

HB5896



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5896

by Rep. Norine Hammond

SYNOPSIS AS INTRODUCED:

720 ILCS 550/15.2

Amends the Cannabis Control Act. Makes a technical change in a Section concerning the industrial hemp pilot program.

LRB099 18657 RLC 43039 b

A BILL FOR

1 AN ACT concerning criminal law.

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 Section 15.2 as follows:

6 (720 ILCS 550/15.2)

7 Sec. 15.2. Industrial hemp pilot program.

8 (a) Pursuant to Section 7606 of the ~~the~~ federal
9 Agricultural Act of 2014, an institution of higher education or
10 the Department of Agriculture may grow or cultivate industrial
11 hemp if:

12 (1) the industrial hemp is grown or cultivated for
13 purposes of research conducted under an agricultural pilot
14 program or other agricultural or academic research;

15 (2) the pilot program studies the growth, cultivation,
16 or marketing of industrial hemp; and

17 (3) any site used for the growing or cultivating of
18 industrial hemp is certified by, and registered with, the
19 Department of Agriculture.

20 (b) Before conducting industrial hemp research, an
21 institution of higher education shall notify the Department of
22 Agriculture and any local law enforcement agency in writing.

23 (c) The institution of higher education shall provide

1 quarterly reports and an annual report to the Department of
2 Agriculture on the research and the research program shall be
3 subject to random inspection by the Department of Agriculture,
4 the Department of State Police, or local law enforcement
5 agencies. The institution of higher education shall submit the
6 annual report to the Department of Agriculture on or before
7 October 1.

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

25 The Department of Agriculture may determine, by rule, the
26 duration of an institution of higher education's pilot program

1 or industrial hemp research. If the institution of higher
2 education has not completed its program within the timeframe
3 established by rule, then the Department of Agriculture may
4 grant an extension to the pilot program if unanticipated
5 circumstances arose that impacted the program.

6 (e) As used in this Section:

7 "Industrial hemp" means cannabis sativa L. having no more
8 than 0.3% total THC available, upon heating, or maximum delta-9
9 tetrahydrocannabinol content possible.

10 "Institution of higher education" means a State
11 institution of higher education that offers a 4-year degree in
12 agricultural science.

13 (Source: P.A. 98-1072, eff. 1-1-15; 99-78, eff. 7-20-15.)