

1 AN ACT concerning agriculture.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Cannabis Control Act is amended by changing
5 Sections 3 and 15 as follows:

6 (720 ILCS 550/3) (from Ch. 56 1/2, par. 703)

7 Sec. 3. As used in this Act, unless the context otherwise
8 requires:

9 (a) "Cannabis" includes marihuana, hashish and other
10 substances which are identified as including any parts of the
11 plant Cannabis Sativa, whether growing or not; the seeds
12 thereof, the resin extracted from any part of such plant; and
13 any compound, manufacture, salt, derivative, mixture, or
14 preparation of such plant, its seeds, or resin, including
15 tetrahydrocannabinol (THC) and all other cannabinal
16 derivatives, including its naturally occurring or
17 synthetically produced ingredients, whether produced directly
18 or indirectly by extraction, or independently by means of
19 chemical synthesis or by a combination of extraction and
20 chemical synthesis; but shall not include the mature stalks of
21 such plant, fiber produced from such stalks, oil or cake made
22 from the seeds of such plant, any other compound, manufacture,
23 salt, derivative, mixture, or preparation of such mature stalks

1 (except the resin extracted therefrom), fiber, oil or cake, or
2 the sterilized seed of such plant which is incapable of
3 germination.

4 (b) "Casual delivery" means the delivery of not more than
5 10 grams of any substance containing cannabis without
6 consideration.

7 (c) "Department" means the Illinois Department of Human
8 Services (as successor to the Department of Alcoholism and
9 Substance Abuse) or its successor agency.

10 (d) "Deliver" or "delivery" means the actual, constructive
11 or attempted transfer of possession of cannabis, with or
12 without consideration, whether or not there is an agency
13 relationship.

14 (e) "Department of State Police" means the Department of
15 State Police of the State of Illinois or its successor agency.

16 (f) "Director" means the Director of the Department of
17 State Police or his designated agent.

18 (f-5) "Industrial hemp" means cannabis sativa L. having no
19 more than three-tenths of 1% Delta-9-tetrahydrocannabinol.

20 (g) "Local authorities" means a duly organized State,
21 county, or municipal peace unit or police force.

22 (h) "Manufacture" means the production, preparation,
23 propagation, compounding, conversion or processing of
24 cannabis, either directly or indirectly, by extraction from
25 substances of natural origin, or independently by means of
26 chemical synthesis, or by a combination of extraction and

1 chemical synthesis, and includes any packaging or repackaging
2 of cannabis or labeling of its container, except that this term
3 does not include the preparation, compounding, packaging, or
4 labeling of cannabis as an incident to lawful research,
5 teaching, or chemical analysis and not for sale.

6 (i) "Person" means any individual, corporation, government
7 or governmental subdivision or agency, business trust, estate,
8 trust, partnership or association, or any other entity.

9 (j) "Produce" or "production" means planting, cultivating,
10 tending or harvesting.

11 (k) "State" includes the State of Illinois and any state,
12 district, commonwealth, territory, insular possession thereof,
13 and any area subject to the legal authority of the United
14 States of America.

15 (l) "Subsequent offense" means an offense under this Act,
16 the offender of which, prior to his conviction of the offense,
17 has at any time been convicted under this Act or under any laws
18 of the United States or of any state relating to cannabis, or
19 any controlled substance as defined in the Illinois Controlled
20 Substances Act.

21 (Source: P.A. 89-507, eff. 7-1-97.)

22 (720 ILCS 550/15) (from Ch. 56 1/2, par. 715)

23 Sec. 15. Research ~~The Department shall encourage research~~
24 on cannabis.

25 (a) The Department shall encourage research on cannabis. In

1 connection with the research, and in furtherance of the
2 purposes of this Act, the Department ~~it~~ may:

3 (1) establish methods to assess accurately the effect
4 of cannabis;

5 (2) make studies and undertake programs of research to:

6 (i) develop new or improved approaches,
7 techniques, systems, equipment and devices to
8 strengthen the enforcement of this Act;

9 (ii) determine patterns of use of cannabis and its
10 social effects; and

11 (iii) improve methods for preventing, predicting,
12 understanding, and dealing with the use of cannabis;

13 (3) enter into contracts with public agencies,
14 educational institutions, and private organizations or
15 individuals for the purpose of conducting research,
16 demonstrations, or special projects which relate to the use
17 of cannabis.

18 (b) The Department of Agriculture may encourage research on
19 industrial hemp for agricultural purposes. In connection with
20 the research, and in furtherance of this purpose, the
21 Department of Agriculture may:

22 (1) grow and cultivate industrial hemp;

23 (2) perform studies and undertake programs of research
24 to:

25 (i) develop new or improved approaches,
26 techniques, systems, equipment, and devices for

1 growing and cultivating industrial hemp; and

2 (ii) determine uses for industrial hemp; and

3 (3) authorize institutions of higher learning to grow
4 or cultivate industrial hemp for the purpose of conducting
5 research, demonstrations, or special projects which relate
6 to the use of industrial hemp.

7 The Department of Agriculture may adopt rules to implement
8 this subsection. In order to provide for the expeditious and
9 timely implementation of this subsection, upon notification by
10 an institution of higher learning that the institution wishes
11 to engage in the growth or cultivation of industrial hemp for
12 agricultural research purposes, the Department of Agriculture
13 shall adopt emergency rules under Section 5-45 of the Illinois
14 Administrative Procedure Act to implement the provisions of
15 this subsection. If changes to the rules are required to comply
16 with federal rules, the Department of Agriculture may adopt
17 peremptory rules as necessary to comply with changes to
18 corresponding federal rules. All other rules that the
19 Department of Agriculture deems necessary to adopt in
20 connection with this Section must proceed through the ordinary
21 rule-making process. The adoption of emergency rules
22 authorized by this subsection (b) shall be deemed to be
23 necessary for the public interest, safety, and welfare.

24 (Source: P.A. 83-969.)