

PROPOSED SUBSTITUTE TO FILE 22-5879
(Legislation and Intergovernmental Relations Committee 11/15/2022)

Sponsored by: BILL LOWRY, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

COOK COUNTY CANNABIS COMMISSION SUNSET AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 ADMINISTRATION, ARTICLE VI BOARDS, COMMISSIONS AND COMMITTEES, DIVISION 2. - COOK COUNTY CANNABIS COMMISSION, Sec. 2-501 - 2-505 of the Cook County Code is hereby amended as Follows:

Sec. 2-501. Short title.

This division shall be known and may be cited as the "Cook County Cannabis Commission" (Cannabis Commission).

Sec. 2-502. Definitions.

Disproportionately Impacted Area means a census tract or comparable geographic area satisfying the following criteria as determined by the Illinois Department of Commerce and Economic Opportunity:

(a) Meets at least one of the following criteria:

- (1) Area has a poverty rate of at least 20 percent according to the latest federal decennial census; or
- (2) Five percent or more of the children in the area participate in the federal free lunch program according to reported statistics from the State Board of Education; or
- (3) At least 20 percent of the households in the area receive assistance under the Supplemental Nutrition Assistance Program; or
- (4) The area has an average unemployment rate, as determined by the Illinois Department of Employment Security, more than 120 percent of the national unemployment average, as determined by the United States Department of Labor, for a period of at least two consecutive calendar years preceding the date of the application.

(b) Has high rates of arrest, conviction, and incarceration related to the sale, possession, use, cultivation, manufacture, or transport of cannabis.

Social Equity Applicant means an applicant who is an Illinois resident meeting one of the following criteria:

- (a) An applicant with at least 51 percent ownership and control by one or more individuals who have resided for at least 5 of the preceding 10 years in a Disproportionately Impacted Area;

- (b) an applicant with at least 51% ownership and control by one or more individuals who:
 - (1) have been arrested for, convicted of, or adjudicated delinquent for any offense eligible for expungement under the Cannabis Act; or
 - (2) Is a member of an impacted family;
- (c) For applicants with a minimum of ten full-time employees, an applicant with at least 51 percent of current employees who: or
 - (1) Currently reside in a Disproportionately Impacted Area; or
 - (2) Have been arrested for, convicted of, or adjudicated delinquent for any offense eligible for expungement under the Cannabis Act or member of an impacted family.

Sec. 2-503. Policy and purpose.

(a) Policy. This Ordinance hereby creates the Cook County Cannabis Commission to assist in determining the economic, legal, and social impact of the recreational cannabis industry on Cook County and its residents. It is imperative Cook County takes a proactive approach regarding this new industry and the potential primary, secondary, and tertiary effects the recreational cannabis industry will have on Cook County and its residents. The Commission will solicit input from various subject matter experts and focus strategically on:

- (1) Analyzing and addressing the economic impact of the emergent cannabis industry in Cook County, specifically the Social Equity Applications and recreational cannabis licenses and businesses in Cook County;
- (2) Addressing services provided and/or lacking in identified Disproportionately Impacted Areas throughout Cook County;
- (3) The social and economic impact of the automatic expungement initiative; and
- (4) other recreational and medicinal cannabis industry issues within Cook County.

(b) Purpose.

- (1) To solicit input from various subject matter experts;
- (2) To analyze the potential impact of the recreational and medicinal cannabis industries on economic development throughout the County;
- (3) To analyze potential opportunities resulting from the recreational and medicinal cannabis industries throughout Cook County;

- (4) To analyze potential tax revenue and allocation resulting from the recreational and medicinal cannabis industries;
- (5) To analyze potential effect on property value and assessment resulting from the recreational and medicinal cannabis industries throughout Cook County;
- (6) To analyze potential impact of the recreational and medicinal cannabis industries on Cook County Health and Cook County's current health care programs and services;
- (7) To analyze the social and legal ramifications of the recreational and medicinal cannabis industries, specifically the automatic expungement initiative of Cook County's State's Attorney's Office; and
- (8) To ensure the collection and analysis of this data goes towards prudent and rational decisions by the Cook County Board of Commissioners, President of the Cook County Board of Commissioners and subsequent offices under the president, all other Cook County bureaus, offices, and/or departments, and Cook County's separately elected officials for the benefit and prosperity of Cook County residents.

Sec. 2-504. Cook County Cannabis Commission.

(a) Commission members. The Cook County Cannabis Commission will comprise of 11 members.

