



# IDFPR

## Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

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### **Social Equity Criteria Lottery Acceptable Documents Guide**

This Acceptable Documents Guide is intended to assist applicants for the Social Equity Criteria Lottery, a new application and lottery process pursuant to 68 IAC 1291.400, available [here](#). For more information on this application and lottery process, please review the Department's [2023 Lottery Steps](#) and [Data Primer](#).

This guide provides examples of the types of documents that are acceptable for top participants' individual majority owners to prove their social equity status for Criteria A and Criteria B, as required in 68 IAC 1291.410(e). All documents must be submitted electronically to the Department in PDF format.

In order to be issued a conditional license pursuant to this application process, a top participant<sup>1</sup> must prove, amongst all other statutory requirements<sup>2</sup> and limitations<sup>3</sup> that it is 51% or more owned or controlled by one or more individuals who each meet the combination of at least one of the criteria under Criteria A and one of the criteria under Criteria B. This does not mean multiple individuals need to meet identical criteria, but each individual accounting for the 51% or more ownership must individually meet at least one criterion from Criteria A and one criterion from Criteria B. In other words, if there are 3 proposed individuals that collectively make up 51% of the ownership of a top participant entity, Individual 1 needs to meet 1 criterion from Criteria A and 1 criterion from Criteria B, Individual 2 needs to meet 1 criterion from Criteria A and 1 criterion from Criteria B, and Individual 3 needs to meet 1 criterion from Criteria A and 1 criterion from Criteria B.

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<sup>1</sup> Pursuant to 68 IAC 1291.10, "*Top participant*" means an applicant drawn by lot in a winning slot such that it has the opportunity to be issued a conditional license.

<sup>2</sup> See Section 15-36 of the Cannabis Regulation and Tax Act and review the current [15-36 Application](#) for other statutory, operational-based requirements which are required in order to be issued a full 15-36 License.

<sup>3</sup> Pursuant to 410 ILCS 705/15-36(d), no single person or entity may have a direct or indirect financial interest in more than 10 Early Approval Adult Use Dispensing Organization Licenses, Conditional Adult Use Dispensing Organization Licenses, or Adult Use Dispensing Organization Licenses. Any entity that is awarded a conditional license that results in a single person or entity having a direct or indirect financial interest in more than 10 licenses shall forfeit the most recently issued license and suffer a penalty to be determined by the Department in accordance with section 15-145 of the Act, unless the entity declines the license at the time it is awarded. 68 IAC 1291.420(n). Pursuant to 68 IAC 1291.95(a), if the Illinois Department of Revenue determines a principal officer is not compliant, the Department will notify the principal officer via e-mail and the principal officer will have 60 days to provide proof of compliance from the Illinois Department of Revenue or the applicant will be denied the Conditional License and the next drawn applicant from the lottery will be notified of its eligibility for a Conditional License. The Department must deny all of the applicant entity's Conditional Licenses if one or more principal officers is unable to come into compliance within the timeframe provided in 68 IAC 1291.95(c). In addition to those listed, the Department may deny an applicant's Conditional License for any other reason allowed by law.

In order to be eligible for a conditional license in the above scenario, the top participant must prove to the Department, for each individual making up 51% ownership:

1. The individual's home address is within the eligible census tract in Criteria A;
2. The individual has resided at the home address for a total of 5 of the past 10 years and has appropriate documentation and proof (acceptable documents listed below); and
3. The individual qualifies under one of Criteria B's requirements.

An individual can prove eligibility with multiple addresses in multiple census tracts for 5 of the past 10 years, so long as each census tract is eligible under one of Criteria A's options. In other words, an individual is not required to have lived at the same address for all 5 years, but if there are multiple addresses, each must qualify in the appropriate census tract. Further, an individual address' census tract qualifies if the locations *currently* meet the eligibility criteria (e.g., a person lived from 2015-2020 at an address in a census tract qualifying using the 2021 Census Bureau 5-year surveys).

