



Illinois - State Specific Information

Information provided is current as of December 21, 2025, 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. Non-residents are restricted to exactly half of those amounts. 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	Employers may maintain drug-free workplaces and zero-tolerance policies. However, because cannabis is a "lawful product" in Illinois, a positive test result alone (without evidence of impairment) is a high-risk basis for termination for non-safety-sensitive roles. If an employer disciplines someone for impairment, they must allow the employee to contest the determination (typically within 5–7 days).
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?	Employers should document "specific, articulable symptoms" (e.g., dexterity, agility, speech, unusual behavior) before testing.
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 the Right to Privacy in the Workplace Act , employers generally cannot discriminate against employees for using "lawful products" (cannabis) off-duty and off-premises..
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 employers with broad discretion. Policies must be applied in a non-discriminatory manner. 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.