

# HB5049



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5049

by Rep. Michael J. Zalewski

### SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.26

from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that deer hunting permits for youth hunters shall be open statewide and not limited to one specific county.

LRB100 17487 SLF 32656 b

A BILL FOR

1 AN ACT concerning wildlife.

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

4 Section 5. The Wildlife Code is amended by changing Section  
5 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 Sec. 2.26. Deer hunting permits. Any person attempting to  
8 take deer shall first obtain a "Deer Hunting Permit" issued by  
9 the Department in accordance with its administrative rules.  
10 Those rules must provide for the issuance of the following  
11 types of resident deer archery permits: (i) a combination  
12 permit, consisting of one either-sex permit and one  
13 antlerless-only permit, (ii) a single antlerless-only permit,  
14 and (iii) a single either-sex permit. The fee for a Deer  
15 Hunting Permit to take deer with either bow and arrow or gun  
16 shall not exceed \$25.00 for residents of the State. The  
17 Department may by administrative rule provide for non-resident  
18 deer hunting permits for which the fee will not exceed \$300 in  
19 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as  
20 provided below for non-resident landowners and non-resident  
21 archery hunters. The Department may by administrative rule  
22 provide for a non-resident archery deer permit consisting of  
23 not more than 2 harvest tags at a total cost not to exceed \$325

1 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. Deer  
2 hunting permits for youth hunters shall be open statewide and  
3 not limited to one specific county.

4 The standards and specifications for use of guns and bow  
5 and arrow for deer hunting shall be established by  
6 administrative rule.

7 No person may have in his possession any firearm not  
8 authorized by administrative rule for a specific hunting season  
9 when taking deer.

10 Persons having a firearm deer hunting permit shall be  
11 permitted to take deer only during the period from 1/2 hour  
12 before sunrise to 1/2 hour after sunset, and only during those  
13 days for which an open season is established for the taking of  
14 deer by use of shotgun, handgun, or muzzle loading rifle.

15 Persons having an archery deer hunting permit shall be  
16 permitted to take deer only during the period from 1/2 hour  
17 before sunrise to 1/2 hour after sunset, and only during those  
18 days for which an open season is established for the taking of  
19 deer by use of bow and arrow.

20 It shall be unlawful for any person to take deer by use of  
21 dogs, horses, automobiles, aircraft or other vehicles, or by  
22 the use or aid of bait or baiting of any kind. For the purposes  
23 of this Section, "bait" means any material, whether liquid or  
24 solid, including food, salt, minerals, and other products,  
25 except pure water, that can be ingested, placed, or scattered  
26 in such a manner as to attract or lure white-tailed deer.

1 "Baiting" means the placement or scattering of bait to attract  
2 deer. An area is considered as baited during the presence of  
3 and for 10 consecutive days following the removal of bait.  
4 Nothing in this Section shall prohibit the use of a dog to  
5 track wounded deer. Any person using a dog for tracking wounded  
6 deer must maintain physical control of the dog at all times by  
7 means of a maximum 50 foot lead attached to the dog's collar or  
8 harness. Tracking wounded deer is permissible at night, but at  
9 no time outside of legal deer hunting hours or seasons shall  
10 any person handling or accompanying a dog being used for  
11 tracking wounded deer be in possession of any firearm or  
12 archery device. Persons tracking wounded deer with a dog during  
13 the firearm deer seasons shall wear blaze orange as required.  
14 Dog handlers tracking wounded deer with a dog are exempt from  
15 hunting license and deer permit requirements so long as they  
16 are accompanied by the licensed deer hunter who wounded the  
17 deer.

18 It shall be unlawful to possess or transport any wild deer  
19 which has been injured or killed in any manner upon a public  
20 highway or public right-of-way of this State unless exempted by  
21 administrative rule.

22 Persons hunting deer must have gun unloaded and no bow and  
23 arrow device shall be carried with the arrow in the nocked  
24 position during hours when deer hunting is unlawful.

25 It shall be unlawful for any person, having taken the legal  
26 limit of deer by gun, to further participate with gun in any

1 deer hunting party.

2 It shall be unlawful for any person, having taken the legal  
3 limit of deer by bow and arrow, to further participate with bow  
4 and arrow in any deer hunting party.

5 The Department may prohibit upland game hunting during the  
6 gun deer season by administrative rule.

7 The Department shall not limit the number of non-resident,  
8 either-sex archery deer hunting permits to less than 20,000.

9 Any person who violates any of the provisions of this  
10 Section, including administrative rules, shall be guilty of a  
11 Class B misdemeanor.

12 For the purposes of calculating acreage under this Section,  
13 the Department shall, after determining the total acreage of  
14 the applicable tract or tracts of land, round remaining  
15 fractional portions of an acre greater than or equal to half of  
16 an acre up to the next whole acre.

17 For the purposes of taking white-tailed deer, nothing in  
18 this Section shall be construed to prevent the manipulation,  
19 including mowing or cutting, of standing crops as a normal  
20 agricultural or soil stabilization practice, food plots, or  
21 normal agricultural practices, including planting, harvesting,  
22 and maintenance such as cultivating or the use of products  
23 designed for scent only and not capable of ingestion, solid or  
24 liquid, placed or scattered, in such a manner as to attract or  
25 lure deer. Such manipulation for the purpose of taking  
26 white-tailed deer may be further modified by administrative

1 rule.

2 (Source: P.A. 98-180, eff. 8-5-13; 99-642, eff. 7-28-16;

3 99-869, eff. 1-1-17.)