WHAT’S LEGAL FOR ADULTS 21+

As of 1/1/2020 non-medical cannabis (marijuana, hashish, weed, pot, edibles, etc.) use is legal for adults 21+ in Illinois. This new law outlines specific parameters regarding possession, consumption, and other activities related to non-medical cannabis use. This law will not impact the Medical Cannabis Pilot Program Act. Here are a few things you should know.

WHO CAN POSSESS AND HOW MUCH?

• Adults age 21+ who are residents of Illinois can possess up to the following amounts of cannabis:
  ◦ 30 grams [1 oz] of cannabis flower
  ◦ 5 grams of cannabis concentrate
  ◦ 500 milligrams of THC within cannabis-infused products

• While in the state, U.S. citizens who don’t live in Illinois can possess up to half of the amounts above.

• Anyone younger than 21 is prohibited from possessing any amount of cannabis.

BUYING, SELLING, GIVING, & GROWING

• It is illegal to purchase from anyone besides licensed cannabis dispensaries registered with the state of Illinois.

• When purchasing from dispensaries, you must show a valid government-issued photo ID with your date of birth.

• If you’re 21+, you can gift up to the legal limit to another adult 21+, but you cannot receive any form of payment.

• Non-medical cannabis users may not grow any amount of cannabis.

• Medical marijuana cardholders are permitted to grow up to 5 plants.

WHERE YOU CAN AND CAN’T USE

CAN

◦ In a private home if out of public view, with no one under 21 years of age present, and approved by the property owner

◦ In some cannabis-related businesses

CAN’T

◦ In any public space [including private homes where use is in public view]

◦ On any private property of which the property owner does NOT approve [including individual owners, landlords, businesses, & colleges]

◦ In front of anyone under the age of 21

◦ On any federal land [including national parks in Illinois and Section 8 government-funded housing]

◦ In any motorized vehicle, including boats and motorcycles, even as a passenger

◦ Across state borders—cannabis purchased in Illinois must be used in Illinois

Funded in whole or in part by the Illinois Department of Human Services, Division of Substance Use Prevention and Recovery through a grant from the Substance Abuse and Mental Health Services Administration.

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DRIVERS AND PASSENGERS

• Like with alcohol, operating a motorized vehicle under the influence of cannabis can result in a DUI.
  ◦ Law enforcement has the right to pull you over and conduct a sobriety test.
  ◦ You could lose your license and face additional legal consequences.
• If you have cannabis in a vehicle, it must be in a closed container out of reach of the driver.

HOW WILL THIS LAW HELP ILLINOIS COMMUNITIES?

• Adults previously convicted of possessing less than the new legal limit may have their records expunged as long as their arrest did not involve a violent crime.
• 25% of cannabis sales tax revenue will help revitalize communities most affected by drug use.
• 20% of cannabis sales revenue will help address mental health issues and substance abuse & prevention efforts.
• 8% of cannabis sales revenue will help prevent local crime.
• Illinois will help lower licensing fees for, and provide low-interest business loans to, minority entrepreneurs interested in entering the cannabis industry.

OTHER LAWS

• Just like alcohol, if cannabis is used by someone under 21 on the property of an adult over 21+, that adult can be held legally liable.
• Federal law does not permit the use, possession, or cultivation of cannabis (in any amount).
• Illegal cannabis use could still subject you to state and/or federal prosecution.
• As cannabis is not legal at the federal level, use or possession of ANY amount of cannabis by immigrants and non-US citizens could affect their immigration status and result in deportation.

LEGAL CONSEQUENCES

• There are several penalties for violating Illinois’ cannabis laws including:
  ◦ Fines
  ◦ Community Service
  ◦ Drug Education
  ◦ Jail Time


If you have additional questions regarding non-medical cannabis use in Illinois, please email letstalkcannabisIL@prevention.org.

For more on health risks of cannabis use for underaged individuals and pregnant or breastfeeding women, check out Family Safety on LetsTalkCannabisIL.com.

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