Organization as principal of the bond, with terms approved by the Division that  
1866 | the bond defaults to the Division in the event of circumstances outlined in this  
1867 | Subsection. Bond terms include:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 1) The bond must be written by a surety company authorized and licensed through the Illinois Department of Insurance. 215 ILCS 5/4.
- 2) The business name and registration number on the bond must correspond exactly with the business name and registration number in the Division's records.
- 3) The bond must be written on a form approved by the Department.
- 4) A copy of the bond must be received by the Division within 90 days of the effective date.

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**Section 1290.120-130 Changes to a Dispensing Organization Registration**

- a) ~~a) A dispensary-Registration shall be issued to the specific Dispensing Organization dispensing organization identified on the application, and for the specific dispensary location proposed. The Registration is valid only for the owner, premises, and name designated on the Registration registration and the location for which it is issued.~~
- b) ~~A Dispensing Organization dispensing organization may not transfer or assign a dispensing organization Registration.~~
- c) ~~b) A Dispensing Organization dispensing organization shall provide written notice to the Division of any the addition or removal of persons or entities listed as Principal Officers principal officers, pursuant to this Part. Notice shall be provided to the Division a minimum of 10 business days prior to the change, on forms provided by the Division unless impracticable and the Division approves a different lesser time in writing.~~
- ed) ~~For a change in the persons serving as principal officers, a dispensing organization shall provide the Division the same information required on an initial application and initial registration for a new principal officer holding any ownership interest pursuant to this Part. All new principal officers shall be subject to the requirements of this Part. All proposed new Principal Officers shall be subject to the requirements of the Act and this Part.~~
- de) The Division may prohibit the addition of a Principal Officer to a Dispensing Organization for failure to comply with the Act or this Part.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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1946 |
- f) ~~A Dispensing Organization shall provide written notice to the Division of a~~ change in ~~more than 49% of~~ the dispensary ownership ~~within one calendar year shall be reported to the Division.~~ The Division will review the ownership structure to determine whether the change in ownership has had the effect of a transfer of the Registration ~~in violation of this Part.~~ The Dispensing Organization ~~dispensing organization~~ shall supply all ownership documents and change of ownership documents ~~requested by~~ to the Division.
  - g) ~~e)~~The Dispensing Organization ~~dispensing organization~~ shall provide the Division with the personal information for all new dispensary agents ~~and agents in charge~~ as required in this Part and all new dispensary agents ~~and agents in charge~~ shall be subject to the requirements of this Part. ~~No dispensary organization agents may begin employment or work at a dispensary organization without first obtaining a dispensary organization agent card. A Dispensing Organization agent must obtain an agent card from the Division before beginning work at a dispensary.~~
  - fh) ~~A~~ The Division shall reject the addition of any ~~Principal Officer~~ principal officers not in compliance with ~~all the~~ requirements of the Act and this Part; ~~and that person~~ shall be removed from his, her, or its position with the Dispensing Organization ~~dispensing organization~~ or shall otherwise terminate his, her, or its affiliation ~~with the dispensing organization upon rejection by the Division.~~ Failure to do so may subject the Dispensing Organization ~~dispensing organization~~ to discipline, suspension or revocation of its Registration ~~registration~~ by the Division.
  - i) ~~g)~~ ~~Prior to remodeling, expansion, reduction or other physical, non-cosmetic alteration of a dispensary, the Dispensing Organization must notify the Division and confirm the alterations are in compliance with the Act and this Part. A dispensing organization may change the location of the dispensary to a different Division approved location in the District where the dispensary is assigned.~~
  - ~~h)~~ ~~A dispensing organization shall not distribute, dispense, or sell medical cannabis at a new location until the dispensing organization submits an application for a change of address and the Division issues a new or amended dispensing organization registration.~~
  - ij) It is the responsibility of the registered Dispensing Organization ~~dispensing organization~~, and its Principal Officers ~~principal officers~~ to promptly notify the

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

1947 | Division of any change of ~~their personal~~ the principal place of business address-  
1948 | prior to the move.

1949 | **Section 1290.130-140 Request to Change-Relocate a Dispensary Location**

1951 |

1952 | a) A Dispensing Organization may relocate a dispensary in the District where the  
1953 | dispensary is Registered. To change the location ~~relocate of the a~~ dispensary-  
1954 | premises within its specified District, the Dispensing Organization dispensing-  
1955 | organization shall submit an application requesting the change and the relocation  
1956 | fee -to the Division-requesting the change.

1957 |

1958 | ~~b) The application shall include the non-refundable fee for a dispensing organization~~  
1959 | ~~registration change of location.~~

1960 |

1961 | eb) The new dispensary location ~~shall~~ shall meet all the requirements of the Act and  
1962 | this Part, ~~including requirements in Section 1290.110 (b), and all zoning-~~  
1963 | ~~requirements.~~

1964 |

1965 | ec) If the information and documents submitted by the Dispensing Organization  
1966 | ~~dispensing organization~~ comply with the Act and this Part and the proposed  
1967 | location is acceptable to the Division, the Division will issue a conditional  
1968 | approval to ~~change-relocate, the dispensary location.~~ The dispensary organization  
1969 | may continue to operate at the existing location, until the new location is ready-  
1970 | registered and open for business. The dispensary organization may not operate  
1971 | two locations under the same Registration registration number.

1972 |

1973 | ed) Once the new dispensary ~~is finished~~ premises are built and ready for operation,  
1974 | the Dispensing Organization dispensing organization shall notify the Division and  
1975 | request an inspection.

1976 |

1977 | e) Prior to issuing a Registration and approval to operate, the Division will inspect  
1978 | the dispensary to confirm compliance with the Act and this Part. Final approval to  
1979 | the Dispensing Organization to operate will be issued by the Division only after  
1980 | the completion of a successful inspection.

1981 |

1982 | f) A Dispensing Organization shall not dispense medical cannabis at the new  
1983 | location until the Division approves the dispensary and issues an amended  
1984 | Registration noting the new location.

1985 |

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 1986 | ~~f) Prior to issuing a final registration and approval to operate, the Division will~~  
1987 | ~~inspect the dispensary to confirm compliance with the Act and this Part.~~
- 1988 |
- 1989 | ~~g) Final approval to the dispensary organization to operate will be issued by the~~  
1990 | ~~Division only after the completion of a successful inspection.~~
- 1991 |
- 1992 | ~~hg) Once the Division has issued an amended Registration approval to operate, the~~  
1993 | ~~Dispensing Organization dispensary organization shall notify the Division of the~~  
1994 | ~~proposed dispensary opening date. The dispensary organization shall provide at~~  
1995 | ~~least 3 days notice to the Division prior to opening for business. The previous~~  
1996 | ~~registered location of the dispensary organization must cease when the new~~  
1997 | ~~location commences operations.~~
- 1998 |
- 1999 | ~~ih) The dispensing organization Registration registration that includes the new~~  
2000 | ~~address shall retain the expiration date of the previously issued~~  
2001 | ~~Registration dispensing organization registration.~~
- 2002 |
- 2003 | ~~ji) An application for a change in re-location of a dispensary facility may not be~~  
2004 | ~~combined with an application for renewing a Dispensing Organization dispensing~~  
2005 | ~~organization registration. The Division shall process each application separately.~~
- 2006 |
- 2007 | ~~kj) Should the Dispensing Organization dispensing organization relocate, it shall~~  
2008 | ~~inform its existing patients of the new dispensary location.~~

2009 |

2010 | **Section 1290.140-150 Dispensing Organization Renewals**

- 2011 |
- 2012 | a) Every Dispensing Organization dispensing organization Registration issued  
2013 | under the Act shall expire annually, on the date it was issued. Provided it is in  
2014 | compliance with the Act and this Part, tThe R registration holder may renew the  
2015 | registration during the month preceding the expiration date by requesting a  
2016 | renewal and paying the required renewal fee, provided it is in current compliance  
2017 | with the Act and this Part.
- 2018 |
- 2019 | b) If the dispensary premises is leased, when submitting for Registration-renewal the  
2020 | Dispensing Organization dispensing organization must provide documentation  
2021 | that the registered premises has been leased for the following calendar year.
- 2022 |
- 2023 | c) Upon a Dispensing Organization dispensing organization's request for a  
2024 | Registration-renewal, the Division shall consider the Dispensing  
2025 | Organization dispensing organization's history of compliance with standards, rules

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

and regulations promulgated under the Act, the number and severity of ~~the-any~~ violations and the correction of ~~-~~violations, penalties, or other enforcement actions.

d) The Director of the Division may deny a ~~Dispensing Organization~~~~dispensing-organization~~'s request ~~for-to~~ renewal of a ~~Registration~~ ~~registration~~ due to poor compliance history or if ~~the dispensing organization~~it has been disciplined under the Act or this Part.

e) ~~If a renewal fee is not paid before the Registration's expiration date, and the Dispensing Organization has not requested an extension of time to renew, the Registration expires on the Registration expiration date.~~

f) ~~e)Failure to receive a renewal form from the Division shall not excuse a dispensary organization from renewing the registration prior to its expiration or paying the renewal fee. Dispensing medical cannabis on an expired Registration registration is unlicensed activity and is grounds for imposition of discipline.~~

~~f)No dispensing organization shall, after the expiration of a dispensing-organization agent registration card, employ the holder of the card in any capacity.~~

g) ~~If the Division, after Notice to the Dispensing Organization, denies the request to renew a Prior to a refusal to renew a dispensing organization's Registration~~ ~~registration by the Division, and~~ the registrant ~~contests the non-renewal, it~~ shall be entitled to an administrative hearing in accordance with the hearing rights prescribed in the Act and this Part.

~~h) Prior to disciplinary action taken against a dispensing organization by the Division, the dispensing organization shall be entitled to an administrative hearing in accordance with the hearing rights prescribed in the Act.~~

i) ~~It is the responsibility of each registered dispensing organization to notify the Division of an agent's change of address.~~

SUBPART E: REGISTRATION OF DISPENSING ORGANIZATION AGENTS

**Section 1290.150-200 Dispensing Organization Agent-In-Charge**

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2066 | a) Every Dispensing Organization ~~dispensing organization~~ shall designate, at a  
2067 | minimum, one ~~an~~ agent-in-charge. The designated agent-in-charge must hold a  
2068 | Dispensing Organization ~~dispensary organization~~ agent identification card.  
2069 | Maintaining an agent-in-charge is a continuing requirement for the ~~dispensing-~~  
2070 | ~~organization-Registration~~ registration.  
2071 |  
2072 | b) The agent-in-charge shall be a Principal Officer ~~principal officer~~ or a full-time  
2073 | agent of the Dispensing Organization ~~dispensing organization~~ and shall  
2074 | participate in Dispensing Organization ~~dispensing organization~~ affairs.  
2075 | Participation in Dispensing Organization ~~dispensing organization~~ affairs includes,  
2076 | but is not limited to, responsibility for ~~acceptance of~~ deliveries, oversight of  
2077 | services and dispensary agents, recordkeeping, inventory, dispensary agent  
2078 | training and compliance with the Act and this Part. Participation in ~~dispensing-~~  
2079 | ~~organization~~ affairs also includes the responsibility for maintaining all files  
2080 | subject to audit or inspection by the Division. These files ~~shall will~~ be located  
2081 | within-in Illinois.  
2082 |  
2083 | c) The agent-in-charge is responsible for promptly notifying the Division, on forms  
2084 | provided by the Division when applicable, of any change of information required  
2085 | to be reported to the Division ~~within 10 work days after the change, unless~~  
2086 | ~~required to be reported in advance pursuant to this Part~~.  
2087 |  
2088 | d) If the Dispensing Organization ~~dispensing organization~~ is a corporation or a  
2089 | limited liability company, the agent-in-charge is responsible for maintaining the  
2090 | good standing of the corporation or limited liability company with the Secretary  
2091 | of State. If the Dispensing Organization ~~dispensing organization~~ is a foreign  
2092 | corporation, the agent-in-charge is responsible for maintaining its authorization to  
2093 | conduct business in Illinois in good standing.  
2094 |  
2095 | e) In determining whether an agent-in-charge participates in Dispensing  
2096 | Organization ~~dispensing organization~~ affairs, the Division may consider the  
2097 | responsibilities identified in this Section, the number of dispensary agents under  
2098 | the supervision of the agent-in-charge, and the employment relationship between  
2099 | the agent-in-charge and the Dispensing Organization ~~dispensing organization~~,  
2100 | including the existence of a contract for employment and any other relevant fact  
2101 | or circumstance.  
2102 |  
2103 | f) The agent-in-charge is responsible for notifying the Division, on forms provided  
2104 | by the Division, of a change in the employment status of all Dispensing

