

1 AN ACT in relation to deer hunting.

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  
5 Sections 2.25, 2.26, 3.2, 3.27, 3.29, and 3.30 as follows:

6 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

7 Sec. 2.25. It shall be unlawful for any person to take  
8 deer except (i) with a shotgun, handgun, or muzzleloading  
9 rifle or (ii) as provided by administrative rule, with a bow  
10 and arrow, or crossbow device for handicapped persons as  
11 defined in Section 2.33, during the open season of not more  
12 than 14 days which will be set annually by the Director  
13 between the dates of November 1st and December 31st, both  
14 inclusive. For the purposes of this Section, legal handguns  
15 include any centerfire handguns of .30 caliber or larger with  
16 a minimum barrel length of 4 inches. The only legal  
17 ammunition for a centerfire handgun is a cartridge of .30  
18 caliber or larger with a capability of at least 500 foot  
19 pounds of energy at the muzzle. Full metal jacket bullets  
20 may not be used to harvest deer.

21 The Department shall make administrative rules concerning  
22 management restrictions applicable to the firearm and bow and  
23 arrow season.

24 It shall be unlawful for any person to take deer except  
25 with a bow and arrow, or crossbow device for handicapped  
26 persons (as defined in Section 2.33), during the open season  
27 for bow and arrow set annually by the Director between the  
28 dates of September 1st and January 31st, both inclusive.

29 It shall be unlawful for any person to take deer except  
30 with (i) a muzzleloading rifle, or (ii) bow and arrow, or  
31 crossbow device for handicapped persons as defined in Section

1 2.33, during the open season for muzzleloading rifles set  
2 annually by the Director.

3 The Director shall cause an administrative rule setting  
4 forth the prescribed rules and regulations, including bag and  
5 possession limits and those counties of the State where open  
6 seasons are established, to be published in accordance with  
7 Sections 1.3 and 1.13 of this Act.

8 The Department is authorized to establish a separate  
9 harvest period at specific sites within the State for the  
10 purpose of harvesting surplus deer that cannot be taken  
11 during the regular season provided for the taking of deer.  
12 This season shall be restricted to gun or bow and arrow  
13 hunting only and shall be established during the period of  
14 September 1st to February 15th, both inclusive. The  
15 Department shall publish suitable prescribed rules and  
16 regulations established by administrative rule pertaining to  
17 management restrictions applicable to this special harvest  
18 program.

19 (Source: P.A. 86-1188; 87-126; 87-234; 87-895; 87-1015;  
20 87-1243; 87-1268.)

21 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

22 Sec. 2.26. Deer hunting permits. In this Section, "bona  
23 fide equity shareholder" means an individual who (1)  
24 purchased, for market price, publicly sold stock shares in a  
25 corporation, purchased shares of a privately-held corporation  
26 for a value equal to the percentage of the appraised value of  
27 the corporate assets represented by the ownership in the  
28 corporation, or is a member of a closely-held family-owned  
29 corporation and has purchased or been gifted with shares of  
30 stock in the corporation accurately reflecting his or her  
31 percentage of ownership and (2) intends to retain the  
32 ownership of the shares of stock for at least 5 years.

33 In this Section, "bona fide equity member" means an

1 individual who (1) (i) became a member upon the formation of  
2 the limited liability company or (ii) has purchased a  
3 distributional interest in a limited liability company for a  
4 value equal to the percentage of the appraised value of the  
5 LLC assets represented by the distributional interest in the  
6 LLC and subsequently becomes a member of the company pursuant  
7 to Article 30 of the Limited Liability Company Act and who  
8 (2) intends to retain the membership for at least 5 years.

