



Rep. Kenneth Dunkin

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09700HB0830ham001

LRB097 03659 CEL 53838 a

1 AMENDMENT TO HOUSE BILL 830

2 AMENDMENT NO. _____. Amend House Bill 830 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Industrial Hemp Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Agriculture.

8 "Director" means the Director of Agriculture.

9 "Industrial hemp" means fibres cultivated from plants of
10 the cannabis genus with a THC (tetrahydrocannabinol) content of
11 0.3% or lower.

12 Section 10. Licenses.

13 (a) Any person desiring to grow, process, cultivate,
14 harvest, process, possess, sell, or purchase industrial hemp or
15 industrial hemp related products must be licensed by the

1 Department.

2 (b) The application for a license shall include the name
3 and address of the applicant and the legal description of the
4 land area to be used to grow or process industrial hemp.

5 (c) Each individual shall submit his or her fingerprints to
6 the Department of State Police in an electronic format that
7 complies with the form and manner for requesting and furnishing
8 criminal history record information prescribed by the
9 Department of State Police. The fingerprints submitted under
10 this Section shall be checked against the fingerprint records
11 filed in the Department of State Police criminal history record
12 databases. The Department of State Police shall charge a fee
13 for conducting the criminal history records check, which shall
14 not exceed the actual cost of the records check. The Department
15 of State Police shall provide information concerning any
16 criminal convictions against the individual to the Department.
17 No person with a prior felony conviction within 10 years of
18 applying for a license shall be eligible for licensure.

19 (d) If the applicant completes the application process to
20 the satisfaction of the Department, then the Department shall
21 issue the license, which shall be valid for a period of one
22 year.

23 Section 15. Rules.

24 (a) The application and licensing requirements shall be
25 determined by the Department and set by rule.

1 (b) The rules set by the Department shall include one
2 yearly inspection and one yearly surprise inspection of a
3 licensed industrial hemp cultivation operation.

4 (c) The Department shall adopt rules necessary for the
5 administration and enforcement of this Act, including rules
6 concerning standards and criteria for licensure, for the
7 payment of applicable fees, and for forms required for the
8 administration of this Act.

9 Section 20. Hemp products. Nothing in this Act shall alter
10 the legality of hemp or hemp products that are presently legal
11 to possess or own.

12 Section 25. Violation of federal law. Nothing in this Act
13 shall be construed to authorize any person to violate federal
14 rules, regulations, or laws. If any part of this Act conflicts
15 with a provision of the federal laws regarding industrial hemp,
16 the federal provisions shall control to the extent of the
17 conflict.

18 Section 30. Home rule. It is declared to be the public
19 policy of this State, under subsection (h) of Section 6 of
20 Article VII of the Illinois Constitution of 1970, that any
21 power or function set forth in this Act to be exercised by the
22 State is an exclusive State power or function. The power or
23 function shall not be exercised concurrently, either directly

1 or indirectly, by any unit of local government, including home
2 rule units, except as otherwise provided in this Act. This is a
3 limitation of home rule powers.".