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2105 | ~~Organization dispensary organization~~ agents, and the nature and reason for the  
2106 | status change, within ~~10 five work business~~ days after the change.
- 2107 |
- 2108 | g) In the event of the separation of an agent-in-charge due to the death, incapacity,  
2109 | termination or any other reason, the ~~Dispensing Organization dispensing-~~  
2110 | ~~organization~~ shall immediately contact the Division and request a temporary  
2111 | certificate of authority allowing the continuing operation ~~of the dispensing-~~  
2112 | ~~organization~~. The request shall include the name of an interim agent-in-charge  
2113 | until a replacement is identified, or shall include the name of the replacement.  
2114 | The Division shall issue the temporary certificate of authority promptly after it  
2115 | approves ~~the~~ request. If a ~~Dispensing Organization dispensing organization~~ fails  
2116 | to promptly request a temporary certificate of authority after the separation of the  
2117 | agent-in-charge, its ~~authorization to operate~~ Registration shall cease until such  
2118 | time as the Division approves the temporary certificate of authority or registers a  
2119 | new agent-in-charge. ~~The temporary agent in charge assumes all~~  
2120 | ~~responsibilities as the agent in charge pursuant to Section 1290.150.~~ No  
2121 | temporary certificate of authority shall be valid for more than 90 days. The  
2122 | succeeding agent-in-charge shall register with the Division in compliance with  
2123 | this Part. Once the permanent succeeding agent-in-charge is registered with the  
2124 | Division, the temporary certificate of authority is void. No temporary certificate  
2125 | of authority shall be issued for the separation of ~~the an~~ agent-in-charge ~~because~~  
2126 | ~~of due to~~ disciplinary action by the Division related to his or her conduct on behalf  
2127 | of the ~~Dispensing Organization~~ ~~dispensing organization~~.
- 2128 |
- 2129 | h) The ~~Dispensing Organization dispensing organization~~ agent-in-charge  
2130 | ~~Registration registration~~ shall expire annually on the date it was issued. The  
2131 | ~~dispensing organization shall renew the~~ agent-in-charge's Registration shall be  
2132 | renewed registration annually. The Division shall review the dispensary's  
2133 | compliance history when determining whether to grant the request to renew.
- 2134 |
- 2135 | i) Upon termination of an agent-in-charge's employment, the Dispensing  
2136 | Organization shall immediately reclaim the dispensary agent identification card-  
2137 | ~~shall be immediately returned to the dispensing organization~~. The Dispensing  
2138 | Organization ~~dispensing organization~~ shall promptly return the identification cards  
2139 | to the Division.
- 2140 |
- 2141 | j) The Division may revoke an agent-in-charge identification card for any of the  
2142 | following reasons:
- 2143 |
- 2144 | 1) Submission of misleading, incorrect, false, or fraudulent information in the

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2145 | application or renewal application;<sup>3</sup>
- 2146 |
- 2147 | 2) Violation or violations of the requirements of the Act or this Part;<sup>3</sup>
- 2148 |
- 2149 | 3) Fraudulent use of the agent-in-charge agent in charge identification card;<sup>3</sup>
- 2150 |
- 2151 | 4) Selling, distributing, transferring in any manner, or giving medical
- 2152 | cannabis to any unauthorized person;<sup>3</sup>
- 2153 |
- 2154 | 5) Tampering with, falsifying, altering, modifying, or duplicating an agent-
- 2155 | in-chargeagent in charge identification card;<sup>3</sup>
- 2156 |
- 2157 | 6) Failure to notify the Division within ten-five business days after becoming
- 2158 | aware that the agent-in-charge agent in charge identification card has been
- 2159 | lost, stolen or destroyed;<sup>3</sup>
- 2160 |
- 2161 | 7) Failure to notify the Division within ten-five business days after a change
- 2162 | in the information provided in the application for an agent-in-charge agent-
- 2163 | in-charge identification card;<sup>3</sup> or;
- 2164 |
- 2165 | 8) Conviction of an excluded offense following the issuance of an agent-in-
- 2166 | chargeagent in charge identification card.
- 2167 |
- 2168 | k) Only a Dispensing Organization dispensing organization-Principal Officer
- 2169 | principal officer or an agent-in-chargeagent in charge can may apply for a
- 2170 | dispensing organization agent identification registration card for themselves
- 2171 | and or other dispensary agents.
- 2172 |

2173 | **Section 1290.160-210 Dispensing Organization Agents**

2174 |

- 2175 | a) a)All Principal Officers, agents-in-charge and employees principal officers of the
- 2176 | Dispensing Organization dispensing organization are Dispensing Organization
- 2177 | agents and shall hold a dispensing organization agent identification registration-
- 2178 | card. No person shall begin work at a dispensary prior to holding an agent
- 2179 | identification card. Additionally, all agents of the dispensing organization shall
- 2180 | hold a dispensing organization agent registration card. All persons identified
- 2181 | under this subsection shall carry their dispensing organization card while present
- 2182 | at the dispensary.
- 2183 |

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2184 | b) A Dispensing Organization agent shall visibly display an agent identification card  
2185 | issued by the Division at all times while at the dispensary.  
2186 |  
2187 | 1) The name of the Dispensing Organization employing the agent, and the  
2188 | address of the dispensary;  
2189 | 2) A full set of fingerprints submitted to ISP as outlined in this Part;  
2190 | 3) A copy of the applicant's valid driver's license or State issued  
2191 | identification;  
2192 | 4) Electronic picture of applicant;  
2193 | 5) A document verifying the applicant's place of residency, such as a bank  
2194 | statement, cancelled check, insurance policy, etc. The document must  
2195 | contain the applicant's full residence address;  
2196 | ~~— b)A dispensing organization agent registration application shall be on~~  
2197 | ~~forms provided by the Division, along with the following:-~~  
2198 | ~~1) A full set of fingerprints in electronic format as outlined in this Part with~~  
2199 | ~~their initial registration application;~~  
2200 | ~~2)A copy of the applicant's valid driver's license,~~  
2201 | ~~3) Electronic picture of applicant,~~  
2202 | ~~4)6)- A sworn statement that the applicant has not been convicted of an~~  
2203 | ~~excluded offense in any jurisdiction;~~  
2204 | ~~5)7) The applicant's social security number;~~  
2205 | ~~6)8) The required-Registration registration-fee;~~ and,  
2206 | ~~7)9) Any additional information as requested by the Division in the verification~~  
2207 | ~~process.~~  
2208 | ed) The Department will deny an application or renewal of an agent identification  
2209 | card for a person convicted of an excluded offense.  
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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2224 e) If no ~~record-excluded offense~~ is found relating to the fingerprints and the  
2225 applicant is otherwise qualified under the Act, the Division may approve to the  
2226 applicant application. Within 15 days of approving an application, the Division  
2227 shall issue an issue to the applicant a dispensing organization agent registration  
2228 identification card that will be valid for the period specified on the face of the  
2229 card and will be renewable upon the conditions set forth in this Part.
- 2230
- 2231 f) Dispensing Organization agents have access to restricted access areas. They are  
2232 responsible for the sale of cannabis and dispensary operations. Agents may  
2233 accept deliveries from cultivation centers, and must document sales in compliance  
2234 with the Act and this Part.
- 2235
- 2236 g) It is the responsibility of each registered Dispensing Organization to notify the  
2237 Division of an agent's change of address.
- 2238
- 2239 h) Dispensing Organization agents must promptly report any diversion or theft, or  
2240 suspicion of diversion or theft of cannabis or currency to the Division.
- 2241
- 2242 i) At least 30 days prior to the expiration of an agent identification card, the  
2243 Dispensing Organization shall request the Division renew the annual agent  
2244 identification card including any information requested by the Division and  
2245 authorize the State to conduct a criminal background check.
- 2246
- 2247 j) No Dispensing Organization shall, after the expiration of an agent Registration  
2248 card, employ or retain the holder of the card in any capacity.
- 2249
- 2250 k) Upon termination of employment, the ~~dispensary~~ agent identification card shall be  
2251 immediately returned to the ~~Dispensing Organization~~ dispensing organization.  
2252 The Dispensing Organization dispensing organization shall promptly return the  
2253 agent identification cards to the Division.
- 2254
- 2255 l) The agent identification card is not transferable. It is the property of the State of  
2256 Illinois and shall be surrendered upon demand of the Director.
- 2257
- 2258 m) Dispensing Organization agent shall promptly report an arrest and any subsequent  
2259 conviction of an excluded offense to the Dispensing Organization and to the  
2260 Division.
- 2261
- 2262 n) Should the Division not be able to obtain the state or federal criminal records  
2263 check from ISP as required by the Act and this Part, the Division may contract

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

with a private detective or investigating agency licensed under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 [225 ILCS 447] and in good standing with the Department for the purpose of conducting the records checks.

eo) The Division may revoke an ~~dispensary~~-agent 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 or violations of the requirements of the Act or this Part~~;~~;
- 3) Fraudulent use of the ~~dispensary~~-agent identification card~~;~~;
- 4) Selling, distributing, transferring in any manner, or giving medical cannabis to any unauthorized person~~;~~;
- 5) Tampering with, falsifying, altering, modifying, or duplicating an ~~dispensary~~-agent identification card~~;~~;
- 6) Failure to notify the Division within ~~ten-five~~ business days after becoming aware that the ~~dispensary~~-agent identification card has been lost, stolen or destroyed~~;~~;
- 7) Failure to notify the Division within ~~ten-five~~ business days after a change in the information provided in the application for a ~~dispensary~~-agent identification card~~;~~ or~~;~~
- 8) Conviction of an excluded offense following the issuance of an ~~dispensary~~-agent identification card.

**Section 1290.~~170-220~~ Persons with Significant Influence or Control; Disassociation**

- a) Any individual in connection with the ~~Dispensing O~~rganization who is not a ~~Principal Officer or agent~~principal officer, and who may significantly influence or control the activities of the ~~Dispensing Organization~~dispensing organization, other than a bank or other licensed lending institution holding a mortgage or other lien, may be subject to a background investigation or an examination of the business relationship with the dispensary.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- b) The Division may order the disassociation of any person from the Dispensing Organization~~dispensing organization~~ if the person fails to cooperate with the Division's investigation or if the person would be prohibited from being a Principal Officer~~principal officer~~ pursuant to the Act and this Part. The order issued by the Director shall be directed to the applicant or registrant, and non-compliance with the order may result in the revocation, suspension, or other discipline of the ~~registration~~Registration.

**Section 1290.180-230 State and Federal Criminal History Records Check**

- a) Persons required to submit to a State and federal criminal history records check for convictions of an excluded offense, shall submit to a fingerprint-based criminal history records check by providing a full set of fingerprints in an electronic format to an ISP live scan vendor whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Department.
- a)b) The ISP shall act as the Division's agent, receiving electronic fingerprints and conducting background checks of each ~~dispensary principal individual officer~~ applying for an agent identification card.
- b)c) The ISP shall conduct background checks for conviction information contained in the ISP and the Federal Bureau of Identification criminal history databases, as permitted.
- e) ~~Persons required by the Act and this Part to submit to a state and federal criminal history record check of conviction(s) of an excluded offense under the Act, shall submit to a fingerprint based criminal history records check by providing a full set of fingerprints in an electronic format to an ISP live scan vendor whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division.~~
- d) For verification of a statutorily imposed duty to conduct background checks pursuant to the Act, the Illinois State Police shall transmit the results of the background check to the appropriate State Agency and the transmittal shall conclude the verification process.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2342 | e) ~~The electronic background checks shall be submitted as outlined in either the~~  
2343 | ~~Illinois Uniform Conviction Information Act [20 ILCS 2635] or Title 20, Section~~  
2344 | ~~1265.30 of Electronic Transmission of Fingerprint Requirements.~~
- 2346 | f) ~~Electronic transmission of fingerprint data to the ISP shall be accomplished~~  
2347 | ~~utilizing livescan procedures or other comparable technology approved for use by~~  
2348 | ~~the ISP.~~
- 2350 | g) ~~Manual fingerprints will not be accepted and shall not be scanned and converted~~  
2351 | ~~into an electronic format. be rejected. Manual fingerprints will be rejected.~~
- 2353 | eh) Fingerprint images shall be taken within the 30 days prior to the application date or  
2354 | renewal date for a ~~dispensary~~ agent identification card.
- 2356 | fi) Fingerprint images, of the individual being fingerprinted, and related alpha  
2357 | numeric identification data submitted ~~for the purpose of this fingerprint-based~~  
2358 | ~~background check,~~ shall be submitted electronically to ISP.
- 2360 | gj) If the fingerprints are rejected by the ISP, the dispensary agent shall have his or  
2361 | her fingerprints collected electronically by a live scan fingerprint vendor a second  
2362 | time.
- 2364 | hk) In the event of equipment malfunction or other special circumstance that makes  
2365 | electronic transmission of fingerprint data impractical, the ~~Department Division~~  
2366 | may allow limited use of paper fingerprint records.
- 2368 | il) The ~~dispensary agent~~ Dispensing Organization shall submit a copy of the live  
2369 | scan request form with the dispensary agent identification card application or  
2370 | renewal, and receipt provided from the live scan fingerprint vendor containing the  
2371 | Transaction Control Number (TCN), to the Division as proof that ~~his or her~~  
2372 | fingerprints have been collected.
- 2374 | 1) Dispensary agent identification card applications submitted without a copy  
2375 | of the live scan request form and receipt will be deemed incomplete and  
2376 | will not be processed until fingerprinting is completed.
- 2378 | 2) Fees associated with the live scan fingerprint-based criminal history  
2379 | records check shall be the responsibility of the Dispensing Organization  
2380 | ~~individual~~ seeking an ~~dispensary~~ agent identification card.
- 2381