Remember, if a top participant has multiple individuals who make up the 51% ownership or control of the entity, the top participant needs to prove the above three enumerated points for each individual.

The Criteria A documents below are examples of acceptable documents and the Department, in its discretion, may accept other similar documents that are capable of being verified and serve the same or similar purpose as those identified below. However, the Department is limited to only accepting criminal or medical records for Criteria B. Please note that for some prove-up information, additional documents such as a government-issued identification card may be needed in order to match the records with the actual individual applying.

## **Criteria A**

The Department has created an [interactive map](#), available on its website for all prospective applicants. This interactive map allows individuals to check if an individual address is within a census tract that qualifies for one of the required [social equity criteria](#). The Department encourages all individuals to utilize this helpful map as they prepare their applications.

While the interactive map is meant to serve as a helpful resource, it should not be interpreted as legal advice or as a legal conclusion. Applicants may wish to confirm the information by checking their census tract for themselves following the directions for Criteria A in the [Primer](#). Should an applicant be selected as a top participant in the Social Equity Criteria Lottery, the Department will confirm that the applicant's address(es) meet the criteria.

The map combines the most recent data from the 5-year American Community Survey (ACS) and the USDA's Economic Research Service's Food Access Research Atlas.<sup>1</sup>

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<sup>1</sup> As of January 12, 2023, the 2021 5-year American Community Survey was the most recent and used for Criteria A(i), A(ii), and A(v). The USDA's 2019 Food Access Research Atlas was the most recent and used for Criteria A(iii).

<u>Criteria A (Only 1 required)</u>	<u>Census Tract Submission</u>	<u>Prove Up Documents</u>
<p>i) An individual who has resided for at least 5 of the preceding 10 years in a census tract that has a poverty rate of at least 20% according to the latest 5-year American Community Survey (Table S1701: Poverty Status in the Past 12 Months) that is publicly available at the start of the application submission window for the lottery conducted under Sections 1291.400 through 1291.440. The data set is</p>	<ul style="list-style-type: none"> <li>• Proof of each majority owner’s census tract confirmation for this category</li> <li>• The Department will accept Excel, CSV, or zip file formats of this data. Please clearly label the data file using the follow title format:</li> </ul>	<ul style="list-style-type: none"> <li>• Residency proven by providing the past 10 years of tax records <b>or</b> 2 of the following that show the individual has resided in the affected area for 5 of the proceeding 10 years: <ul style="list-style-type: none"> <li>○ (A) a signed lease agreement that includes the applicant's name;</li> <li>○ (B) a property deed that includes the applicant's name;</li> </ul> </li> </ul>
<p>available at <a href="https://data.census.gov/cedsci/table?q=poverty%20rate&amp;q=0100000US%241400000&amp;tid=ACSST5Y2020.S1701">https://data.census.gov/cedsci/table?q=poverty%20rate&amp;q=0100000US%241400000&amp;tid=ACSST5Y2020.S1701</a>;</p>	<p>LASTNAME_First Name_CensusTractDat a.</p>	<ul style="list-style-type: none"> <li>○ (C) school records;</li> <li>○ (D) a voter registration card;</li> <li>○ (E) a driver's license, an Identification Card, or a Person with a Disability Identification Card;</li> <li>○ (F) a paycheck stub;</li> <li>○ (G) a utility bill; or</li> <li>○ (H) any other proof of residency or other information necessary to establish residence as provided by rule;</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• Evidence that the residence is within the applicable census tract.</li> </ul>