9 Any person attempting to take deer shall first obtain a  
10 "Deer Hunting Permit" in accordance with prescribed  
11 regulations set forth in an Administrative Rule. Deer  
12 Hunting Permits shall be issued by the Department. The fee  
13 for a Deer Hunting Permit to take deer with either bow and  
14 arrow or gun shall not exceed \$15.00 for residents of the  
15 State. The Department may by administrative rule provide for  
16 non-resident deer hunting permits for which the fee will not  
17 exceed \$200 except as provided below for non-resident  
18 landowners and non-resident archery hunters. The Department  
19 may by administrative rule provide for a non-resident archery  
20 deer permit consisting of not more than 2 harvest tags at a  
21 total cost not to exceed \$225. Permits shall be issued  
22 without charge to:

23 (a) Illinois landowners residing in Illinois who  
24 own at least 40 acres of Illinois land and wish to hunt  
25 their land only,

26 (b) resident tenants of at least 40 acres of  
27 commercial agricultural land where they will hunt, and

28 (c) Bona fide equity shareholders of a corporation  
29 or bona fide equity members of a limited liability  
30 company which owns at least 40 acres of land in a county  
31 in Illinois who wish to hunt on the corporation's or  
32 company's land only. One permit shall be issued without  
33 charge to one bona fide equity shareholder or one bona  
34 fide equity member for each 40 acres of land owned by the

1 corporation or company in a county; however, the number  
2 of permits issued without charge to bona fide equity  
3 shareholders of any corporation or bona fide equity  
4 members of a limited liability company in any county  
5 shall not exceed 15.

6 Bona fide landowners or tenants who do not wish to hunt  
7 only on the land they own, rent or lease or bona fide equity  
8 shareholders or bona fide equity members who do not wish to  
9 hunt only on the land owned by the corporation or limited  
10 liability company shall be charged the same fee as the  
11 applicant who is not a landowner, tenant, bona fide equity  
12 shareholder, or bona fide equity member. Nonresidents of  
13 Illinois who own at least 40 acres of land and wish to hunt  
14 on their land only shall be charged a fee set by  
15 administrative rule. The method for obtaining these permits  
16 shall be prescribed by administrative rule.

17 The deer hunting permit issued without fee shall be valid  
18 on all farm lands which the person to whom it is issued owns,  
19 leases or rents, except that in the case of a permit issued  
20 to a bona fide equity shareholder or bona fide equity member,  
21 the permit shall be valid on all lands owned by the  
22 corporation or limited liability company in the county.

23 The standards and specifications for use of guns and bow  
24 and arrow for deer hunting shall be established by  
25 administrative rule.

26 No person may have in his possession any firearm not  
27 authorized by administrative rule for a specific hunting  
28 season when taking deer.

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

34 Persons having an archery deer hunting permit shall be

1 permitted to take deer only during the period from 1/2 hour  
2 before sunrise to 1/2 hour after sunset, and only during  
3 those days for which an open season is established for the  
4 taking of deer by use of bow and arrow.

5 It shall be unlawful for any person to take deer by use  
6 of dogs, horses, automobiles, aircraft or other vehicles, or  
7 by the use of salt or bait of any kind. An area is  
8 considered as baited during the presence of and for 10  
9 consecutive days following the removal of bait.

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

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

17 It shall be unlawful for any person, having taken the  
18 legal limit of deer by gun, to further participate with gun  
19 in any deer hunting party.

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

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

25 It shall be legal for handicapped persons, as defined in  
26 Section 2.33, to utilize a crossbow device, as defined in  
27 Department rules, to take deer.

28 Any person who violates any of the provisions of this  
29 Section, including administrative rules, shall be guilty of a  
30 Class B misdemeanor.

31 (Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01;  
32 92-651, eff. 7-11-02.)

