

The Cannabis Regulation and Tax Act Section 55-25. Local Ordinances

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8 Section 55-25. Local ordinances. Unless otherwise provided
9 under this Act or otherwise in accordance with State law:

10 (1) A unit of local government, including a home rule
11 unit or any non-home rule county within the unincorporated
12 territory of the county, may enact reasonable zoning
13 ordinances or resolutions, not in conflict with this Act or
14 rules adopted pursuant to this Act, regulating cannabis
15 business establishments. No unit of local government,
16 including a home rule unit or any non-home rule county
17 within the unincorporated territory of the county, may
18 prohibit home cultivation or unreasonably prohibit use of
19 cannabis authorized by this Act.

20 (2) A unit of local government, including a home rule
21 unit or any non-home rule county within the unincorporated
22 territory of the county, may enact ordinances or rules not
23 in conflict with this Act or with rules adopted pursuant to
24 this Act governing the time, place, manner, and number of
25 cannabis business establishment operations, including

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1 minimum distance limitations between cannabis business
2 establishments and locations it deems sensitive, including
3 colleges and universities, through the use of conditional
4 use permits. A unit of local government, including a home
5 rule unit, may establish civil penalties for violation of
6 an ordinance or rules governing the time, place, and manner
7 of operation of a cannabis business establishment or a
8 conditional use permit in the jurisdiction of the unit of
9 local government. No unit of local government, including a
10 home rule unit or non-home rule county within an
11 unincorporated territory of the county, may unreasonably
12 restrict the time, place, manner, and number of cannabis
13 business establishment operations authorized by this Act.

14 (3) A unit of local government, including a home rule
15 unit, or any non-home rule county within the unincorporated
16 territory of the county may regulate the on-premises
17 consumption of cannabis at or in a cannabis business
18 establishment within its jurisdiction in a manner
19 consistent with this Act. A cannabis business
20 establishment or other entity authorized or permitted by a
21 unit of local government to allow on-site consumption shall
22 not be deemed a public place within the meaning of the

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Smoke Free Illinois Act.

(4) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may not regulate the activities

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described in paragraph (1), (2), or (3) in a manner more restrictive than the regulation of those activities by the State under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(5) A unit of local government, including a home rule unit or any non-home rule county within the unincorporated territory of the county, may enact ordinances to prohibit or significantly limit a cannabis business establishment's location.