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Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

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JB PRITZKER
Governor

MARIO TRETO, JR.
Secretary

CECILIA ABUNDIS
Director

VARIANCE

Pursuant to the authority granted to me in the provisions of 68 Illinois Administrative Code 1290.610, I hereby grant a Variance on behalf of 280. licensed Medical Cannabis Dispensaries to the provisions of 68 Illinois Administrative Code 1290.410(c)(5), which states in part: “during hours of operation, store and dispense all cannabis from the restricted access area....”

On January 3, 2023, I issued a variance to 68 Illinois Administrative Code 1290.410(c)(5), which is set to expire January 31, 2023. The purpose of this Variance is to vary 68 Illinois Administrative Code 1290.410(c)(5) to continue to allow Medical Cannabis Dispensaries to dispense medical cannabis outside of the restricted and limited access areas for an additional 6 months beyond the previous expiration. This Variance shall allow Medical Cannabis Dispensaries to provide service for medical cannabis patients, OAPP participants, provisional patients, and designated caregivers outside the limited access area until June 30, 2023. Any Medical Cannabis Dispensary offering direct-to-car service or sales outside the limited access area must have written procedures to ensure Dispensary Agents will verify two forms of identification before providing the medical cannabis to a patient, OAPP participant, provisional patient or to a designated caregiver. Medical Cannabis Dispensaries are permitted to modify their policies and procedures regarding dispensing to accommodate this Variance.

Notwithstanding the aforementioned Rule, this Variance is in no way intended to waive or modify any statute, rule, or regulation concerning the dispensing of Medical Cannabis Dispensaries. All 280. licensed Medical Cannabis Dispensaries shall be subject to compliance with all additional rules and regulations contained in the Act and in the rules promulgated thereto or their successor.

I have determined that the provision from which this Variance is granted is not statutorily mandated; no party will be injured by the granting of this Variance; and the rules from which this Variance is granted would, in this particular case, be unreasonable.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
of the State of Illinois Mario Treto, Jr.,
SECRETARY, by

Director, Cecilia Abundis
Division of Professional Regulation

January 25, 2023

Date