**Section 1200.120 Violations**

a) A licensee or registrant shall be subject to subsection (b) if the Department determines that the licensee or registrant has negligently violated the Act or this Part, including by negligently:

1) Failing to provide a legal description of land on which the licensee produces hemp;

2) Failing to obtain a license, registration or other required authorization required by this Part from the Department; or

3) Producing Cannabis with a total THC concentration exceeding the acceptable hemp THC level. Licensees do not commit a negligent violation under subsection (b)(3) if they make reasonable efforts to grow hemp and the cannabis plant does not have a total THC concentration of more than 1% on a dry weight basis.

b) A licensee or registrant described in subsection (a) shall comply with a corrective action plan established by the Department to correct the negligent violation, including:

1) a reasonable date by which the licensee or registrant shall correct the negligent violation;

2) a requirement that the licensee or registrant shall periodically report to the Department on the compliance of the licensee or registrant for a period of not less than 2 calendar years; and

3) announced or unannounced inspections by Department of licensee or registrant to confirm compliance with the corrective action plan.

c) A licensee or registrant that negligently violates the Act or this Part (see subsection (a)) shall not, as a result of that violation, be subject to any criminal enforcement action by any federal, State or local government and shall not receive more than one negligent violation per growing season.

d) A licensee or registrant that negligently violates subsection (a) 3 times in a 5-year period shall be ineligible to hold a license or registration for a period of 5 years beginning on the date of the third violation.

e) If the Department determines that a licensee has violated the Act or this Part with a culpable mental state greater than negligence, the Department shall immediately report the licensee to:

1) The Attorney General of the United States;

2) The Attorney General of Illinois; and

3) The Illinois State Police.

f) The Department may, on its own initiative, or after receipt of a complaint against a licensee or registrant, conduct an investigation to determine whether a violation has taken place.

g) A licensee or registrant that wants to contest the Department's determination of a violation of the Act or this Part must do so by submitting a request for an administrative hearing in writing to the Department's Division of Cannabis Regulation, attention Hemp Program, within 30 calendar days after receiving notice of the violation.

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