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

j) ~~The Division shall obtain, from the ISP, a state and federal criminal records check, as permitted, containing conviction information for each agent applying for an identification card.~~

SUBPART F: DISPENSARY OPERATION

**Section 1290.190-300 Operational Requirements**

a) It is the duty of the Division to enforce the provisions of the Act and this Part relating to the Registration registration and oversight of Dispensing Organizations dispensary organizations unless otherwise provided for in the Act.

b) ~~This Part shall apply to holders of a dispensary registration to accept, store and sell medical cannabis. A Dispensing Organization awarded a Registration shall operate in accordance with the representations made in its application and Registration Packet. It shall be in compliance with the Act and this Part while Registered with the Division.~~

b) ~~A dispensary shall be in compliance with the Act and this Part prior to commencement of operational activities, acceptance, storage or sale of medical cannabis.~~

c) Only a Dispensing Organization dispensary organization that has been issued a Registration registration by the Division shall own and operate a dispensary facility. ~~A dispensary organization awarded a registration shall operate in accordance with the Act, and this Part and the representations made in its application.~~

d) ~~d)Packaging and Labeling Standards. A Dispensing Organization dispensary organization~~ is prohibited from selling cannabis that is not pre-packaged and labeled in accordance with this Part and the rules issued by the Illinois Department of Agriculture and ~~Department of Public Health~~DPH.

e) A Dispensing Organization must include the name of the dispensary on the packaging of any cannabis product it sells.

f) All cannabis and cannabis infused products must be obtained from an Illinois registered cultivation center.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2422 | g) A Dispensing Organization shall maintain compliance with State and local
- 2423 | building, fire and zoning requirements or regulations.
- 2424 |
- 2425 | h) A Dispensing Organization shall submit a list of all third party vendors to the
- 2426 | Division. Changes to the list of third party vendors shall be promptly provided.
- 2427 |
- 2428 | i) A Registration shall allow the registrant to operate at a single location.
- 2429 |
- 2430 | j) A dispensary may operate between 6 a.m. and 8 p.m. local time.
- 2431 |
- 2432 | k) A Dispensing Organization must keep all lighting outside and inside the
- 2433 | dispensary in good working order and wattage sufficient for security-cameras.
- 2434 |
- 2435 | ~~e) A dispensary is prohibited from selling cannabis or any cannabis infused product~~
- 2436 | ~~to a consumer that does not have an active registered qualifying patient or~~
- 2437 | ~~designated caregiver card issued by DPH.~~
- 2438 |
- 2439 | ~~f)Consumption Prohibited. A dispensary shall not permit the consumption of~~
- 2440 | ~~cannabis or cannabis infused products on its registered premises.~~
- 2441 | ~~-~~
- 2442 | ~~g)A dispensary organization shall maintain compliance with local zoning ordinances or~~
- 2443 | ~~regulations.~~
- 2444 |
- 2445 | ~~h)A dispensary organization shall submit a list of all third party vendors to the Division.~~
- 2446 | ~~Changes to the list of third party vendors shall be promptly provided.~~
- 2447 |
- 2448 | ~~i) A dispensary organization awarded a registration shall operate in accordance with~~
- 2449 | ~~the representations made in its application and Registration Packet.~~
- 2450 |
- 2451 | ~~j) A dispensary registration shall allow the registrant to operate at a single~~
- 2452 | ~~dispensary location.~~
- 2453 |
- 2454 | ~~k)A dispensary may operate between 6 a.m. local time to 8 p.m. local time.~~
- 2455 |
- 2456 | l) A Dispensing Organization ~~dispensary organization~~ shall not:
- 2457 |
- 2458 | 1) ~~produce~~ Produce or manufacture cannabis;
- 2459 |
- 2460 | ~~2)~~ 2)Allow consumption of cannabis at the dispensary.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2461 | 3) Sell cannabis unless it is pre-packaged and labeled in accordance with this
- 2462 | Part and the rules issued by Agriculture and DPH.
- 2463 |
- 2464 | 4) Sell cannabis or cannabis-infused products to consumer unless the
- 2465 | consumer presents an active registered qualifying patient or designated
- 2466 | caregiver card issued by DPH.
- 2467 |
- 2468 | 5) Enter into an exclusive agreement with any cultivation center;
- 2469 |
- 2470 | ~~36) Refuse to conduct business with a cultivation center that has the ability to~~
- 2471 | ~~properly deliver the product and is licensed with the Illinois Department of~~
- 2472 | ~~Agriculture, on the same terms and conditions as other cultivation centers~~
- 2473 | ~~with whom the dispensary organization is dealing;~~
- 2474 |
- 2475 | ~~47) A registered dispensary organization shall not operate drive through~~
- 2476 | ~~windows at the dispensary;~~
- 2477 |
- 2478 | ~~58) A registered dispensary organization shall not transport cannabis to~~
- 2479 | ~~residences of registered patients or designated caregivers;~~
- 2480 |
- 2481 | 9) Operate a dispensary if its video surveillance equipment is inoperative.
- 2482 |
- 2483 | 10) Operate a dispensary if the point of sale equipment is inoperative.
- 2484 |
- 2485 | 11) Operate a dispensary if the State's medical cannabis electronic verification
- 2486 | system is inoperative
- 2487 |
- 2488 | ~~6) All cannabis and cannabis infused products must be obtained from an Illinois~~
- 2489 | ~~registered cultivation center.~~

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SUBPART G: SECURITY AND RECORDKEEPING

Section ~~1290.200-400~~ 400 Inventory Control System

- a) A ~~dispensing~~ Dispensing Organization agent-in-charge shall have primary oversight of the dispensing organization's medical cannabis inventory control system. The inventory control system shall be real-time, web-based and accessible by the Division 24 hours a day seven days a week ~~7~~.

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2500 | b) A Dispensing Organization ~~dispensing organization~~ shall establish and implement  
2501 | an inventory control system for its medical cannabis that documents:  
2502 |  
2503 | 1) Each transaction and each day's beginning inventory, acquisitions, sales,  
2504 | disposal ~~of unusable cannabis~~, and ending inventory.};  
2505 |  
2506 | 2) Acquisition of medical cannabis and medical cannabis infused products  
2507 | from a registered cultivation center including:};  
2508 |  
2509 | A) A description of the products ~~medical cannabis acquired~~ including  
2510 | the ~~amount~~ quantity, strain, variety and batch number of each  
2511 | product received;};  
2512 |  
2513 | B) The name and registry identification number of the registered  
2514 | cultivation center providing the medical cannabis.};  
2515 |  
2516 | C) The name and registry identification number of the registered  
2517 | cultivation center agent providing ~~delivering~~ the medical cannabis.};  
2518 |  
2519 | D) The name and registry identification number of the Dispensing  
2520 | Organization ~~dispensing organization~~ agent receiving the medical  
2521 | cannabis ~~on behalf of the dispensing organization~~.}; and;  
2522 |  
2523 | E) The date of acquisition.  
2524 |  
2525 | ~~3) The disposal of medical cannabis including:~~  
2526 |  
2527 | ~~A) A description of and reason for the cannabis being disposed,~~  
2528 |  
2529 | ~~B) The name and registry identification number of the registered~~  
2530 | ~~cultivation center that provided the medical cannabis,~~  
2531 |  
2532 | ~~C) The method of disposal and the name address and telephone~~  
2533 | ~~number of the disposal company, and,~~  
2534 |  
2535 | ~~D) Date the medical cannabis was disposed of.~~  
2536 |  
2537 | ~~4) The receipt of medical cannabis infused products from a registered~~  
2538 | ~~cultivation center including:~~  
2539 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2540 ~~A) A list of the type of medical cannabis infused products received from the~~  
2541 ~~registered cultivation center and the quantity of each product received,~~  
2542
- 2543 ~~B) Total weight of each medical cannabis infused products and the pre-mixed~~  
2544 ~~weight of medical cannabis infused in each product,~~  
2545
- 2546 ~~C) Batch number for each product, and,~~  
2547
- 2548 ~~D) The name and registry identification number of the:~~  
2549
- 2550 ~~i) Registered cultivation center and the registered cultivation~~  
2551 ~~center agent providing the medical cannabis infused~~  
2552 ~~products to the receiving dispensing organization, and,~~  
2553
- 2554 ~~ii) Dispensing organization agent receiving the medical~~  
2555 ~~cannabis infused products on behalf of the receiving~~  
2556 ~~dispensing organization.~~
- 2557 ~~3) The disposal of medical cannabis including:~~  
2558
- 2559 ~~A) A description of the products including the quantity, strain, variety,~~  
2560 ~~batch number and reason for the cannabis being disposed;~~
- 2561
- 2562 ~~B) The method of disposal and the name address and telephone~~  
2563 ~~number of the disposal company; and~~  
2564
- 2565 ~~C) The date of disposal.~~  
2566
- 2567 c) The agent-in-charge shall conduct and document an audit of the Dispensing  
2568 Organization~~dispensing organization~~'s daily inventory according to generally  
2569 accepted accounting principles once every 30 calendar days.
- 2570
- 2571 1) If the audit identifies a reduction in the amount of medical cannabis in the  
2572 Dispensing Organization~~dispensing organization~~'s inventory not due to  
2573 documented causes, the Dispensing Organization~~dispensing organization~~  
2574 shall determine where the loss occurred and immediately take and  
2575 document corrective action ~~taken~~. The Dispensing Organization  
2576 ~~dispensing organization~~ shall inform the Division of the loss and the  
2577 corrective action taken within 2-two business days of first discovery.  
2578

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2579 | 2) If the reduction in the amount of medical cannabis in the Dispensing  
2580 | Organization~~dispensing organization~~'s inventory is due to criminal  
2581 | activity or suspected criminal activity ~~by a dispensing organization agent,~~  
2582 | the Dispensing Organization ~~dispensing organization~~ shall make a report  
2583 | identifying the circumstances surrounding reduction ~~the dispensing~~  
2584 | ~~organization agent~~ to the Division, ~~and~~ ISP who may notify, ~~and to the~~  
2585 | local law enforcement authorities.
- 2586 |  
2587 | 3) If the audit identifies an increase in the amount of medical cannabis in the  
2588 | Dispensing Organization~~dispensing organization~~'s inventory not due to  
2589 | documented causes, the Dispensing Organization ~~dispensing organization~~  
2590 | shall determine where the increase occurred and take and document  
2591 | corrective action.
- 2592 |  
2593 | 4) The Dispensing Organization ~~dispensary organization~~ shall submit  
2594 | quarterly audit statements to the Division, which shall include, but not be  
2595 | limited to, an income statement, balance sheet and weekly cannabis  
2596 | inventory including cannabis acquisition, wholesale cost and sales,  
2597 | prepared in accordance with generally accepted accounting principles.  
2598 | Annually, the Dispensing Organization ~~dispensing organization~~ shall  
2599 | submit an audit including the same information, compiled ~~by~~ and certified  
2600 | by a licensed auditor or CPA.
- 2601 |  
2602 | d) A Dispensing Organization ~~dispensing organization~~ shall:  
2603 |  
2604 | 1) Maintain the documentation required in this Section in a secure locked  
2605 | location at the dispensing organization for five~~5~~ years from the date on the  
2606 | document;~~;~~
- 2607 |  
2608 | 2) Provide any documentation required to be maintained in this Section to the  
2609 | Division for review upon request;~~;~~ and,  
2610 |  
2611 | 3) If maintaining a bank account, retain for a period of 5~~five~~ years a record  
2612 | of each deposit or withdrawal from the account.
- 2613 |  
2614 | e) A Dispensing Organization ~~dispensing organization~~ shall not accept returns of  
2615 | medical cannabis. If cannabis is abandoned at the dispensary, it shall be accounted  
2616 | for and destroyed in compliance with this Part.  
2617 |  
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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

