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Things to Know about Illinois'

CANNABIS LAW

An overview of commonly asked
questions, courtesy of the
Springfield Police Department



Effective January 1, 2020, small amounts of cannabis are legal in Illinois for personal recreational use. The following are commonly asked questions and answers regarding the new law.

This is not a comprehensive list regarding all aspects of the law and should not be considered legal advice. For such information please consult with your personal attorney.

Violators are subject to civil and criminal prosecution based on the specific violation.



USE AND PURCHASE OF CANNABIS

Who can use and consume recreational cannabis?

Adults 21 and older. Individuals under the age of 21 are not allowed to purchase, possess, use, process, transport, grow, or consume cannabis.

Where can I purchase cannabis?

Only from an authorized and licensed dispensary. **Private sales are illegal.**

Can I grow my own cannabis?

No. It is illegal to grow your own cannabis for recreational purposes.





POSSESSION OF CANNABIS

Where is the possession of cannabis prohibited?

Possession of cannabis is prohibited in the following locations:

- ✗ On a school bus or public transportation.*
- ✗ On the grounds of any preschool, primary, or secondary school.*
- ✗ In any correctional facility.
- ✗ In a private residence that is used at any time to provide licensed child care or other similar social service care on the premises.

How much cannabis can I possess?

Illinois residents may possess:

- 30 grams of raw cannabis.
- No more than 500 mg of THC cannabis-infused product.
- 5 grams of concentrated cannabis product.



Non-Illinois residents may possess:

- 15 grams of raw cannabis.
- No more than 250 mg of THC in a cannabis infused product.
- 2.5 grams of concentrated cannabis product.

**Exception: medical user*

For more complete information about this State of Illinois law, please visit www.idfpr.com



CANNABIS CONSUMPTION

Where is the use of cannabis prohibited?

The use of cannabis is prohibited in all public places. A “public place” means any place where a person could reasonably be expected to be observed by others. The law also prohibits smoking in close physical proximity to anyone under the age of 21 who is not a registered medical cannabis patient.

Where can I use cannabis?

Cannabis can only be used in a private residence or in an on-premise authorized dispensary.

Can I use cannabis in my private residence?

Yes, as long as the residence is not used as a daycare and/or you are not in the close proximity of someone under the age of 21. The following exceptions should be noted:

- ✗ Federally funded public housing.
- ✗ Rental properties if the use and possession of cannabis is prohibited by your landlord.
- ✗ Locations prohibited by the Smoke Free Illinois Act (such as hotels, restaurants, and bars).

Can I use cannabis on my front porch?

The language of the statute is unclear on this point. **The Springfield Police Department has interpreted the law to allow the use of cannabis on the front porch of a private residence.** It should be noted, however, that some jurisdictions are interpreting the law differently and believe that using cannabis on front porches is prohibited. Future guidelines from the legislature and/or the courts will be necessary to finally clarify the issue.



EMPLOYER RESTRICTIONS

Can my employer discipline or discharge me for using recreational cannabis?

Potentially. Consult with your employer about their work place rules regarding the use of cannabis.



MOTOR VEHICLE VIOLATIONS

Can you possess cannabis while in a motor vehicle?

Cannabis may be possessed within a vehicle by either the driver and/or passengers but only in a sealed, odor-proof, child-resistant container that is reasonably inaccessible while the vehicle is moving. Cannabis dispensaries must utilize these same containers.

Can a police officer search me or my car if they smell cannabis?

Yes. Under Illinois law, the smell of cannabis is still probable cause to conduct a search.

Can I be arrested for a DUI for being under the influence of cannabis?

Yes, if you are impaired. If a driver has 5 nanograms of THC in the blood, there is a presumption of impairment.



Can I transport cannabis across state lines?

No. This is illegal.