



Village of Antioch

Recreational Cannabis Public Meeting

September 16, 2019

Quick Facts

- Beginning January 1, 2020 recreational use of marijuana for adults 21 and over will become legal in the state of Illinois
- The consumption/possession of cannabis cannot be banned by a local municipality
- The Village can place the following regulations
 - Prohibit the sale of recreational cannabis within jurisdiction
 - Allow the sale of recreational cannabis, and regulate the number of dispensaries, hours of operation, restrictions within distances of schools, day care, etc. and include zoning restrictions

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Dispensaries

Medical vs. Recreational

Medical

- There are currently 3 Medical Marijuana Dispensaries in Lake County [Mundelein, Buffalo Grove, Highland Park]
- Designed to give patients a secure location to procure information and cannabis grown to treat ailments.
- Medical cannabis dispensaries and cultivation centers are eligible to apply for an Early Approval Adult Use License for recreational use.
- Medical Dispensaries may apply for a second license at a new location under same parameters.

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Dispensaries

Medical vs. Recreational

Recreational

- Storefront where Cannabis may be sold
- You must be 21 years old to purchase
- Operation allowed 6am – 10pm
- Operation prohibited when video surveillance equipment is inoperative
- Operation prohibited when point of sale equipment is inoperative
- They may apply within 60 days of the effective date of the Act.
- Licenses distributed to eligible applicants within 14 days

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January 1, 2020

The Act to Law

Illinois Cannabis Regulation and Tax Act

House Bill 1438

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Quick Facts

Possession Limits

- Residents

-30 grams of cannabis flower

-5 grams of cannabis concentrate

-No more than 500 milligrams of THC contained in a cannabis-infused product

-Medical cannabis patients can possess more than 30 grams if home-grown under certain conditions

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Quick Facts

Possession Limits

- Non-residents
 - 15 grams of cannabis flower
 - 2.5 grams of cannabis concentrate
- No more than 250 milligrams of THC contained in a cannabis-infused product

Quick Facts

Criminal Justice Issues

- Illegal to drive under the influence of cannabis
- Illegal to smoke cannabis in public places, parks, etc.
- Illegal for minors to use cannabis
- Village required to expunge records for possession

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The Law: Operational rules

- A dispensing organization must include the legal name of the dispensary on the packaging of any cannabis product it sells
- Dispensing organizations are prohibited from selling any product containing alcohol except cannabis infused alcohol, which are limited to containers that must be no larger than 100 milliliters.
- Dispensing organization may only accept cannabis deliveries into a restricted access area.



The Law: Operational rules

- Maintain compliance with state and local building, fire and zoning requirements or regulations
- Submit a list to the state of the names of all service professionals that will work at the dispensary
- All lighting outside and inside must be in good working order and wattage sufficient for security cameras
- Cannot operate drive-through windows, vending machines, or delivery

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The Law: Buffering

The Act allows for jurisdiction to establish minimum distance limitations between cannabis business establishments and locations it deems sensitive, including colleges and universities. The Act identifies the following sensitive uses as part of its restrictions on advertising

- Schools including childcare center and primary/secondary school
- Public property including public parks and public library
- Recreation center and arcades - with no age restriction
- Other Sensitive locations

The Law: Advertising

No cannabis business establishment nor any other person or entity shall engage in advertising that contains any statement or illustration that:

- Contains false or misleading information
- Promotes excessive consumption
- Depicts actual consumption
- Contains images of someone under 21
- Makes health claims about the positive effects of the use of cannabis
- Contains images that depict leaves or buds or that may appeal to minors

The Law: Advertising

No cannabis business, person or entity shall place or maintain an advertisement of cannabis or a cannabis-infused product **in any form or through any medium:**

- Within 1,000 feet from the *perimeter* of school grounds, playgrounds, recreation centers, childcare centers, public parks or libraries, or game arcades open to persons under 21 years of age.
- On Public transportation
- On Publicly owned or operated property

These restrictions do not apply to educational messaging

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The Law: Required Signage

-The dispensing organization's license and hours of operation.

-Health warnings

"Cannabis consumption can impair cognition and driving, is for adult use only, may be habit forming, and should not be used by pregnant or breastfeeding women."

"Edible cannabis-infused products were produced in a kitchen that may also process common food allergens."

"The effects of cannabis products can vary from person to person, and it can take as long as two hours to feel the effects of some cannabis-infused products. Carefully review the portion size information and warnings contained on the product packaging before consuming."

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The Law: Required Signage

-Age Restrictions

No minors permitted on the premises

Distribution to persons under the age of 21 is prohibited;

-Transportation across state lines

Transportation of cannabis or cannabis products across state lines is prohibited.

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Timeline



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Types of Licenses

- **Dispensary** – Provides cannabis products to adult consumers
- **Infuser** – Infuses products such as edibles with cannabis extract.
- **Transporter**- Transports cannabis between Business licensees
- **Craft Grower**- Can Grow Between 5,000 and 14,000 square feet of canopy space and may be separately licensed as an infuser and a dispensary at the same facility
- **Cultivation Center**- Can grow up to 210,000 square feet of canopy space

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Who will license?

Illinois Department of Financial and Professional Regulation

- *Dispensing Organizations*

Illinois Department of Agriculture

- *Infusing Organizations*
- *Transporting Organizations*
- *Craft Grower Organizations*
- *Cultivation Centers*



2021

December 21, 2021

- **Illinois Department of Financial & Professional Regulation awards up to 110 licenses for new dispensing organizations**

December 21, 2021

- **Illinois Department of Agriculture awards up to 60 additional licenses for craft growers, up to 60 license for infusers, and licenses for transporting organizations**

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Considerations:

Tax revenue-

Sales will be taxed at

10% for cannabis with THC levels at or less than 35%

25% for Cannabis with THC levels above 35%

20% for cannabis infused products such as edibles.