2619 | **Section 1290.210-405 Storage Requirements**

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- a) Authorized On-Premises Storage. A ~~Dispensing Organization dispensary-organization~~ must store inventory on the registered premises. All inventory stored on the registered premises must be secured in a restricted access area and tracked consistently with the inventory tracking rules.
- b) A dispensary premises shall be of suitable size and construction to facilitate cleaning, maintenance and proper operations.
- c) A dispensary shall ~~include-maintain~~ adequate lighting, ventilation, temperature, humidity control, and equipment.
- d) Containers storing medical cannabis that have been tampered with or opened shall be separated from other medical cannabis products until they are disposed ~~of in accordance with the Act and this Part.~~
- ~~e) A dispensary shall have a separate area for storage of cannabis that is damaged until it is disposed of in accordance with this Part.~~
- ~~ef) A dispensing organization shall not store damaged M~~medical cannabis that was tampered with or damaged shall not be stored at the Registered premises for more than one week.
- ~~gf) The dispensary storage areas shall be maintained in a clean and orderly condition.~~
- ~~hg) The dispensary storage areas shall be free from infestation by insects, rodents, birds, or pests of any kind.~~
- ~~ih) The dispensary storage areas shall be maintained in accordance with the Security Requirements in accordance with this Part.~~
- ~~ji) Medical cannabis shall-must~~ be stored at appropriate temperatures and under appropriate conditions to help ensure that its identity, strength, quality and purity are not adversely affected.

**Section 1290.220-410 Security Requirements**

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2657 | a) A Dispensing Organization ~~dispensing organization~~ shall implement security  
2658 | measures to deter and prevent entry into and theft from restricted access areas  
2659 | containing cannabis or currency.
- 2660 |
- 2661 | b) A Dispensing Organization ~~dispensing organization~~ shall submit changes to the  
2662 | floor plan or security plan to the Division for pre-approval.
- 2663 |
- 2664 | c) The Dispensing Organization ~~dispensing organization~~ shall implement security  
2665 | measures to protect the premises, registered qualifying patients, designated  
2666 | caregivers, and Dispensing Organization ~~dispensing organization~~ agents  
2667 | including, but not limited to the following:
- 2668 |
- 2669 | 1) Establish a locked door or barrier between the facility's entrance and the  
2670 | limited access area. The limited access area shall only be accessible to  
2671 | registered qualifying patients, designated caregivers, ~~dispensing-~~  
2672 | ~~organization owners~~ Principal Officers and agents, service professionals  
2673 | conducting business with the Dispensing Organization, and persons  
2674 | authorized by the Act and this Part. ~~---~~
- 2675 |
- 2676 | 2) Prevent individuals from remaining on the premises ~~of the dispensary~~ if  
2677 | they are not engaging in activity permitted by the Act or this Part. ~~;~~
- 2678 |
- 2679 | 3) Develop a policy that addresses the maximum capacity and patient flow in  
2680 | the waiting rooms and patient care areas ~~of the dispensary~~. ~~;~~
- 2681 |
- 2682 | 4) Dispose of cannabis in accordance with this Part. ~~;~~
- 2683 |
- 2684 | 5) During hours of operation, store all cannabis in established restricted  
2685 | access area accessible only to specifically authorized ~~personnel~~ agents. ~~;~~  
2686 | ~~which shall include only~~ The minimum number of dispensary agents  
2687 | essential for efficient operations shall be in the restricted access areas. ~~;~~
- 2688 |
- 2689 | 6) When the dispensary is closed, store all cannabis and currency in a secure  
2690 | locked safe or vault and in a manner as to prevent diversion, theft, ~~and or~~  
2691 | loss. ~~;~~
- 2692 |
- 2693 | 7) Keep all safes, vaults, and any other equipment or cannabis storage areas  
2694 | securely locked and protected from unauthorized entry. ~~;~~
- 2695 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2696 | 8) Keep an electronic daily log of dispensary agents with access to the safe or  
2697 | vault and knowledge of the access code or combination ~~to the safe~~;
- 2698 |  
2699 | 9) Keep all locks and security equipment in good working order;
- 2700 |  
2701 | 10) Prohibit keys, if applicable, from being left in the locks, or stored or  
2702 | placed in a location accessible to persons other than specifically  
2703 | authorized personnel;
- 2704 |  
2705 | 11) Prohibit accessibility of security measures, including combination  
2706 | numbers, passwords, or electronic or biometric security systems to persons  
2707 | other than specifically authorized ~~personnel~~ agents;
- 2708 |  
2709 | 12) Ensure that the outside perimeter of the ~~dispensing organization~~ dispensary  
2710 | premises ~~are~~ is sufficiently lit to facilitate surveillance;
- 2711 |  
2712 | 13) Ensure that trees, bushes, and other foliage outside of the  
2713 | ~~dispensary~~ dispensing organization premises do not allow for a person or  
2714 | persons to conceal themselves from sight;
- 2715 |  
2716 | 14) Develop emergency policies and procedures for securing all product and  
2717 | currency following any instance of diversion, theft, or loss of cannabis,  
2718 | and conduct an assessment to determine whether additional safeguards are  
2719 | necessary; and;
- 2720 |  
2721 | 15) Develop sufficient additional safeguards ~~that present~~ in response to any  
2722 | special security concerns, or as required by the Division.
- 2723 |  
2724 | d) The Division may request or approve alternative security provisions that it  
2725 | determines are an adequate substitute for a security requirement specified in  
2726 | ~~subsection (a)~~ this Part. Any additional protections may be considered by the  
2727 | Division in evaluating overall security measures.
- 2728 |  
2729 | e) A Dispensing Organization ~~dispensing organization~~ shall provide additional  
2730 | security as needed and in a manner appropriate for the community where it  
2731 | operates.
- 2732 |  
2733 | f) Restricted Access Areas.
- 2734 |

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2735 1) All restricted access areas must be identified by the posting of a sign that  
2736 shall be a minimum of 12" X 12" and which states "Do Not Enter –  
2737 Restricted Access Area – Access Restricted to Authorized Personnel  
2738 Only" in lettering no smaller than one 1-inch in height.
- 2739  
2740 2) All restricted access areas shall be clearly described in the floor plan of the  
2741 registered premises, in the form and manner determined by the Division,  
2742 reflecting walls, partitions, counters, and all areas of entry and exit. The  
2743 Said floor plan shall also show all storage, disposal, and retail sales areas.
- 2744  
2745 3) All restricted access areas must be secure, with locking devices that  
2746 prevent access from the limited access areas.
- 2747  
2748 ~~4) A dispensing organization agent shall visibly display a dispensary-~~  
2749 ~~organization agent identification card issued by the Division at all times-~~  
2750 ~~while at the dispensary.~~
- 2751  
2752 54) All service professionals conducting business with the Dispensing  
2753 Organization and visitors must obtain a numbered visitor identification  
2754 badge prior to entering a restricted access area, and shall be escorted at all  
2755 times by a dispensary dispensing organization agent authorized to enter  
2756 the restricted access area. All visitors must be logged in and out, and that  
2757 log shall be maintained for five 5-years on-site and available for inspection  
2758 by the Division at all times. All visitor identification badges shall be  
2759 returned ~~to the dispensing organization~~ upon exit.
- 2760  
2761 g) Security and Alarm Systems.
- 2762  
2763 1) A Dispensing Organization ~~dispensing organization~~ shall have an adequate  
2764 security plan and security system to prevent and detect diversion, theft, or  
2765 loss of cannabis, currency or unauthorized intrusion using commercial  
2766 grade equipment installed by an Illinois licensed private alarm contractor  
2767 or private alarm contractor agency, which shall, at a minimum, include:
- 2768  
2769 A) A perimeter alarm on all entry points and perimeter windows;  
2770  
2771 B) A failure notification system that provides an audible, text, or  
2772 visual notification of any failure in the surveillance system. The  
2773 failure notification system shall provide an alert to designated  
2774 Dispensing Organization ~~dispensary organization~~ agents ~~of the~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2775 | ~~dispensing organization~~ within five minutes after the failure, either  
2776 | by telephone, email, or text message;~~;~~  
2777 |  
2778 | C) A duress alarm, panic alarm, holdup alarm, or after hours intrusion  
2779 | detection alarm that by design and purpose will ~~make directly~~ or  
2780 | ~~in-directly~~ ~~notification,~~ by the most efficient means, ~~to~~ the Public  
2781 | Safety Answering Point (PSAP) for the law enforcement agency  
2782 | having primary jurisdiction;~~;~~  
2783 |  
2784 | D) Unobstructed video surveillance of all enclosed dispensary areas,  
2785 | unless prohibited by law, including all points of entry and exit,  
2786 | which shall be appropriate for the normal lighting conditions of the  
2787 | area under surveillance. The cameras shall be directed so all areas  
2788 | are captured including but not limited to safes, vaults, sales areas,  
2789 | and areas where cannabis is stored, handled, ~~or~~ ~~dispensed~~ ~~or~~  
2790 | ~~destroyed~~. Cameras shall be angled to allow for facial recognition,  
2791 | the capture of clear and certain identification of any person  
2792 | entering or exiting the dispensary area and in lighting sufficient  
2793 | during all times of night or day;~~;~~  
2794 |  
2795 | E) Unobstructed video surveillance of outside areas, the storefront  
2796 | and the parking lot, which shall be appropriate for the normal  
2797 | lighting conditions of the area under surveillance. Cameras shall be  
2798 | angled so as to allow for the capture of facial recognition, clear and  
2799 | certain identification of any person entering or exiting the  
2800 | ~~dispensary~~ ~~dispensing organization,~~ the immediate or surrounding  
2801 | area and license plates of vehicles in the parking lot;~~;~~  
2802 |  
2803 | F) Twenty-four hour recordings from all video cameras available for  
2804 | immediate viewing by the Division upon request. Recordings shall  
2805 | not be destroyed or altered, and retained for at least 90 days.  
2806 | Recordings shall be retained as long as necessary if the  
2807 | ~~D~~ ~~dispensing~~ ~~O~~ ~~rganization~~ is aware of the loss or theft of cannabis  
2808 | ~~or~~ a pending criminal, civil, or administrative investigation, or  
2809 | legal proceeding for which the recording may contain relevant  
2810 | information;~~;~~  
2811 |  
2812 | G) The ability to immediately produce a clear, color, still photo ~~(live~~  
2813 | ~~or recorded)~~ from the surveillance video, either live or recorded;~~;~~  
2814 |

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2815 H) A date and time stamp embedded on all video surveillance  
2816 recordings. The date and time shall be synchronized and set  
2817 correctly and shall not significantly obscure the picture;  
2818
- 2819 D) The ability to remain operational during a power outage and ensure  
2820 all access doors are not solely controlled by an electronic access  
2821 panel to ensure that locks are not released during power outage;  
2822 and;  
2823
- 2824 J) All video surveillance equipment shall allow for the exporting of  
2825 still images in an industry standard image format, including .jpg,  
2826 .bmp, and .gif. Exported video shall have the ability to be archived  
2827 in a proprietary format that ensures authentication of the video and  
2828 guarantees that no alteration of the recorded image has taken place.  
2829 Exported video shall also have the ability to be saved in an  
2830 industry standard file format that can be played on a standard  
2831 computer operating system. All recordings shall be erased or  
2832 destroyed prior to disposal.  
2833
- 2834 2) All security system equipment and recordings shall be maintained in good  
2835 working order, in a secure location so as to prevent theft, loss, destruction,  
2836 or alterations.  
2837
- 2838 3) Access to rooms where surveillance monitoring recording equipment  
2839 resides shall be limited to persons that are essential to surveillance  
2840 operations, law enforcement authorities acting within their ~~lawful~~  
2841 jurisdiction, security system service personnel, and the Division. A current  
2842 list of authorized dispensary agents and service personnel that have access  
2843 to the surveillance room must be available to the Division upon request.  
2844
- 2845 4) All security equipment ~~shall be in good working order and~~ shall be  
2846 inspected and tested at regular intervals, not to exceed 30 calendar days  
2847 from the previous inspection and test to ensure the systems remain  
2848 functional.  
2849
- 2850 5) The security system shall provide protection against theft and diversion  
2851 that is facilitated or hidden by tampering with computers or electronic  
2852 records.  
2853



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

2854 h) To monitor the facility and prevent unauthorized access to medical cannabis at the  
2855 dispensary, the Dispensing Organization ~~dispensing organization~~ shall incorporate  
2856 the following.

