Executive Order 2020-45

(COVID-19 EXECUTIVE ORDER NO. 43)

June 29, 2020

EXECUTIVE ORDER 2020-45

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 43)

WHEREAS, Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness, 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 can spread among people through respiratory transmissions, asymptomatic people can transmit the virus, and there is currently no effective treatment or vaccine; and,

WHEREAS, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area 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 due 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 prevent 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; and,

WHEREAS, on May 29, 2020, due to the thousands of lives lost to COVID-19 in Illinois, the continued increase of cases, the continued threat of shortages of hospital beds, ER beds, and ventilators, the improved but still insufficient testing capacity, and the financial destruction caused by the virus, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, on June 26, 2020, due to the ongoing burden on hospital resources, the expected continuing spread of COVID-19, and the ongoing health and economic impacts that will be felt over the coming month by people across the State, I again declared all counties in the State of Illinois as a disaster area (together with the previous proclamations identified in this Executive Order, the Gubernatorial Disaster Proclamations); and,

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705, and implementing regulations, Title 8, Section 1300 of the Illinois Administrative Code, require the Illinois Department of Agriculture (IDOA) to issue up to 40 Craft Grower Licenses, 410 ILCS 705/30-5(a), up to 40 Infuser Licenses, 410 ILCS 705/35-5(a), and an unlimited number of Transporting Organization Licenses, 410 ILCS 705/40-5(a), by July 1, 2020; and,

WHEREAS, pursuant to Executive Order 2020-03 and Executive Order 2020-17, the application submission deadlines in the Cannabis Regulation and Tax Act and implementing regulations for submitting Craft Grower, Infuser, and Transporting Organization License applications by March 16, 2020, were suspended until April 30, 2020; and,

WHEREAS, the COVID-19 outbreak and the suspension of the application

deadlines have created delays in IDOA's application review process and have impacted IDOA's ability to issue the Craft Grower, Infuser, and Transporting Organization Licenses by July 1, 2020; and,

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/20-30(m), prohibits cultivation centers from transporting cannabis to a craft grower, dispensing organization, infuser organization, or laboratory licensed under the Act without obtaining a Transporting Organization License beginning July 1, 2020; and,

WHEREAS, the Cannabis Regulation and Tax Act, 410 ILCS 705/25-5(a), requires IDOA, in coordination with the Illinois Community College Board, to establish a Community College Cannabis Vocational Pilot Program, and requires community colleges to submit applications to IDOA for the Community College Cannabis Vocational Pilot Program no later than July 1, 2020, 410 ILCS 705/25-10(a); and,

WHEREAS, the ability of community colleges to complete and submit applications to IDOA by July 1, 2020, may have been impacted by the COVID-19 outbreak and the measures that the State has enacted to address the COVID-19 outbreak;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to Sections 7(1) and 7(12) 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 IDOA otherwise announces a new date no later than the termination of the Gubernatorial Disaster Proclamations, the following provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705, and the implementing regulations, are hereby suspended as follows:

a. The requirement pursuant to 410 ILCS 705/30-5(a) that IDOA issue up to 40 Craft Grower Licenses by July 1, 2020, is suspended. IDOA shall

provide notice to the public of the date such licenses will be issued;

b. The requirement pursuant to 410 ILCS 705/35-5(a) that IDOA issue up to 40 Infuser Licenses by July 1, 2020, is suspended. IDOA shall provide notice to the public of the date such licenses will be issued; and,

c. The requirement pursuant to 410 ILCS 705/40-5(a) that IDOA issue Transporting Organization Licenses no later than July 1, 2020, is suspended. IDOA shall provide notice to the public of the date such licenses will be issued.

Section 2. During the duration of the Gubernatorial Disaster Proclamations, or until IDOA issues Transporting Organization Licenses pursuant to 410 ILCS 705/40-5(a), whichever is sooner, the requirement pursuant to 410 ILCS 705/20-30(m) and 8 Ill. Adm. Code 1300.195, that beginning July 1, 2020, a cultivation center shall not transport cannabis or cannabis-infused products to a craft grower, dispensing organization, infuser organization, or laboratory licensed under this Act, unless it has obtained a Transporting Organization License, is suspended.

Section 3. The July 1, 2020, deadline for submission of Community College Cannabis Vocational Pilot Program applications pursuant to 410 ILCS 705/25-10(a), and 8 Ill. Adm. Code 1300.202(a), is suspended until September 1, 2020, or until the termination of the Gubernatorial Disaster Proclamations, whichever is sooner.

Section 4. 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.

Issued by the Governor June 29, 2020

Filed by the Secretary of State June 29, 2020