(1) The Cannabis Commission will include seven Commissioners. The Vice-Chair of the Litigation SubCommittee, the Chair and Vice-Chair of the Finance Committee, the Chair of the Zoning and Building Committee, the Vice-Chair of Business and Economic Development Committee, the Vice-Chair of the Criminal Justice Committee and the Chair of the Rules Committee. The Vice-Chair of the Litigation SubCommittee shall serve as the Chair of the Commission and the Chair of Finance Committee shall serve as the Vice-Chair of the Commission

(2) The Cannabis Commission will also include an employee representative of the Department of Public Health, the Justice Advisory Council, the Bureau of Finance and the Bureau of Economic Development; said employee representatives will be appointed by the President.

(b) Duties of the Cook County Cannabis Commission and its members.

(1) The Cannabis Commission shall meet no more than twice a quarter with no meeting scheduled during regularly scheduled week of Cook County Forest Preserve Board meetings, Cook County Board of Commissioners committee and sub-committee meetings, Consent Calendar, and the Cook County Board of Commissioners board meetings; unless, the Cannabis Commission Chairperson issues prior written notice of no later than five business days prior to the regularly scheduled Cook County meetings to all Cannabis Commissioners. Notwithstanding the foregoing, the Cannabis Commission Chairperson shall have the ability to call a special meeting should the Chairperson determine new information and/or issues require a meeting to discuss, analyze, and offer recommendations regarding the new information and/or issues. In case of an emergency meeting, the Cannabis Commission Chairperson shall provide written notice of the special meeting no later than two business days prior to the meeting. No special meeting shall take place during the regularly scheduled week of Cook County Forest Preserve Board meetings, Cook County Board of

Commissioners committee or sub-committee meetings, Consent Calendar, and the Cook County Board of Commissioners board meetings; unless, the Cannabis Commission Chairperson issues prior written notice of no later than five business days prior to the regularly scheduled Cook County meetings to all Cannabis Commissioners.

(2) The Cannabis Commission members shall serve through November 30, ~~2022~~ 2026.

(3) The Cannabis Commission shall collaborate and solicit information and data from various Cook County bureaus, offices, and departments; specifically, the Cook County State's Attorney's Office, Cook County Office of the Public Defender, Cook County Bureau of Finance, Bureau of Economic Development, Cook County Sheriff's Department, and the Office of the Chief Judge of Cook County to collect data regarding the impact of the recreational Cannabis industry on Cook County and its residents.

(4) The Cannabis Commission shall collaborate and solicit information and data from community stakeholders, not-for-profits, academic centers, research groups, domestic and/or foreign business, business associations, local law enforcement, legal bar organizations and other third-party entities to collect data regarding the impact of the recreational cannabis industry on Cook County and its residents.

(5) The Cannabis Commission shall secure testimony and information from various subject matter experts, said subject matter experts shall include but not be limited to individuals representing Social Equity Applicants or Disproportionately Impacted Areas, recreational and/or medical business community, higher education or academia, healthcare industry, and legal community.

(6) The Cannabis Commission may make recommendations regarding:

- a. Allocation of tax revenue generated by Cannabis sales;
 - b. Creation of Cook County programs, zoning and other opportunities associated with retail and medicinal cannabis industries;
 - c. Policies affecting economic, social and legal initiatives, proposed and/or continued by Cook County, related to the recreational and medicinal cannabis industry;
 - d. Economic impact of the cannabis industry in Cook County, specifically the Social Equity Applications and recreational cannabis licenses and businesses in Cook County;
 - e. The social and economic impact of the automatic expungement initiative; and
 - f. Other recreational and medicinal cannabis industry issues within Cook County.
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(7) The Cannabis Commission shall advise, through written reports and other appropriate media, the President of the Board of Commissioners and the Cook County Board of Commissioners quarterly, beginning March 2020 and every quarter thereafter until this Commission sunsets.

(8) The Cannabis Commission shall review, analyze, and report its conclusions, findings, and recommendations based on and in correlation to the State of Illinois' Cannabis Regulation Oversight Officer's published disparity and availability study, which the State of Illinois anticipates publishing by March 1, 2021.

(9) The Cannabis Commission shall have the power to make sub-committees, based upon the needs of the Commission to achieve its objectives and duties, pursuant to a vote by Commission members.

(10) All Cannabis Commission meetings shall be open to the public.

Sec. 2-505. Cook County Cannabis Commission Sunset.

The Cannabis Commission shall sunset on ~~November 30, 2022~~ November 30, 2026.

Effective date: This ordinance shall be in effect immediately upon adoption.