

Expungements

The law has provided for expungement of some cannabis convictions.

Automatic Expungement:

Cases involving possession of 30 grams or less of cannabis and the offense was not related to a violent offense. Those who qualify will be notified once the expungement process has been completed.

Petition to Expunge:

For cases involving possession of 30-500 grams of cannabis or Class 4 Felony Possession with Intent to Deliver 30 grams or less, a Petition to Expunge must be filed with the Court.

Cannabis Legalization Considerations



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Cannabis Legalization Considerations

Recreational cannabis use in Illinois will become legal on January 1, 2020. The new law also provides for expungement of some cannabis convictions. While not a comprehensive guide, we aim to address the most popular questions people may have.

Personal Use

The cannabis legalization law allows *Illinois residents* age 21 and older* to possess lawfully:

- Up to 30 grams of cannabis leaf
- Up to 500 mg of THC-infused products
- Up to 5 grams of cannabis concentrate

*The thresholds listed above are cut in half for *non-Illinois residents*.

⇒ Only medical marijuana card holders are allowed to grow marijuana (up to 5 plants)

Unlawful Use of Cannabis

- ✗ In any "public place," where the person can be "reasonably expected to be observed by others"
- ✗ In any motor vehicle
- ✗ On school grounds, or within a school bus, unless the person has an Illinois medical cannabis card
- ✗ In a correctional facility
- ✗ In a residence used to provide licensed child care

Unlawful Possession of Cannabis

Persons over 21 are subject to criminal possession penalties under the state Cannabis Control Act if in

excess of the possession limits and can also be cited for municipal violations.

Persons under age 21 are subject to either civil law violations and municipal ordinance violations for simple possession of any amount of cannabis. Additionally, if possessing cannabis while driving a motor vehicle, a person under 21 may also be subject to driver's license suspension under the Illinois Vehicle Code, 625 ILCS 5/6-206.

Cannabis Violations in Vehicles

A driver is prohibited from using cannabis within the passenger area of a motor vehicle upon a highway. A driver is prohibited from possessing cannabis within any area of a motor vehicle upon a highway, unless the cannabis is in a container that is sealed, odor-proof, and child-resistant.

A passenger is prohibited from possessing cannabis within the passenger area of a motor vehicle upon a highway, unless the cannabis is in a container that is sealed, odor-proof, and child-resistant.

For additional information, please visit our website at:
<http://www.rockislandcounty.org/StatesAttorney/Home/>
Or, email us at: cannabis2020questions@co.rock-island.il.us