<p>ii) An individual who has resided for at least 5 of the preceding 10 years in a census tract where at least 20% of the households receive assistance under the Supplemental Nutrition Assistance Program in the latest 5-year American Community Survey (Table S2201: Food Stamps/Supplemental Nutrition Assistance Program (SNAP)) that is publicly available at the start of the application submission window for the lottery conducted under Sections 1291.400 through 1291.440. The data set is available at <a href="https://data.census.gov/cedsci/table?q=snap%20participation&amp;q=0100000US%241400000&amp;tid=ACSSST5Y2020.S2201">https://data.census.gov/cedsci/table?q=snap%20participation&amp;q=0100000US%241400000&amp;tid=ACSSST5Y2020.S2201</a>;</p>	<ul style="list-style-type: none"> <li>• Proof of each majority owner's census tract confirmation for this category</li> <li>• The Department will accept Excel, CSV, or zip file formats of this data. Please clearly label the data file using the follow title format: LASTNAME_First Name_CensusTractData.</li> </ul>	<ul style="list-style-type: none"> <li>• Residency proven by providing the past 10 years of tax records <b>or</b> 2 of the following that show the individual has resided in the affected area for 5 of the proceeding 10 years: <ul style="list-style-type: none"> <li>○ (A) a signed lease agreement that includes the applicant's name;</li> <li>○ (B) a property deed that includes the applicant's name;</li> <li>○ (C) school records;</li> <li>○ (D) a voter registration card;</li> <li>○ (E) a driver's license, an Identification Card, or a Person with a Disability Identification Card;</li> <li>○ (F) a paycheck stub;</li> <li>○ (G) a utility bill; or</li> <li>○ (H) any other proof of residency or other information necessary to establish residence as provided by rule.</li> </ul> </li> <li>• Evidence that the residence is within the applicable census tract.</li> </ul>
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<p>iii) An individual who has resided for at least 5 of the preceding 10 years in a census tract area classified as "low income and low access" where at least 100 households are more than one-half mile from the nearest supermarket and have no access to a vehicle or a significant number (at least 500 people) or share (at least 33%) of the population is greater than 1 mile from the nearest supermarket, supercenter, or large grocery store for an urban area or greater than 20 miles for a rural area, as classified by the latest United States Department of Agriculture Economic Research Service's Food Access Research Atlas data set that is publicly available at the start of the application submission window for the lottery conducted under Sections 1291.400 through 1291.440. The data set is available at the United States Department of Agriculture Economic Research Service's Food Access Research Atlas, is available at <a href="https://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas">https://www.ers.usda.gov/data-products/food-access-research-atlas/go-to-the-atlas</a>;</p>	<ul style="list-style-type: none"> <li>• Proof of each majority owner's census tract confirmation for this category</li> <li>• The Department will accept Excel, CSV, or zip file formats of this data. Please clearly label the data file using the follow title format: LASTNAME_First Name_CensusTractDat a.</li> </ul>	<ul style="list-style-type: none"> <li>• Residency proven by providing the past 10 years of tax records <b>or</b> 2 of the following that show the individual has resided in the affected area for 5 of the proceeding 10 years: <ul style="list-style-type: none"> <li>○ (A) a signed lease agreement that includes the applicant's name;</li> <li>○ (B) a property deed that includes the applicant's name;</li> <li>○ (C) school records;</li> <li>○ (D) a voter registration card;</li> <li>○ (E) a driver's license, an Identification Card, or a Person with a Disability Identification Card;</li> <li>○ (F) a paycheck stub;</li> <li>○ (G) a utility bill; or</li> <li>○ (H) any other proof of residency or other information necessary to establish residence as provided by rule.</li> </ul> </li> <li>• Evidence that the residence is within the applicable census tract.</li> </ul>
<p>iv) An individual who has received Medicaid, Supplemental Security Income, Social Security Disability, and/or subsidized housing for at least 5 of the preceding 10 years; and/or,</p>	<ul style="list-style-type: none"> <li>• No census tract required, but please see the Primer for tips on how to submit this information</li> </ul>	<ul style="list-style-type: none"> <li>• Proven by documentation indicating the individual receives some sort of benefits listed.</li> </ul>
<p>v) An individual who has resided for at least 5 of the preceding 10 years in a census tract in the top 15th percentile for the percent of residents in the census tract failing to graduate from High School in that state, as classified by the latest 5-year American Community Survey (Table S1501: Educational Attainment) that is publicly available at the start of the application submission window for the lottery conducted under Sections 1291.400 through 1291.440. The data set is available at</p>	<ul style="list-style-type: none"> <li>• Proof of each majority owner's census tract confirmation for this category</li> <li>• The Department will accept Excel, CSV, or zip file formats of this data. Please clearly label the data file using the follow title format: LASTNAME_First</li> </ul>	<ul style="list-style-type: none"> <li>• Residency proven by providing the past 10 years of tax records <b>or</b> 2 of the following that show the individual has resided in the affected area for 5 of the proceeding 10 years: <ul style="list-style-type: none"> <li>○ (A) a signed lease agreement that includes the applicant's name;</li> <li>○ (B) a property deed that includes the applicant's name;</li> <li>○ (C) school records;</li> <li>○ (D) a voter registration card;</li> </ul> </li> </ul>