2857  
2858 1) Security equipment to deter and prevent unauthorized entrance into  
2859 restricted access areas that includes: devices or a series of devices to detect  
2860 unauthorized intrusion, which may include a signal system interconnected  
2861 with a radio frequency method, cellular, private radio signals, or other  
2862 mechanical or electronic device.

2863  
2864 ~~A) Devices or a series of devices to detect unauthorized intrusion,~~  
2865 ~~which may include a signal system interconnected with a radio-~~  
2866 ~~frequency method, cellular, private radio signals, or other~~  
2867 ~~mechanical or electronic device,~~

2868  
2869 ~~B) Exterior lighting to facilitate surveillance.~~

2870  
2871 23) Electronic monitoring including:

2872  
2873 A) All monitors must be 19-inches or greater;:

2874  
2875 B) A video printer capable of immediately producing a clear still  
2876 photo from any video camera image;:

2877  
2878 ~~C) Video cameras; recording the entrances and exits to and from~~  
2879 ~~each entrance and exit from the dispensary, the limited access~~  
2880 ~~areas, the restricted access areas and capable of identifying activity~~  
2881 ~~occurring adjacent to the building; and having a recording~~  
2882 ~~resolution of at least 704 x 480 or greater;~~

2883  
2884  
2885 ~~i) Providing coverage of all entrances to and exits from~~  
2886 ~~limited and restricted access areas and all entrances to and~~  
2887 ~~exits from the building, capable of identifying any activity~~  
2888 ~~occurring in or adjacent to the building, and;~~

2889  
2890 ~~ii) Having a recording resolution of at least 704 x 480 or the~~  
2891 ~~equivalent.~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2893 | D) A video camera or cameras recording at each point of sale location  
2894 | allowing for the identification of the dispensary agent distributing  
2895 | the cannabis and any qualifying patient or designated caregiver  
2896 | purchasing medical cannabis. The camera or cameras shall capture  
2897 | the sale, the individuals and the computer monitors ~~tracking used~~  
2898 | for the sale.  
2899 |  
2900 | E) Storage of video recordings from the video cameras for at least 90  
2901 | calendar days;  
2902 |  
2903 | F) A failure notification system that provides an audible and visual  
2904 | notification of any failure in the electronic monitoring system;  
2905 | and;  
2906 |  
2907 | G) Sufficient battery backup for video cameras and recording  
2908 | equipment to support ~~at least 2 hours of~~ recording in the event of a  
2909 | power outage; and panic buttons in the interior of each building.  
2910 |  
2911 | ~~34~~) The Dispensing Organization ~~dispensing organization~~ shall maintain  
2912 | policies and procedures including:  
2913 |  
2914 | A) A security plan with protocols for patient, caregiver and agent  
2915 | safety, and management and security of cannabis and currency;  
2916 |  
2917 | B) Restrict access to the areas in the dispensary that contain cannabis  
2918 | to authorized ~~individuals agents only~~;  
2919 |  
2920 | ~~C~~) That provide for the identification of authorized ~~agents individuals~~;  
2921 |  
2922 | D) That control access and prevent loitering both inside and outside  
2923 | the facility ~~and outside~~;  
2924 |  
2925 | E) For conducting electronic monitoring; and  
2926 |  
2927 | F) For the use of a panic button.  
2928 |

2929 | **Section 1290.230-415 Record Keeping**

- 2930 |  
2931 | a) Dispensing Organization ~~Dispensing organization~~ records must be maintained  
2932 | electronically and be available for inspection by the Division upon request. The

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 2933 | Dispensing Organization ~~dispensing organization~~ shall develop recordkeeping  
2934 | policies and procedures consistent with this Part.  
2935 |  
2936 | b) Required written records include but are not limited to, the following:  
2937 |  
2938 | 1) Operating procedures.  
2939 |  
2940 | 2) Inventory records, policies and procedures.  
2941 |  
2942 | ~~5)3)~~ Security Records.  
2943 |  
2944 | ~~6)4)~~ Audit records.  
2945 |  
2946 | 5) Staffing plan.  
2947 |  
2948 | 6) Business records, which shall include manual or computerized records of:  
2949 |  
2950 | A) Assets and liabilities.  
2951 |  
2952 | B) Monetary transactions.  
2953 |  
2954 | C) Written or electronic accounts, which shall include bank  
2955 | statements, journals, ledgers, and supporting documents,  
2956 | agreements, checks, invoices, and vouchers; and  
2957 |  
2958 | D) Any other financial accounts reasonably related to the dispensary  
2959 | operations.  
2960 |  
2961 | 7) Storage and transfer of records. If a dispensary closes due to insolvency,  
2962 | revocation, bankruptcy or for any other reason, all records must be  
2963 | preserved at the expense of the Dispensing Organization ~~dispensing-~~  
2964 | ~~organization~~, for at least three years and in a form and location in Illinois  
2965 | acceptable to the Division. The dispensing organization shall keep the  
2966 | records longer if requested by the Division. The dispensing organization  
2967 | shall notify the Division of the location where the dispensary records are  
2968 | stored or transferred.  
2969 |  
2970 | 8) All other records, policies and procedures required by the Act and this  
2971 | Part.  
2972 |

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

2973 | **Section 1290.240–420** Cleaning and Sanitation

2974

2975 | A Dispensing Organization ~~dispensing organization~~ shall ensure that any building or equipment  
2976 used by a dispensing organization for the storage or sale of medical cannabis is maintained in a  
2977 clean and sanitary condition.

2978

2979 | **Section 1290.250–425** Administration

2980

2981 | ~~A dispensing organization shall:~~

2982

2983 | ~~a) A Dispensing Organization shall ensure that the dispensing organization is~~  
2984 ~~operating continuously and maintain an available to dispense an~~ uninterrupted  
2985 ~~supply of medical cannabis to for~~ qualifying patients and designated caregivers.

2986

2987 | ~~b) A dispensary shall be open for a minimum of thirty-five (35) hours a week except~~  
2988 ~~as otherwise authorized by the Division.~~

2989

2990 | ~~c) A Dispensing Organization shall establish, maintain, and comply with written~~  
2991 ~~policies and procedures as submitted in an Operations and Management Practices~~  
2992 ~~Plan, approved by the Division, for the security, storage, inventory and~~  
2993 ~~distribution of cannabis. Such policies and procedures shall include methods for~~  
2994 ~~identifying, recording, and reporting diversion, theft or loss, and for correcting~~  
2995 ~~errors and inaccuracies in inventories. At a minimum, Dispensing Organizations~~  
2996 ~~shall ensure the written policies and procedures provide for the following:~~

2997

2998 | ~~b) Develop, document, and implement policies and procedures regarding:~~

2999

3000 | ~~1) Conduct mandatory and voluntary recalls of cannabis products. The~~  
3001 ~~procedure shall be adequate to deal with recalls due to any action initiated~~  
3002 ~~at the request of the Division and any voluntary action by the Dispensing~~  
3003 ~~Organization to remove defective or potentially defective cannabis from~~  
3004 ~~the market or any action undertaken to promote public health and safety~~  
3005 ~~by replacing existing cannabis with improved products or packaging;~~

3006

3007 | ~~2) Prepare for, protect against, and handle any crises that affects the security~~  
3008 ~~or operation of a dispensary in the event of strike, fire, flood or other~~  
3009 ~~natural disaster, or other situations of local, State or national emergency;~~

3010

3011 | ~~3) Ensure that outdated, damaged, deteriorated, misbranded, or adulterated~~  
3012 ~~cannabis is segregated from other cannabis and destroyed. This procedure~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3013                                    shall provide for written documentation of the cannabis disposition; and  
3014  
3015                                    4)    Ensure the oldest stock of a cannabis product is distributed first. The  
3016                                    procedure may permit deviation from this requirement, if such deviation is  
3017                                    temporary and appropriate.  
3018  
3019                                    5)    Train agents to adhere to confidentiality requirements, specific uses of  
3020                                    cannabis or cannabis-infused products, instruction regarding regulatory  
3021                                    inspection preparedness and law-enforcement interaction; awareness of  
3022                                    the legal requirements for maintaining status as an agent and other topics  
3023                                    as specified by the Dispensing Organization or the Division. The  
3024                                    Dispensing Organization shall maintain evidence of all training provided  
3025                                    for every agent in its files and subject to inspection and audit by the  
3026                                    Division. At a minimum, agents shall receive eight hours of training  
3027                                    annually.  
3028  
3029                                    6)    Develop and maintain business records consistent with industry standards,  
3030                                    including by-laws, consents, manual or computerized records of assets and  
3031                                    liabilities, audits, monetary transactions, journals, ledgers, and supporting  
3032                                    documents, including agreements, checks, invoices, and vouchers.  
3033    1)    ~~Training of dispensing organization agents to adhere to confidentiality~~  
3034                                    ~~requirements, specific uses of cannabis or a cannabis-infused product,~~  
3035                                    ~~instruction regarding regulatory inspection preparedness and law-~~  
3036                                    ~~enforcement interaction; awareness of the legal requirements for becoming~~  
3037                                    ~~and maintaining status as a dispensing organization agent and other topics~~  
3038                                    ~~as specified by the Division. The dispensing organization shall maintain~~  
3039                                    ~~evidence of all training provided for every agent in its files and subject to~~  
3040                                    ~~inspection and audit by the Division. At a minimum, dispensing-~~  
3041                                    ~~organization agents shall receive 8 hours of on-going training annually;~~  
3042  
3043                                    2)    ~~Business records, including by laws, consents, manual or computerized~~  
3044                                    ~~records of assets and liabilities, audits, monetary transactions, journals,~~  
3045                                    ~~ledgers, and supporting documents, including agreements, checks,~~  
3046                                    ~~invoices, and vouchers;~~  
3047  
3048                                    3)    ~~Inventory control, including:~~  
3049  
3050                                    A)    ~~Tracking qualifying patient records, including purchases, denials~~  
3051                                    ~~of sale, confidentiality and confidentiality, and retention.~~  
3052

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3053 B) Disposal of unusable or damaged cannabis as required by the Act  
3054 and this Part.  
3055
- 3056 ~~48)~~ Patient education and support, including:  
3057
- 3058 A) Updated information ~~Information~~ about the purported effectiveness  
3059 of various ~~methods,~~ forms, and methods of medical cannabis  
3060 administration;  
3061
- 3062 B) Updated information about the purported effectiveness of ~~various~~  
3063 strains of medical cannabis on specific conditions;  
3064
- 3065 ~~C) Information that medical cannabis smoke, like cigarette smoke,~~  
3066 ~~may harm the lungs,~~  
3067
- 3068 ~~DC)~~ Current educational information issued by ~~the~~ DPH about the  
3069 health risks associated with the use or abuse of cannabis;  
3070
- 3071 ~~ED)~~ Whether possession of cannabis is illegal under federal law;  
3072
- 3073 ~~FE)~~ Information about possible side effects;  
3074
- 3075 ~~GF)~~ Prohibition on ~~the~~ smoking of medical cannabis in public places;  
3076 and;  
3077
- 3078 ~~HG)~~ Offer any other appropriate patient education or support materials.  
3079
- 3080 5) ~~Agent Reporting.~~ If the dispensing dispensary organization ~~or its principal~~  
3081 ~~agents~~ knows that ~~any registered~~ dispensary agent has been arrested for or  
3082 convicted of an excluded offense, the dispensary organization shall  
3083 promptly notify the Division ~~immediately~~.  
3084
- 3085 ~~ed)~~ Maintain ~~A Dispensing Organization shall maintain~~ copies of the policies and  
3086 procedures on the dispensary dispensing organization premises and provide  
3087 copies to the Division ~~for review~~ upon request.  
3088
- 3089 ~~ee)~~ A Dispensing Organization shall review ~~Review~~ dispensing organization policies  
3090 and procedures at least once every 12 months from the issue date of the  
3091 Registration dispensing organization registration and update as needed or as  
3092 requested by the Division.