This is in addition to standard state and local sales taxes.

Municipalities may add a special tax up to 3%

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Considerations: Required Expenditures-

- Expungements
 - Staff required to locate all possession cases going back decades
 - Staff required to issue certified mail notices to all identified offenders
 - Court Time involving lawyers and hearings likely
- DUI and Traffic Enforcement
 - No blood or breath test on the market presently
 - Subjective tests required (walk the line, etc.)
 - Possible impacts to legal arguments
 - Possible impacts to booking time
 - Possible impacts to officer's court time
 - Possible impacts to probabilities of trials

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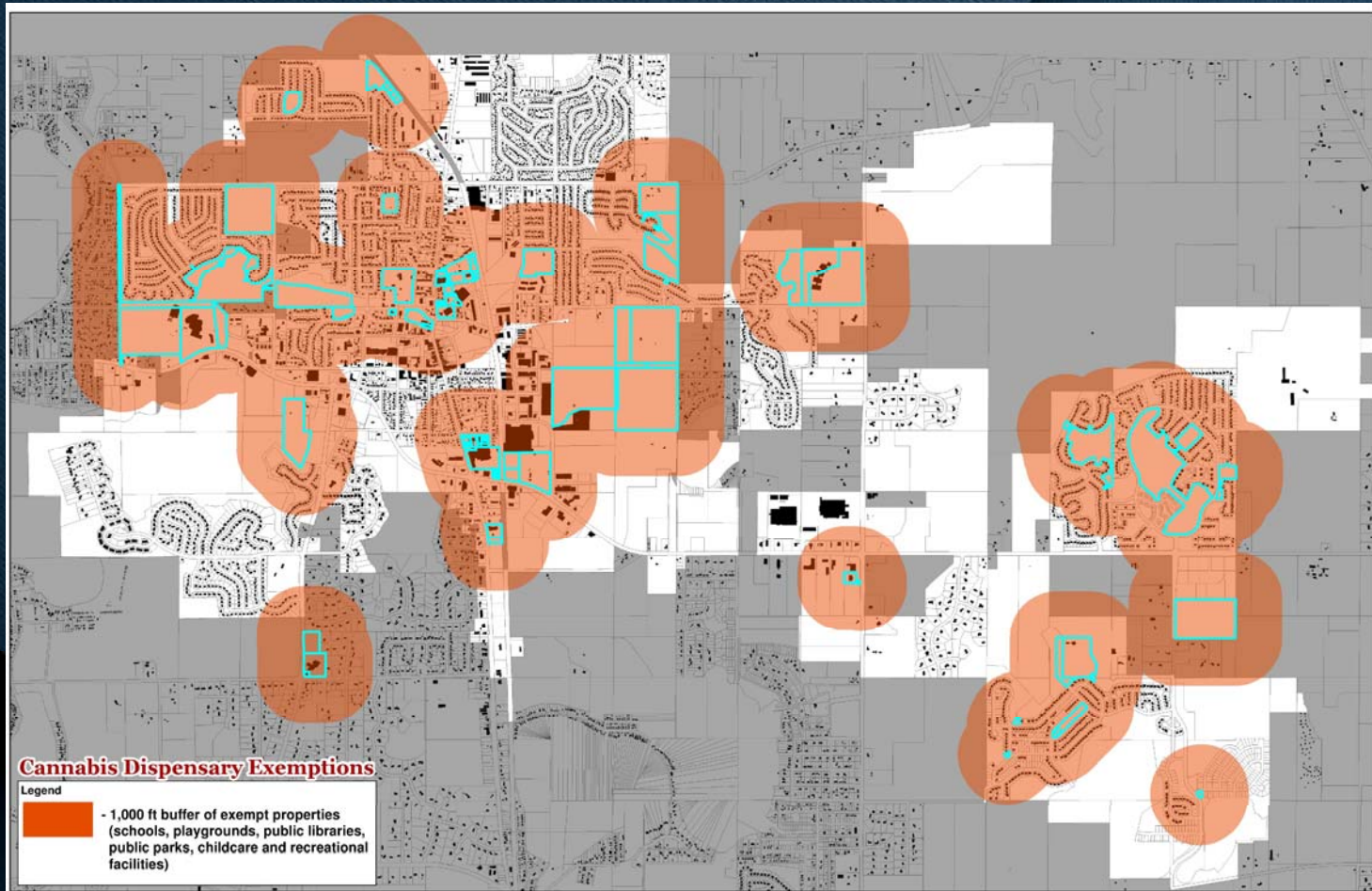


LOCATIONS

Within the Village

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In a Nutshell

What does it mean?

The Village Board will need to consider if it will...

- Prohibit the sale of recreational cannabis within its jurisdiction – Ban could be for retail sale OR consumption on premise.
- Allow the sale of recreational cannabis, and regulate # of dispensaries allowed, hours of operation, location restrictions, and on-site consumption

*No regulations may be more restrictive than state regulations

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Comments & Questions

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<https://www.antioch.il.gov/cannabis/>

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**Thank you for joining us
and sharing your input.**

Mayor Lawrence Hanson
Village Administrator Jim Keim
Police Chief Steve Huffman
Village Attorney Douglas Dorando
Village Board of Trustees & Staff

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