STATE OF ILLINOIS

EXECUTIVE DEPARTMENT

SPRINGFIELD, ILLINOIS

FILED
INDEX DEPARTMENT
APR 30 2020
IN THE OFFICE OF
SECRETARY OF STATE

April 30, 2020 Executive Order 2020-34

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 32)

WHEREAS, Coronavirus Disease 2019 (COVID-19) has rapidly spread throughout Illinois in a short period of time, necessitating stringent guidance from federal, state, and local public health officials and significant measures to respond to the increasing public health disaster; and,

WHEREAS, COVID-19 spreads among people through respiratory transmissions and presents with symptoms similar to those of influenza; and,

WHEREAS, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area (the First Gubernatorial Disaster Proclamation) in response to the outbreak of COVID-19; and,

WHEREAS, on April 1, 2020, I declared all counties in the State of Illinois as a disaster area on April 1, 2020 (the Second Gubernatorial Disaster Proclamation) in response to the exponential spread of COVID-19; and,

WHEREAS, on April 30, 2020, due to the expected continuing spread of COVID-19 and the resulting health impacts across the State, as well as the need to address the potential shortages of hospital beds, ICU beds, ventilators, personal protective equipment and materials for testing for the virus, I declared all counties in the State of Illinois as a disaster area (the Third Gubernatorial Disaster Proclamation, and, together with the First and Second Gubernatorial Disaster Proclamations, the Gubernatorial Disaster Proclamations); and,

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/15-25(a), requires the Illinois Department of Financial and Professional Regulation (IDFPR) to issue up to 75 Conditional Adult Use Dispensing Organization Licenses by May 1, 2020; and,

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/15-5 et. seq., and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130, also require IDFPR to issue medical and adult use cannabis dispensing organization agent identification cards within specified time frames, and require medical and adult use cannabis dispensing organization agents to acquire a dispensing organization agent identification card prior to beginning work in a dispensary; and

WHEREAS, Executive Order 2020-32, requires Illinoisans stay at home to the greatest extent possible, other than for essential activities, essential governmental functions, or to operate essential businesses and operations; and,

WHEREAS, medical and adult use cannabis dispensaries licensed pursuant to the Cannabis Regulation and Tax Act, 401 ILCS 705/1-1, are Essential Businesses and Operations for purposes of Executive Order 2020-32; and,

WHEREAS, the COVID-19 outbreak has created delays in the application review process and impacted IDFPR's ability to issue the 75 Conditional Adult Use Dispensing Organization Licenses by May 1, 2020, and to issue medical and adult use cannabis dispensing organization agent identification cards in a timely manner;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to Sections 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following:

Section 1. During the duration of the Gubernatorial Disaster Proclamations, or until IDFPR otherwise announces a new date no later than the termination of the Gubernatorial Disaster Proclamations, the requirement pursuant to 410 ILCS 705/15-25(a) that IDFPR issue up to 75 Conditional Adult Use Dispensing Organization Licenses before May 1, 2020, is suspended. This statutory provision is suspended only with respect to the requirement that such licenses be issued by May 1, 2020. IDFPR shall provide notice to the public of the date such licenses will be issued.

Section 2. During the duration of the Gubernatorial Disaster Proclamations, the following provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705, and the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130, and the implementing regulations are hereby suspended as follows:

a. The requirements that IDFPR approve or deny an application for a medical or adult use cannabis dispensing organization agent identification card within 30 days of receiving a completed application or renewal application and issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal pursuant to 410 ILCS 130/120(a) and 410 ILCS 705/15-40(a) are suspended; and,

b. The requirement that an adult use cannabis dispensing organization agent must obtain an agent identification card from IDFPR prior to beginning work at a dispensary pursuant to 410 ILCS 705/15-60(k) is suspended, provided that the dispensing organization agent receives written confirmation from IDFPR that the dispensing organization agent has submitted a completed application to IDFPR prior to beginning work at a dispensary; and,

c. The requirements that a medical or adult use cannabis dispensing organization agent must keep an agent identification card visible at all times when in the dispensary pursuant to 410 ILCS 130/210(b) and 410 ILCS 705/15-40(b) is suspended, provided that the dispensing organization agent has written confirmation from IDFPR that the dispensing organization agent had submitted a completed application to IDFPR prior to beginning work at a dispensary; and,

d. The requirement that an adult use dispensing organization shall ensure that each dispensing organization agent has a current agent identification card in the agent's immediate possession when the agent is at the dispensary pursuant to 410 ILCS 705/15-65(d) is suspended, provided that the dispensing organization shall ensure that the dispensing organization agent complies with parts (b) and (c) of this Section; and,

e. The requirements that a medical or adult use cannabis dispensing organization agent enter their agent registration number into the State verification system when making a sale pursuant to 68 Ill. Admin. Code 1290.430(d)(6)(A) and 1290.431(b)(5)(A), and 410 ILCS 705/15-85(a)(4)(i), are suspended provided that the dispensing organization agent enters necessary information into the State verification system to track and retain the identity of the agent making the sale; and,

f. Parts (b) through (e) of this Section shall not apply to a dispensing organization principal officer, as defined in 410 ILCS 705/1-10, or an agent-in-charge, as required in 410 ILCS 705/15-95.

Section 3. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect

any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

JB Pritzker

Issued by the Governor April 30, 2020
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