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- ef) A Dispensing Organization shall ensure ~~Ensure~~ that each Principal Officer ~~principal officer of the dispensing organization~~ and each dispensary agent has ~~ve~~ a current ~~dispensing organization~~ agent's registry identification card in the agent's immediate possession when the agent is ~~working at the dispensing organization site~~ dispensary.
- fg) A Dispensing Organization shall ensure ~~Ensure~~ that any identifying information about a qualifying patient or caregiver ~~be obtained and is kept stored~~ in compliance with the privacy and security rules of HIPAA, the Health Insurance Portability and Accountability Act (HIPAA), [45 CFR 164] ~~HIPAA, the Health Insurance Portability and Accountability Act (HIPAA), [45 CFR 164]~~.
- gh) A Dispensing Organization shall provide ~~Provide~~ prompt written notice to the Division, including the date of the event, ~~within 10 working days after the date,~~ when a dispensing organization agent no longer:
  - 1) Serves as a Principal Officer ~~principal officer for of the dispensing Dispensing organization~~ Organization; or,
  - 2) Is employed by the Dispensing Organization ~~dispensing organization~~.
- hi) A Dispensing Organization shall promptly document ~~Document~~ and report any loss or theft of cannabis from the dispensary ~~promptly~~ to the appropriate law enforcement agency and the Division. It is the duty of any dispensing dispensary organization agent who becomes aware of such loss or theft to report it as provided in this Part. If the Dispensing Organization knows that a Principal Officer or dispensary agent has been arrested for or convicted of an excluded offense, the Dispensing Organization shall promptly notify the Division. ~~If the Dispensing Organization knows that a Principal Officer or dispensary agent has been arrested for or convicted of an excluded offense, the Dispensing Organization shall promptly notify the Division.~~
- ji) A Dispensing Organization shall post ~~Post~~ the following information in a conspicuous location ~~place in an area of the dispensary, accessible to consumers that can be viewed by individuals entering the dispensing organization;~~
  - 1) ~~The Dispensing Organization~~ dispensing organization's certificate of Registration ~~registration~~; and,
  - 2) The hours of operation, ~~during which the dispensing organization will dispense medical cannabis to a qualifying patient or a designated caregiver.~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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j) A Dispensing Organization ~~dispensary~~ shall not:

- 1) Allow a physician to conduct a physical examination of a patient for purposes of diagnosing a debilitating medical condition at the dispensary;
- 2) Allow a physician to hold a direct or indirect economic interest in the dispensary if the physician recommends the use of medical cannabis to qualifying patients or is in a partnership or other fee or profit-sharing relationship with a physician who recommends medical cannabis;
- 3) Accept referral of patients from a physician; or;
- 4) Allow a physician to advertise at the dispensary.

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k) Violation of any requirement under this Section may subject the Dispensing Organization to discipline, up to and including revocation of its Registration.

**Section 1290.260-430 Dispensing Medical Cannabis**

- a) Before a Dispensing Organization ~~dispensing organization~~ agent dispenses medical cannabis to a qualifying patient or a designated caregiver, the ~~dispensing organization~~ agent shall:
  - 1) Verify the identity of the qualifying patients or the designated caregivers;
  - 2) Verify the validity of the qualifying patients or designated caregiver's registry identification card;
  - 3) Enter the qualifying patient or designated caregiver's registry identification number listed on the qualifying patient's or designated caregiver's registry identification card into the medical cannabis electronic verification system;
  - 4) Verify that the qualifying patient or designated caregiver has a current authorization by the DPH to purchase medical cannabis;
  - 5) Verify that the amount of medical cannabis the qualifying patient or designated caregiver is requesting would not cause the qualifying patient



ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3173 to exceed the limit on obtaining no more than two and one-half ounces of  
3174 medical cannabis during any 14-calendar-day period, unless approved by  
3175 DPH; and;
- 3176
- 3177 **5c)** Enter the following information into the medical cannabis electronic  
3178 verification system for the qualifying patient or designated caregiver:
- 3179
- 3180 **A)** ~~A)~~ The Dispensing Organization ~~dispensing organization~~ agent's  
3181 registry identification number;
- 3182
- 3183 **B)** ~~B)~~ The Dispensing Organization ~~dispensing organization~~'s registry  
3184 identification number;
- 3185
- 3186 **C)** The amount, type and strain of medical cannabis dispensed;
- 3187
- 3188 **D)** Identity of the individual to whom the medical cannabis was  
3189 dispensed, whether the qualifying patient or the qualifying  
3190 patient's designated caregiver; and;
- 3191
- 3192 **E)** The date and time the medical cannabis was dispensed;
- 3193
- 3194 **b)** Any dispensary that sells edible cannabis infused products must do so in  
3195 compliance with the Act and this Part.

3196 **Section 1290.435 Signage**

3197

3198

3199 Any dispensing organization that sells edible cannabis-infused products must display a placard  
3200 that states the following: "Edible cannabis-infused products were produced in a kitchen not  
3201 subject to public health inspections that may also process common food allergens." The placard  
3202 shall be no smaller than 24 inches tall by 36 inches wide, with typed letters no smaller than 2  
3203 inches. The placard shall be clearly visible and readable by customers and shall be written in  
3204 English. (Section 80(a) of the Act) The signage shall be placed in the area where edible  
3205 cannabis-infused products are sold, and may be translated into additional languages as needed.

3206

3207 **Section 1290.440 Recall of Medical Cannabis**

- 3208
- 3209 **a)** A Dispensing Organization must establish a policy for communicating a recall for  
3210 cannabis or a cannabis-derived product that has been shown to present a  
3211 reasonable or a remote probability that use of or exposure to the product will  
3212 cause serious adverse health consequences. This policy should include:

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- 1) A mechanism to contact all customers who have, or likely have, obtained the product from the dispensary. The communication must include information on the policy for return of the recalled product;
  - 2) A mechanism to contact the cultivation center or vendor that manufactured the cannabis; and
  - 3) Communication with the Division, Agriculture and DPH within 24 hours; and
  - 4) Outreach via media, as necessary and appropriate.
- b) Any recalled cannabis product must be disposed of by the Dispensing Organization.

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**Section 1290.270-445 Report of Loss or Theft of Cannabis**

- a) Any ~~Principal Officer~~ principal officer or agent of a Dispensing Organization ~~dispensary organization~~ shall promptly document and report any loss or theft of cannabis from the dispensary to the appropriate ~~appropriate law enforcement agency~~ ISP District and the Division.
- b) The Dispensing Organization ~~dispensary organization~~ shall promptly make the report to the Division by phone, and in writing ~~and~~ deposited in the U.S. mail, postage prepaid, within 48 hours after having reasonable cause to believe that cannabis has been lost or stolen from the dispensary or of the discovery of the loss or theft ~~from the dispensary~~.
- c) The report to the Division shall include the name and address of the dispensary, the amount and type of cannabis lost or stolen, the circumstances surrounding the loss or theft, the date and time of the loss or theft, the date the loss or theft was discovered, the person who discovered the loss or theft and the person responsible for the loss or theft if known and any other information that the reporter believes might be helpful in establishing the cause of the loss or theft.
- d) Persons required to make reports or cause reports to be made under this Section include the Dispensing Organization ~~dispensary organization~~ and employees of the State of Illinois who are involved in investigating or regulating dispensaries if the report has not been made by the dispensary organization.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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- e) In addition to the above persons required to report loss or theft of cannabis, any other person may make a report to the Division, or to any law enforcement officer, if such person has reasonable cause to suspect loss or theft of cannabis ~~from a dispensary organization.~~
- f) A person required to make reports or cause reports to be made under this Section who fails to comply with the requirements of this Section is guilty of, at a minimum, a Class A misdemeanor.
- g) The Division shall initiate an administrative investigation of each report of loss or theft under the Act and this Part. ~~The Division may delegate to law enforcement officials the duty to perform such investigation.~~
- h) If, during the investigation of a report made pursuant to this Section, the Division obtains information indicating possible criminal acts, the Division shall refer the matter to the appropriate law enforcement agency for further investigation or prosecution. The Division shall make the entire file of its investigation available to the appropriate law enforcement agencies.

**Section 1290.280-450 Destruction and Disposal**

- ~~a) a) A dispensary organization shall destroy all damaged e~~Cannabis and cannabis-infused products must be destroyed by rendering it unusable following the methods set forth in this Section.
- ~~b) For cannabis destruction, the dispensing organization shall render the damaged cannabis unusable following the methods set forth in this Section.~~
- e)b) At least seven days prior to rendering cannabis unusable and disposing of it, the Dispensing Organization ~~dispensing organization~~ shall notify the Division and ISP. Notification shall include the date and time the ~~dispensing organization~~cannabis will be rendered ~~e~~cannabis unusable and disposed ~~of it~~. If the Dispensing Organization~~dispensary organization~~'s policy designates the destruction of cannabis on the same day and time weekly, communication of that day and time shall be sufficient to comply with this Subsection. Any change in the date and time must be communicated to the Division and ISP.
- e)c) The allowable method to render cannabis waste unusable is by grinding and incorporating the cannabis waste with other ground materials so the resulting

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DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3293 | mixture is at least ~~fifty-50%percent~~ non-cannabis waste by volume. Other  
3294 | methods to render cannabis waste unusable must be approved by the Division  
3295 | before implementation. Material used to grind with the cannabis falls into two  
3296 | categories, compostable waste and non-compostable waste.  
3297 |  
3298 | 1) Compostable mixed waste: cannabis waste to be disposed as compost  
3299 | feedstock or in another organic waste method (for example, anaerobic  
3300 | digester) may be mixed with the following types of waste materials:  
3301 |  
3302 | A) Food waste;~~;~~  
3303 |  
3304 | B) Yard waste;~~;~~  
3305 |  
3306 | C) Vegetable based grease or oils;~~;~~ or  
3307 |  
3308 | D) Other wastes as approved by the Division.  
3309 |  
3310 | 2) Noncompostable mixed waste: Cannabis waste to be disposed in a landfill  
3311 | or ~~by~~ another disposal method may be mixed with the following types of  
3312 | waste materials:  
3313 |  
3314 | A) Paper waste;~~;~~  
3315 |  
3316 | B) Cardboard waste;~~;~~  
3317 |  
3318 | C) Plastic waste;~~;~~  
3319 |  
3320 | D) Soil;~~;~~ or;~~;~~  
3321 |  
3322 | E) Other wastes as approved by the Division.  
3323 |  
3324 | e)d) Cannabis waste rendered unusable following the methods described in this section  
3325 | can be disposed. Disposal of the cannabis waste rendered unusable may be  
3326 | delivered to a permitted solid waste facility for final disposition. Examples of  
3327 | acceptable permitted solid waste facilities include:  
3328 |  
3329 | 1) Compostable mixed waste: Compost, anaerobic digester, or other facility  
3330 | with approval of the jurisdictional health department;~~;~~  
3331 |  
3332 | 2) Noncompostable mixed waste: Landfill, incinerator, or other facility with

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

approval of the jurisdictional health department.

- e) All waste and unusable product shall be weighed, recorded and entered into the inventory system prior to rendering it unusable. Verification of this event shall be performed by an agent-in-charge and conducted in an area with video surveillance.
- f) Electronic documentation of destruction and disposal shall be ~~retained and maintained by the dispensary organization~~ for a period of ~~not less than~~ at least 5-five years.

**Section 1290.290-455 Dispensary Advertisements**

- a) No registered ~~Dispensing Organization dispensary organization~~ 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 ~~whatsoever~~:
  - 1) Within ~~1,000 one thousand~~ feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older;
  - 2) On or in a public transit vehicle or public transit shelter; or;
  - 3) On or in a publicly owned or operated property.
- b) This Section does not apply to a noncommercial message.

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**Section 1290.295-460 Closure of a Dispensary**

If a ~~Dispensing Organization dispensary organization~~ decides not to renew its Registration registration or decides to close its business, it shall promptly notify the Division, not less than ~~three3~~ months prior to the effective date of the closing date or as otherwise authorized by the Division.

