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State of Illinois Announces Permanent Rules for Conditional Adult Use Cannabis Dispensary Licenses Tiebreaking Process

CHICAGO –The Illinois Department of Financial and Professional Regulation (IDFPR) announced today it has filed permanent rules for cannabis dispensary licensees to be selected when there are two or more applicants with tied high scores. The rules apply to applications that are tied for the last remaining license or licenses in a specific Bureau of Labor Statistics region. The rules will be available on the IDFPR website.

Due to the ongoing COVID-19 pandemic, the adult-use cannabis dispensary license approval process has been unavoidably extended. IDFPR released emergency rules in December 2019 establishing procedures in the event of a tie between applicants. Due to the delay, those emergency rules will expire before the Department is able to announce the scoring results. As a result, IDFPR is filing permanent rules to ensure that the Department can use the tiebreaker procedures, if necessary.

"The Pritzker administration remains committed to protecting and pursuing diversity in the adult-use cannabis industry, despite the challenges presented by the COVID-19 pandemic. Governor Pritzker has made it clear the state's new industry is about more than revenue, it's about ensuring communities that have been left out and left behind have new opportunity," said Toi Hutchinson, Senior Advisor for Cannabis Control to Gov. Pritzker. "These rules will allow IDFPR to continue the process of awarding licenses. We look forward to issuing licenses in the coming months and conducting the disparity study to determine if any additional equity measures need to be taken."

The Illinois Cannabis Regulation and Tax Act, the most equity-centric law in the country, aims to uplift and include communities that have been disproportionately impacted by the failed war on drugs in the state's new adult-use cannabis industry. Under the law, over 700,000 records for cannabis arrests and convictions are eligible for expungement and Governor Pritzker has already expunged 11,017 convictions. A $30 million low-interest loan program was created for social equity entrepreneurs interested in joining the industry and all qualified social equity applicants received a fifty percent reduction in license application. After licenses are awarded, the State will conduct a disparity study to evaluate whether additional efforts are necessary to increase diversity in this newly legal industry.

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