



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4987

Introduced 1/27/2022, by Rep. Bob Morgan

#### SYNOPSIS AS INTRODUCED:

410 ILCS 705/55-100 new

Amends the Cannabis Regulation and Tax Act. Provides that a cannabis business establishment licensed by the Department of Agriculture for cultivating, growing, processing, manufacturing, or infusing cannabis or a cannabis-infused product pursuant to the Cannabis Regulation and Tax Act or the Compassionate Use of Medicinal Cannabis Program Act may use industrial hemp as an ingredient in cannabis or a cannabis-infused product that is offered for sale at a dispensary. Provides that hemp flower may not be sold to a dispensary. Provides that industrial hemp may be procured from a licensed third-party grower or processor from within the State of Illinois or from any other state with a regulated industrial hemp program. Requires all hemp and hemp derivatives obtained by a cannabis business establishment to be obtained from a licensed or registered hemp grower or processor. Provides that a cultivation center that intends to use hemp or a hemp derivative must apply for, and be issued, a Hemp Processor License by the Department. Requires a representative sample of all final products containing industrial hemp or hemp derivatives to undergo specified testing. Contains other provisions. Effective immediately.

LRB102 24141 CPF 35353 b

1 AN ACT concerning regulation.

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

4 Section 5. The Cannabis Regulation and Tax Act is amended  
5 by adding Section 55-100 as follows:

6 (410 ILCS 705/55-100 new)

7 Sec. 55-100. Hemp in cannabis-infused products.

8 (a) In this Section:

9 "Hemp" or "industrial hemp" has the same meaning as  
10 provided in Section 5 of the Industrial Hemp Act.

11 (b) A cannabis business establishment licensed by the  
12 Department for cultivating, growing, processing,  
13 manufacturing, or infusing cannabis or a cannabis-infused  
14 product pursuant to this Act or the Compassionate Use of  
15 Medicinal Cannabis Program Act may use industrial hemp as an  
16 ingredient in cannabis or a cannabis-infused product that is  
17 offered for sale at a dispensary. However, hemp flower may not  
18 be sold to a dispensary.

19 (c) Hemp obtained under subsection (b) must be used in  
20 extracted form and only in a cannabis-infused product.

21 (d) Industrial hemp may be procured from a licensed  
22 third-party grower or processor from within the State of  
23 Illinois or from any other state with a regulated industrial

1 hemp program.

2 (e) All hemp and hemp derivatives obtained by a cannabis  
3 business establishment must be obtained from a licensed or  
4 registered hemp grower or processor, regardless of the  
5 grower's or processor's home state. A cannabis business  
6 establishment that obtains hemp or a hemp derivative must  
7 provide a copy of the hemp grower's or processor's license  
8 issued by Illinois or another state upon demand of the  
9 Department or the Illinois State Police.

10 (f) A cultivation center that intends to use hemp or a hemp  
11 derivative must apply for, and be issued, a Hemp Processor  
12 License by the Department.

13 (g) Industrial hemp flower and biomass may be purchased  
14 and extracted by a cultivation center.

15 (h) A cultivation center may procure or process industrial  
16 hemp in the form of distillate or isolate. All processed hemp  
17 derivatives must be accompanied by a certificate of analysis  
18 showing potency levels for delta-9 tetrahydrocannabinol (THC),  
19 THCa, CBD, and CBDa.

20 (i) The delta-9 tetrahydrocannabinol (THC) contained in  
21 hemp or a hemp derivative procured or processed under  
22 subsection (h) may not be concentrated above the allowable  
23 0.3% threshold.

24 (j) Hemp or hemp derivatives may not be used to  
25 concentrate or to synthesize delta-9 tetrahydrocannabinol  
26 (THC), unless the concentration or synthesis of the hemp or

1 hemp derivative is performed at a cultivation center, craft  
2 grower, or infuser.

3 (k) A representative sample of all final products  
4 containing industrial hemp or hemp derivatives must undergo  
5 testing pursuant to the Compassionate Use of Medical Cannabis  
6 Act, the Cannabis Regulation and Tax Act, and any applicable  
7 administrative rules.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.