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**Section 1290.298-465 Zoning Rules Related to Dispensary**

No local municipality or jurisdiction shall ~~seek to impose or~~ impose ~~through~~ zoning ordinances, ~~including by~~ special use permits, conditions or requirements that conflict with the Act or this

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

3373 Part, that concern or address issues or subject matters that are within the regulatory jurisdiction  
3374 of the Division, or that would otherwise ~~impede or~~ place unreasonable restrictions on the  
3375 location of dispensaries contrary to the mandate of the Act that dispensing *organizations shall be*  
3376 *geographically dispersed throughout the State to allow all registered qualified patients*  
3377 *reasonable proximity and access to a dispensing organization.* (Section 115(a) of the Act.)  
3378

3379 SUBPART H: DISCIPLINE  
3380

3381 **Section 1290.500 Investigations**  
3382

- 3383 a) Dispensing Organizations are subject to random and unannounced dispensary  
3384 inspections and cannabis testing by the Division and State Police.
- 3385
- 3386 b) The Division and its authorized representatives may enter any place, including a  
3387 vehicle, in which cannabis is held, stored, dispensed, sold, produced, delivered,  
3388 transported, manufactured or disposed of and inspect in a reasonable manner,  
3389 such place and all pertinent equipment, containers and labeling, and all things  
3390 including records, files, financial data, sales data, shipping data, pricing data,  
3391 personnel data, research, papers, processes, controls and facility, and inventory  
3392 any stock of cannabis and obtain samples of any cannabis or cannabis product,  
3393 any labels or containers for cannabis, paraphernalia,
- 3394
- 3395 c) The Division may conduct an investigation of an applicant, application,  
3396 Dispensing Organization, Principal Officer, dispensary agent, third party vendor  
3397 or any other party associated with a Dispensing Organization for an alleged  
3398 violation of the Act or this Part or to determine qualifications to be granted a  
3399 Registration by the Division.
- 3400
- 3401 d) The Division may require an applicant or Dispensing Organizations to produce  
3402 documents, records or any other material pertinent to the investigation of an  
3403 application or alleged violations of the Act or this Part. Failure to provide the  
3404 required material may be grounds for denial or discipline.
- 3405
- 3406 e) Every person charged with preparation, obtaining or keeping records, logs, reports  
3407 or other documents in connection with the Act and this Part, and every person in  
3408 charge, or having custody, of such documents shall upon request by the Division,  
3409 make the documents immediately available for inspection and copying by the  
3410 Division, the Division's authorized representative or others authorized by law to  
3411 review the documents.  
3412

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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f) All information collected by the Division in the course of an examination, inspection, or investigation of a registrant or applicant, including, but not limited to, any complaint against a registrant filed with the Division and information collected to investigate a complaint, shall be maintained for the confidential use of the Division and shall not be disclosed, except as otherwise provided in the Act.

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~~Section 1290.300 – Investigations~~

- ~~a) The Division may conduct an investigation for the purpose of investigating an applicant, application, dispensing organization, dispensing organization principal officer, dispensary agent, third party vendor or any other party associated with a dispensing organization for an alleged violation of the Act or this Part or to determine qualifications to be granted a Registration by the Division.~~
- ~~b) The Division may require an applicant or dispensary organization to produce relevant documents, records or any other material pertinent to the investigation of an application or alleged violations of the Act or this Part. Failure to provide the required material may be grounds for denial or discipline.~~

~~Section 1290.310 – 510 Grounds for Discipline~~

a) The Division, after notice to the Registrant, may place on probation, temporarily suspend, suspend, refuse to issue or renew or revoke a Dispensing Organization Registration or agent identification card in any case in which the Division finds any of the following:~~The Division may refuse to issue or renew a registration, revoke a registration, suspend a registration, temporarily suspend a registration, place a registration on probation, fine the dispensing organization, or take any disciplinary or non-disciplinary action as the Division may deem proper, including fines not to exceed \$10,000 for each violation, for any one or combination of the following causes:~~

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- 1) ~~Material misstatement in furnishing information to the Division;~~
- 2) ~~Violations of the Act, or this Part;~~
- 3) Obtaining an Authorization or Registration by fraud or misrepresentation;~~3) Misrepresentation for the purpose of obtaining a registration;~~

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3453  
3454 | 4) A pattern of conduct which demonstrates incompetence or unfitness;~~;~~-  
3455  
3456 | 5) Aiding or assisting another person in violating any provision of the Act or  
3457 | this Part;~~;~~  
3458  
3459 | 6) Failing, ~~within 30 days,~~ to respond to a written request for information  
3460 | ~~made by the Division~~ for information within 30 days;  
3461  
3462 | 7) Engaging in unprofessional, dishonorable, or unethical conduct of a  
3463 | character likely to deceive, defraud or harm the public;~~;~~  
3464  
3465 | 8) Discipline by another U.S. jurisdiction or foreign nation;~~;~~  
3466  
3467 | 9) A finding by the Division that the registrant, after having his or her  
3468 | ~~Registration~~ registration placed on suspended or probationary status has  
3469 | violated the terms of the suspension or probation;~~;~~  
3470  
3471  
3472 | ~~10) Obtaining a registration by fraud or misrepresentation;~~  
3473  
3474 | ~~10)~~ The applicant or registrant has been convicted in state or federal court of  
3475 | or entered a plea of guilty, nolo contendere, or the equivalent in a state or  
3476 | federal court to any crime which is an excluded offense under the Act or  
3477 | this Part, a felony, or any misdemeanor where an essential element is  
3478 | dishonesty; Conviction, entry of a plea of guilty, nolo contendere, or the  
3479 | equivalent in a state or federal court of a Principal Officer or agent-in-  
3480 | charge to an excluded offense, a felony, or of two or more misdemeanors  
3481 | involving moral turpitude during the previous five years as shown by a  
3482 | certified copy of a court record;  
3483  
3484 | ~~11)~~ 11) Excessive use or addiction to alcohol, narcotics, stimulants or any other  
3485 | chemical agent or drug;~~;~~  
3486  
3487 | ~~12)~~ 12) A finding by the Division of a substantial discrepancy in a Division audit  
3488 | of medical cannabis;~~;~~  
3489  
3490 | ~~13)~~ 13) A finding by the Division of a substantial discrepancy in a Division audit  
3491 | of capital or funds;~~;~~  
3492

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3493 | ~~4514~~ A finding by the Division ~~that the dispensing organization of~~ accepted  
3494 | of medical cannabis from a source other than a cultivation center  
3495 | registered by ~~the Department of~~ Agriculture;<sup>5</sup>  
3496 |
- 3497 | ~~4615~~ An inability to operate ~~a dispensary~~ using reasonable judgment, skill, or  
3498 | safety due to physical or mental illness or other impairment or disability,  
3499 | including without limitation deterioration through the aging process or  
3500 | loss of motor skills, or mental incompetence;<sup>5</sup>  
3501 |
- 3502 | ~~4716~~ Failing to report to the Division within the timeframes established ~~herein~~  
3503 | or if not identified, ~~30-14~~ days, of any adverse final action taken against  
3504 | the Dispensing Organization or ~~an dispensing organization~~ agent by a  
3505 | licensing jurisdiction in any state or any territory of the United States or  
3506 | any foreign jurisdiction, any governmental agency, any law enforcement  
3507 | agency, or any court defined in this Section;<sup>5</sup>  
3508 |
- 3509 | ~~4817~~ Failing to comply with a subpoena ~~lawfully~~ issued by the Division;<sup>5</sup>  
3510 |
- 3511 | ~~4918~~ Failure ~~of a dispensing organization agent to~~ promptly inform the Division  
3512 | ~~within 10 working days~~ of any change of address;<sup>5</sup>  
3513 |
- 3514 | ~~2019~~ Disclosing customer names, personal information or protected health  
3515 | information in violation of any State or federal law;<sup>5</sup>  
3516 |
- 3517 | ~~2420~~ Operating a dispensary before obtaining a ~~dispensing organization~~  
3518 | Registration registration from the Division;<sup>5</sup>  
3519 |
- 3520 | ~~2221~~ Dispensing cannabis to any person other than a qualifying patient or  
3521 | designated caregiver with a valid registry identification card, ~~or a~~  
3522 | ~~designated caregiver with a valid registry identification card in accordance~~  
3523 | ~~with the Act and this Part~~;<sup>5</sup>  
3524 |
- 3525 | ~~232~~ A Principal Officer ~~principal officer~~ or agent-in-charge failing to report to  
3526 | the Division when he or she knows or should have known that an  
3527 | ~~dispensing organization~~ agent was using medical cannabis when the agent  
3528 | does not have a qualifying patient registry identification card;<sup>5</sup>  
3529 |
- 3530 | ~~2423~~ Dispensing cannabis when prohibited by the Act or this Part;<sup>5</sup>  
3531 |

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3532 | ~~2524~~) Any fact or condition which, if it had existed at the time of the original  
3533 | application for the ~~Registration~~registration, would have warranted the  
3534 | denial of the ~~Registration~~registration.;
- 3535 |
- 3536 | ~~2625~~) Permitting a person without a valid dispensing organization agent  
3537 | ~~identification registration~~ card to be employed by the dispensing  
3538 | organization.;
- 3539 |
- 3540 | ~~2726~~) Failure to assign an agent-in-charge to be employed ~~by in~~ the dispensing  
3541 | organization as required by this Part.;
- 3542 |
- 3543 | ~~2827~~) Personnel insufficient in number or unqualified by training or experience  
3544 | to properly operate the dispensary business.;
- 3545 |
- 3546 | ~~2928~~) Any pattern of activity which causes a ~~harmful deleterious~~-impact on the  
3547 | community.;
- 3548 |
- 3549 | ~~3029~~) Failing to prevent diversion, theft or loss of medical cannabis.
- 3550 |
- 3551 | ~~b)~~ b) If the Division determines that the Dispensing Organization committed a  
3552 | violation, the Division may take any disciplinary or non-disciplinary action as the  
3553 | Division may deem proper, including fines not to exceed \$10,000 for each  
3554 | violation.
- 3555 |
- 3556 | ~~c)~~ c) If the Division determines that a person holds an interest in more than ~~five~~5  
3557 | dispensary ~~Registrations~~registrations in violation of this Part, the Division will  
3558 | suspend the registrations of all dispensaries held by that person until ~~the time that~~  
3559 | the person ~~is~~ divests ~~himself or herself~~ from all ~~Dispensing Organizations~~  
3560 | ~~dispensing organizations~~ that exceed the ~~5 dispensary organization~~ limit provided  
3561 | for in this Part.
- 3562 |
- 3563 | ~~ed)~~ ed) A ~~n~~Notice of ~~a~~-violation issued by the Division ~~under this Section~~ shall include a  
3564 | clear and concise statement of ~~the each~~ violations ~~on which the discipline, non-~~  
3565 | ~~renewal or revocation is based~~, the statute or rule violated, ~~the discipline sought~~  
3566 | and ~~a~~ notice of ~~the~~ opportunity for ~~a~~-hearing.
- 3567 |
- 3568 | ~~de)~~ de) If a ~~Dispensing Organization~~ dispensary organization ~~desires to~~ contests the  
3569 | ~~discipline~~violation, ~~non-renewal or revocation of a Registration~~, the organization ~~it~~  
3570 | shall ~~provide written notice to the Division requesting a hearing~~, within 10 days

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3571 after receipt-service of the Notice-notice of a violation, notify the Division in  
3572 writing of its request for an administrative hearing.  
3573
- 3574 f) Upon receipt of the request for hearing, the Division shall send noticeconfirm  
3575 receipt of the notice to the facility and hold an administrative hearing as  
3576 provided in the Act and this Part.  
3577
- 3578 g) If a Dispensing Organization does not contest a Revocation Notice, it may  
3579 surrender its Registration by written notice to the Division and return its  
3580 Registration.  
3581
- 3582 eh) The effective date of nonrenewal or revocation of a Registration by the Division  
3583 shall be any of the following:  
3584
- 3585 1) Until otherwise ordered by the circuit court, revocation is effective on the  
3586 date set by the Division in the Revocation Notice, or upon final action  
3587 after hearing under the Act and this Part, whichever is later;  
3588
- 3589 2) -Until otherwise ordered by the circuit court, nonrenewal is effective on  
3590 the date of expiration of the existing Registration, or upon final action  
3591 after hearing under the Act and this Part, whichever is later; however, a  
3592 Registration shall not be deemed to have expired if the Division fails to  
3593 timely respond to a timely request for renewal under this Act or for a  
3594 hearing to contest nonrenewal under paragraph (e) of this SectionPart.  
3595
- 3596 fi) All fines imposed under this Section shall be paid within 60 days after the  
3597 effective date of the order imposing the fine or as otherwise specified in the order.  
3598
- 3599 gj) The entry of an order or judgment by any A circuit court order establishing that  
3600 any an person agent-in-charge or Principal Officer holding a Registration  
3601 registration under this Act is a person in need of mental health treatment may  
3602 operate as a suspension of the Rregistration. A registrant may resume his or her  
3603 practice upon the entry of an order of the Division that he or she has been  
3604 determined to be recovered from mental illness by the court and upon the  
3605 Division's recommendation that the registrant be permitted to resume his or her  
3606 practice.  
3607

