**Section 1200.30 Application and Licensure**

a) Each applicant for an industrial hemp cultivation license shall submit a signed, complete, accurate and legible application form provided by the Department. The applicant shall provide the following:

1) The name, address, phone number, and email address of the person or entity applying for the cultivation license; key participants of the license may be required to provide additional personal identifiable information to facilitate background checks.

2) The type of business or organization, such as corporation, LLC, partnership, sole proprietor, etc., as well as the entity's EIN;

3) Business name and address, if different than the ones submitted in response to subsection (a)(1). This shall include the full name of the business, address of the principal business location, and the full name and title of the key participants;

4) The legal description of the land area, including Global Positioning System coordinates of each contiguous land area, to be used to cultivate industrial hemp;

5) A map of the land area on which the applicant plans to grow industrial hemp, showing the boundaries and dimensions of the growing area in acres or square feet;

6) The applicable fee prescribed by Section 1200.80;

7) The varieties of industrial hemp that are intended for cultivation.

8) The designated testing laboratory for Academic Research Institutions;

9) An acknowledgement and consent to the Department collecting, maintaining, and providing to USDA directly and through the USDA's online platform, any required data, including but not limited to; licensee status, contact information, disposal reporting, background checks if required by the USDA, and real-time information for each hemp licensee licensed or authorized in the State.

b) Pursuant to the Agricultural Farm Act of 2018 (7 U.S.C. 1639p(e)(3)(B)), no person who has been convicted of any controlled substances related felony in the 10 years prior to the date of application shall be eligible to obtain a license or registration. For applicants that are entities, this prohibition shall apply to any person associated with the applicant who has executive managerial control of the entity. This does not include non-executive managers such as farm, field, or shift managers. This requirement shall be removed upon the repeal of this provision by the federal government. This prohibition does not apply to participants in the Industrial Hemp 411 Pilot Program authorized under the 2014 Agricultural Act prior to December 20, 2018 [720 ILCS 550/15.2].

c) Within 30 calendar days after receipt of a completed application and the associated fee, the Department will either issue a license or deny the application. Incomplete applications or applications that do not meet the requirements for licensure or registration will be denied. An additional application fee will be collected for corrected and/or new applications.

d) A license or registration shall be good for a maximum of 3 calendar years from the date of issuance.

e) Any changes to the licensee's cultivation plan as outlined in the original application as specified in Section 1200.30(a), must be approved by the Department in writing prior to implementation.

f) All processors of industrial hemp shall register with the Department on a form provided by the Department, which shall include:

1) The name and address of the person or entity applying for the processor registration;

2) The business type, such as a corporation, LLC, partnership, sole proprietor, etc.;

3) The business name and address if different than the one submitted in response to subsection (f)(1);

4) The nature of the processing by the registrant;

5) The applicable fee set forth in Section 1200.80; and

6) A copy of the current local zoning ordinance or permit and verification that the proposed hemp processor is in compliance with the local zoning rules and distance limitations established by the local jurisdiction for hemp processing or an attestation that demonstrates the applicant is in compliance with the zoning and permit requirements of the local jurisdiction.

g) Any applicant who materially falsifies information in their application shall be ineligible to receive a license or registration.

h) Applicants may appeal the denial of an application for licensure by submitting a Petition to the Director as prescribed in 8 Ill. Adm. Code 1, Subpart C, within 30 calendar days after receipt of the notice of denial.

i) Hemp processor registrations may not be issued to locations which are zoned residential or are used as residential housing when located on property that is not zoned residential.

(Source: Amended at 49 Ill. Reg. 119, effective December 23, 2024)