



Illinois - State Specific Information

Information provided is current as of February 1, 2024, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized – 2014 (Compassionate Use of Medical Cannabis Pilot Program Act)
Recreational Use	Legalized – 2019 (Illinois Cannabis Regulation and Tax Act)
Possession/Personal Use Specifics	Adults 21 and over can possess up to 30 grams of flower, 5 grams of concentrates, and 500 milligrams of THC in cannabis-infused products. Registered medical cannabis patients can possess up to 70 grams of flower, concentrates and infused products every 14 days. Consumption is prohibited in public spaces, vehicles, and workplaces, and on school grounds, while private use is allowed with property owner permission, adhering to restrictions in rental agreements.

State Regulatory Agency Information

State Regulatory Agency	Cannabis Regulatory Oversight Office - CROO
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Illinois doesn't have specific laws governing employer drug testing. This means employers have broad leeway to implement drug-free workplace policies, including pre-employment, reasonable suspicion, and random testing. Remember, establishing robust documentation is a key risk mitigant for employers in states like Illinois.
Safety Sensitive Positions	Includes, but is not limited to, a position in which a lapse of attention could result in injury, illness, death, or damage to property, including, among other specified positions, road or commercial construction.
Privacy Laws	While Illinois allows employer-mandated drug testing, employees retain privacy rights , requiring written consent.

Recommended Procedures

Does the state have recommended procedures? It is always recommended to have a standardized documentation procedures and regular employee evaluations to set clear performance expectations. The state provides a detailed program for [workplace safety](#) that includes procedures and policies recommended for determining reasonable suspicion, as well as aspects to incorporate Total Worker Health® initiatives – such as training and documentation - for more productive and healthy workplaces.

State Employee Procedures and Policies Unlawful to manufacture, distribution, dispense, possess, or use of any controlled substance, including cannabis, on company property or while performing work duties is strictly prohibited. Violating this policy will result in disciplinary action, up to and including termination of employment. Employees must adhere to all aspects of this policy. State provides [EAPs](#) for workplace safety initiatives.

Protections for Use Outside Workplace/ Work Hours

Is Illinois a “Right to Weed State”? Under [Illinois law](#), an employer may not refuse to hire a candidate or discharge an employee based on the fact that the individual possesses a medical marijuana card.

More Detailed Information [Equip for Equality](#)

State Requirements for Drug & Alcohol Testing Program

Testing policy requirements: [HB4116](#)

Main Requirement: While Illinois [doesn't have specific laws](#) governing private sector drug testing, it provides broad discretion for employers. They can conduct pre-employment, random, reasonable suspicion, and post-accident tests with a written, consistently applied policy. However, they must have employee consent, and cannabis use alone cannot be grounds for discipline except in safety-sensitive roles or exceeding DUI limits.