<a href="https://data.census.gov/cedsci/table?q=s1501&amp;q=0100000US,%241400000">https://data.census.gov/cedsci/table?q=s1501&amp;q=0100000US,%241400000</a> .	Name_CensusTractDat a.	<ul style="list-style-type: none"> <li>○ (E) a driver's license, an Identification Card, or a Person with a Disability Identification Card;</li> <li>○ (F) a paycheck stub;</li> <li>○ (G) a utility bill; or</li> <li>○ (H) any other proof of residency or other information necessary to establish residence as provided by rule.</li> <li>● Evidence that the residence is within the applicable census tract.</li> </ul>
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## **Criteria B**

<b><u>Criteria B</u></b>	<b><u>Census Tract Submission</u></b>	<b><u>Prove Up</u></b>
i) An individual who has been arrested for, convicted of, or adjudicated delinquent for any offense, or substantially similar offense, of Illinois, federal or other state law for: <ul style="list-style-type: none"> <li>• possession of not more than 500 grams of cannabis; or</li> <li>• manufacture, delivery, or possession with intent to deliver, or manufacture of cannabis up to 30 grams;</li> </ul>	<ul style="list-style-type: none"> <li>● No census tract required, but please see the Primer for tips on how to submit this information</li> </ul>	Copy of Applicant's: <ul style="list-style-type: none"> <li>● Criminal Conviction;</li> <li>● Arrest Record;</li> <li>● Charging Documents;</li> <li>● Indictment;</li> <li>● Pardon;</li> <li>● Expungement; or</li> <li>● Other evidence that satisfies <a href="#">68 IAC 1291.410(e)(6)(B)(i)</a>.</li> </ul>
ii) An individual who has a family member who has been arrested for, convicted of, or adjudicated delinquent for any offense, or substantially similar offense, of Illinois, federal, or other state law for: <ul style="list-style-type: none"> <li>• possession of not more than 500 grams of cannabis; or</li> <li>• manufacture, delivery, or possession with intent to deliver, or manufacture of cannabis up to 30 grams;</li> </ul>	<ul style="list-style-type: none"> <li>● No census tract required, but please see the Primer for tips on how to submit this information</li> </ul>	Copy of Impacted Individual's: <ul style="list-style-type: none"> <li>● Criminal Conviction;</li> <li>● Arrest Record;</li> <li>● Charging Documents;</li> <li>● Indictment;</li> <li>● Pardon;</li> <li>● Expungement; or</li> <li>● Other evidence that satisfies <a href="#">68 IAC 1291.410(e)(6)(B)(ii)</a>; <b>and</b></li> <li>● An attestation that the impacted individual was a family member of Applicant as defined by "Member of an impacted family" 410 ILCS 705/1-10.</li> </ul>

<p>iii) An individual who has been a victim of firearm injury, as those terms are defined in this Part. This must be evidenced by either a police report or medical record.</p>	<ul style="list-style-type: none"> <li>• No census tract required, but please see the Primer for tips on how to submit this information</li> </ul>	<ul style="list-style-type: none"> <li>• Police Report;</li> <li>• Medical Records; or</li> <li>• Other evidence that satisfies <a href="#">68 IAC 1291.410(e)(6)(B)(iii)</a>.</li> </ul>
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