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Section 1290.320-520 Temporary Suspension

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

- 3610 | a) The Director may temporarily suspend a ~~dispensing organization registration-~~  
3611 | Registration or an ~~dispensing organization-~~ agent Registration without a hearing if  
3612 | the Director finds that public safety or welfare requires emergency action. The  
3613 | Director shall cause the temporary suspension by issuing a Suspension Notice in  
3614 | connection with the institution of proceedings for a hearing.  
3615 |  
3616 | b) If the Director temporarily suspends a ~~dispensing organization-~~ Registration or an  
3617 | ~~dispensing organization-~~ agent Registration without a hearing, the  
3618 | registrant is entitled to a hearing within 45 days after the Suspension Notice has  
3619 | issued. The hearing shall be limited to the issue(s) cited in the Suspension Notice,  
3620 | unless all parties agree.  
3621 |  
3622 | c) If the Division does not hold a hearing within 45 days after the date the  
3623 | Suspension Notice was issued, then the suspended Registration shall  
3624 | be automatically reinstated and the suspension vacated.  
3625 |  
3626 | d) The suspended registrant may seek a continuance of the hearing date, during  
3627 | which time the suspension remains in effect and the Registration shall  
3628 | not be automatically reinstated ~~in connection with subsection (c) herein.~~  
3629 |  
3630 | e) Subsequently discovered causes of action ~~discovered~~ by the Division after the  
3631 | issuance of the Suspension Notice, may be filed as a separate Notice of violation-  
3632 | ~~against the dispensing organization.~~ The Division is not precluded from filing a  
3633 | separate cause of action against the suspended registrant.  
3634 |

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3635 | **Section 1290.330–530 Consent to Administrative Supervision Order**

3636 |  
3637 | In appropriate cases, the Division may resolve a complaint against a registrant through the  
3638 | issuance of a Consent ~~Order to for~~ Administrative Supervision ~~order~~. A registrant subject to a  
3639 | Consent Order ~~Consent to Administrative Supervision order~~ shall be considered by the Division  
3640 | ~~as to hold an active Registration~~ registration in good standing. ~~This order shall not be reported or~~  
3641 | ~~considered by the Division to be a discipline of the registration. The records regarding an~~  
3642 | ~~investigation and a Consent to Administrative Supervision order shall be considered confidential~~  
3643 | ~~and shall not be released by the Division except as mandated by law. A complainant shall be~~  
3644 | ~~notified if his or her complaint has been resolved by a Consent to Administrative Supervision~~  
3645 | ~~order.~~

3646 |  
3647 | **Section 1290.340–540 Subpoenas; Oaths; Attendance of Witnesses**

3648 |

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

3649 a) ~~The Director or hearing officer may compel by subpoena or subpoena duces~~  
3650 ~~tecum the attendance and testimony of witnesses and the production of documents~~  
3651 ~~and records pertinent to any inquiry, verification or enforcement action. The~~  
3652 ~~Division may subpoena and bring before it any person to take the oral or written~~  
3653 ~~testimony or compel the production of any books, papers, records, or any other~~  
3654 ~~documents that the Director or his or her designee deems relevant or material to~~  
3655 ~~any investigation or hearing conducted by the Division~~ with the same fees and  
3656 mileage and in the same manner as prescribed in civil cases in the courts of this  
3657 State.

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3658 b) The Director, the hearing officer, or a certified shorthand court reporter may  
3659 administer oaths at any Division ordered hearing ~~that the Division conducts~~.  
3660 Notwithstanding any other statute or Division rule to the contrary, all requests for  
3661 testimony, production of documents, or records shall be in accordance with the  
3662 Act, Civil Administrative Code, [20 ILCS 5] ~~and this Part~~ and the Code of Civil  
3663 Procedure. [735 ILCS 5]:-  
3664

3665 ~~**Section 1290.350 – Certification of Record; Receipt**~~

3666 ~~The Division shall not be required to certify any record to the court, to file an answer in court, or~~  
3667 ~~otherwise to appear in any court in a judicial review proceeding unless and until the Division has~~  
3668 ~~received from the plaintiff payment of the costs of furnishing and certifying the record, which~~  
3669 ~~costs shall be determined by the Division. Failure on the part of the Plaintiff to file a receipt in~~  
3670 ~~court is grounds for dismissal of the action.~~

3671 ~~**Section 1290.360 – Transcript; Record of Proceedings**~~

3672 ~~The Division shall preserve a record of all proceedings at the formal hearing of any case. The~~  
3673 ~~notice of hearing, Notice of violation and all other documents in the nature of pleadings and~~  
3674 ~~written motions filed in the proceedings, the transcript of testimony, the report of the hearing~~  
3675 ~~officer, and the orders of the Division shall be the record of the proceedings.~~

3676 ~~**Section 1290.550 Request for Hearing**~~

3677 ~~The Division shall carry out a request for hearing by an aggrieved person as follows:~~

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3681 a) Upon receipt of a request in writing for a hearing, the hearing officer shall  
3682 conduct a hearing to review the contested violation.  
3683

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

3688 b) ~~Before the hearing is held, notice of the hearing shall be sent by the hearing~~  
3689 ~~officer to the person making the request for the hearing and to the person who~~  
3690 ~~issued the contested violation. In the notice the hearing officer shall specify the~~  
3691 ~~date, time and place of the hearing which shall be held not less than 10 days after~~  
3692 ~~the notice is served. The notice shall designate the violation being reviewed. The~~  
3693 ~~notice may be served by delivering it personally to a party, or its representative or~~  
3694 ~~by mailing it regular and certified mail to the party's address on file with the~~  
3695 ~~Division.~~

3696 **Section 1290.370–560 Findings and Recommendations**

- 3697 a) At the conclusion of ~~the a~~ hearing, the hearing officer shall present ~~to~~ the Director  
3698 ~~with~~ a written report of ~~his or her~~ the findings of fact, conclusions of law, and  
3699 ~~recommendations. The report shall contain a finding of state whether -the hearing~~  
3700 ~~officer finds the respondent whether or not the accused person or entity liable or~~  
3701 ~~not liable-violated the Act or this Part or failed to comply with the conditions~~  
3702 ~~required in the Act or this Part. If the hearing officer finds the respondent liable,~~  
3703 ~~the~~ The hearing officer shall specify the ~~nature of any violations or failure to~~  
3704 ~~comply and shall make its recommendations to the Director. The hearing officer~~  
3705 ~~shall promptly serve a copy of the written report on the respondent.~~
- 3706 b) The report of findings of fact, conclusions of law, and recommendation of the  
3707 hearing officer shall be a basis for the Director's order refusing to issue, restore, or  
3708 renew a ~~Registration~~ registration, or otherwise disciplin~~ing~~ a registrant. If the  
3709 Director disagrees with the recommendations of the hearing officer, the Director  
3710 may issue an order in contravention of the hearing officer's recommendations.  
3711 The finding is not admissible as evidence against the person in a criminal  
3712 prosecution brought for a violation of this Act, but the hearing and finding are not  
3713 a bar to a criminal prosecution brought for a violation of this Act.

3714 **Section 1290.380 Rehearing**

- 3715 a) ~~At the conclusion of the hearing, the registrant shall be served a copy of the~~  
3716 ~~hearing officer's report. Within 20 calendar days after service, the registrant may~~  
3717 ~~present to the Division a motion in writing for a rehearing, which shall specify the~~  
3718 ~~particular grounds for rehearing. The Division may respond to the motion for~~  
3719 ~~rehearing within 20 calendar days after its service on the Division. If no motion~~  
3720 ~~for rehearing is filed, then upon the expiration of the time specified for filing, or if~~  
3721 ~~a motion for rehearing is denied, then upon denial, the Director may enter an~~  
3722 ~~order in accordance with the recommendations of the hearing officer or in~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

3728 ~~contravention. If the registrant orders from the reporting service and pays for a~~  
3729 ~~transcript of the record within the time for filing a motion for rehearing, the 20-~~  
3730 ~~day period within which a motion may be filed shall commence upon the delivery~~  
3731 ~~of the transcript to the registrant.~~

3732 ~~— b) — If the Director believes that substantial justice has not been done in the~~  
3733 ~~revocation, suspension, or refusal to issue, restore, or renew a registration, or~~  
3734 ~~other discipline or non-discipline of a registrant, he or she may order a rehearing~~  
3735 ~~by the same or other hearing officers.~~  
3736

3737  
3738 **Section 1290.390—570 Restoration of Registration from Discipline**  
3739

3740 At any time after the successful completion of a term of indefinite probation, suspension, or  
3741 revocation of a ~~Registration~~ registration, the Division may restore the ~~Registration~~ registration to  
3742 active status, unless, after an investigation, the Director determines that restoration is not in the  
3743 public interest. No person or entity whose ~~Registration~~ dispensary registration has been revoked  
3744 may apply for restoration ~~of that registration, until~~ unless provided for in the Civil  
3745 Administrative Code of Illinois.  
3746

3747 **Section 1290.400—575 Appointment of a Hearing Officer**  
3748

3749 The Director has the authority to appoint any attorney licensed to practice law in the State of  
3750 Illinois to serve as the hearing officer in any action for refusal to issue, restore, or renew a  
3751 ~~Registration~~ registration or to discipline a registrant. The hearing officer has full authority to  
3752 conduct the hearing.  
3753

3754 **Section 1290.580 Transcript; Record of Proceedings**  
3755

3756 The Division shall preserve a record of proceedings at the hearing of any case. The notice of  
3757 hearing, Notice of violation and all other documents in the nature of pleadings and written  
3758 motions filed in the proceedings, the transcript of testimony, the report of the hearing officer, and  
3759 the orders of the Division shall be the record of the proceedings.  
3760

3761 **Section 1290.590 Certification of Record; Receipt**  
3762

3763 The Division shall not be required to certify any record to the court, to file an answer in court, or  
3764 otherwise to appear in any court in a judicial review proceeding until the Division has received  
3765 payment of the costs of furnishing and certifying the record from the Plaintiff, costs which shall  
3766 be determined by the Division. Failure on the part of the Plaintiff to file a receipt in court is  
3767 grounds for dismissal of the action.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

SUBPART I: GENERAL

~~Section 1290.500 Confidentiality~~

~~a) All information collected by the Division in the course of an examination, inspection, or investigation of a registrant or applicant, including, but not limited to, any complaint against a registrant filed with the Division and information collected to investigate the complaint, security information disclosed in the application or during a Division inspection, floor plans submitted as part of the application process, information related to inventory and inventory control records, and any customer information, shall be maintained for the confidential use of the Division and shall not be disclosed.~~

~~b) The Division may not disclose the information to anyone other than law enforcement officials, regulatory agencies that have an appropriate regulatory interest as determined by the Director. Information and documents disclosed to a federal, state, county, or local law enforcement agency shall not be disclosed by the agency for any purpose to any other agency or person. A formal complaint filed against a registrant by the Division or any order issued by the Division against a registrant or applicant shall be a public record, except as otherwise prohibited by law.~~

~~Section 1290.510-600 Intergovernmental Cooperation~~

- ~~a) Whenever the Division revokes or suspends a dispensing organization's registrationRegistration, it shall notify the ISP, Agriculture, DPH and the police department or sheriff's office whose jurisdiction includes the Registrant'sregistrant's dispensing location.~~
- ~~b) If the ISP, any municipality, township, ~~or~~ county, or local law enforcement agency takes anyaction relating to the operation of the registrant'sRegistrant's dispensing location, it shall notify the Division of the action taken and the reason for the action within five days.~~

~~Section 1290.520-610 Granting Variances~~

- ~~a) The Director may grant variances from this Part in individualcases where he/shefinds that:
  - ~~1) The applicable provision is not statutorily mandated;~~~~

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ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED RULES

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2) No party will be injured by the granting of the variance; and

3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

2) An approval for a variance may be revocable, may be granted for a limited period of time or may be granted subject to such conditions as the Director may prescribe.

~~a) The provision from which the variance is granted is not statutorily mandated,~~

~~b) No party will be injured by the granting of the variance, and~~

~~c) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.~~

**Section 1290.620 Administrative Decisions**

Final administrative decisions of the Division are subject to judicial review under the Administrative Review Law, as now or hereafter amended, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.

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