33 (520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

1           Sec. 3.2. Hunting license; application; instruction.  
2       Before the Department or any county, city, village, township,  
3       incorporated town clerk or his duly designated agent or any  
4       other person authorized or designated by the Department to  
5       issue hunting licenses shall issue a hunting license to any  
6       person, the person shall file his application with the  
7       Department or other party authorized to issue licenses on a  
8       form provided by the Department and further give definite  
9       proof of identity and place of legal residence. Each clerk  
10      designating agents to issue licenses and stamps shall furnish  
11      the Department, within 10 days following the appointment, the  
12      names and mailing addresses of the agents. Each clerk or his  
13      duly designated agent shall be authorized to sell licenses  
14      and stamps only within the territorial area for which he was  
15      elected or appointed. No duly designated agent is authorized  
16      to furnish licenses or stamps for issuance by any other  
17      business establishment. Each application shall be executed  
18      and sworn to and shall set forth the name and description of  
19      the applicant and place of residence.

20           No hunting license shall be issued to any person born on  
21      or after January 1, 1980 unless he presents the person  
22      authorized to issue the license evidence that he has held a  
23      hunting license issued by the State of Illinois or another  
24      state in a prior year, or a certificate of competency as  
25      provided in this Section. Persons under 16 years of age may  
26      be issued a Lifetime Hunting or Sportsmen's Combination  
27      License as provided under Section 20-45 of the Fish and  
28      Aquatic Life Code but shall not be entitled to hunt unless  
29      they have a certificate of competency as provided in this  
30      Section and they shall have the certificate in their  
31      possession while hunting.

32           The Department of Natural Resources shall authorize  
33      personnel of the Department or certified volunteer  
34      instructors to conduct courses, of not less than 10 hours in

1 length, in firearms and hunter safety, which may include  
2 training in bow and arrow safety, at regularly specified  
3 intervals throughout the State. Persons successfully  
4 completing the course shall receive a certificate of  
5 competency. The Department of Natural Resources may further  
6 cooperate with any reputable association or organization in  
7 establishing courses if the organization has as one of its  
8 objectives the promotion of safety in the handling of  
9 firearms or bow and arrow.

10 The Department of Natural Resources shall designate any  
11 person found by it to be competent to give instruction in  
12 the handling of firearms, hunter safety, and bow and arrow.  
13 The persons so appointed shall give the course of instruction  
14 and upon the successful completion shall issue to the person  
15 instructed a certificate of competency in the safe handling  
16 of firearms, hunter safety, and bow and arrow. No charge  
17 shall be made for any course of instruction except for  
18 materials or ammunition consumed. The Department of Natural  
19 Resources shall furnish information on the requirements of  
20 hunter safety education programs to be distributed free of  
21 charge to applicants for hunting licenses by the persons  
22 appointed and authorized to issue licenses. Funds for the  
23 conducting of firearms and hunter safety courses shall be  
24 taken from the fee charged for the Firearm Owners  
25 Identification Card.

26 The fee for a hunting license to hunt all species for a  
27 resident of Illinois is \$7. For residents age 65 or older,  
28 the fee is one-half of the fee charged for a hunting license  
29 to hunt all species for a resident of Illinois. Nonresidents  
30 shall be charged \$50 for a hunting license.

31 Nonresidents may be issued a nonresident hunting license  
32 for a period not to exceed 10 consecutive days' hunting in  
33 the State and shall be charged a fee of \$28.

34 A special nonresident hunting license authorizing a

1 nonresident to take game birds by hunting on a game breeding  
2 and hunting preserve area only, established under Section  
3 3.27, shall be issued upon proper application being made and  
4 payment of a fee equal to that for a resident hunting  
5 license. The expiration date of this license shall be on the  
6 same date ~~March--31--of~~ each year that game breeding and  
7 hunting preserve area licenses expire.

8 Each applicant for a State Migratory Waterfowl Stamp,  
9 regardless of his residence or other condition, shall pay a  
10 fee of \$10 and shall receive a stamp. Except as provided  
11 under Section 20-45 of the Fish and Aquatic Life Code, the  
12 stamp shall be signed by the person or affixed to his license  
13 or permit in a space designated by the Department for that  
14 purpose.

15 Each applicant for a State Habitat Stamp, regardless of  
16 his residence or other condition, shall pay a fee of \$5 and  
17 shall receive a stamp. Except as provided under Section 20-45  
18 of the Fish and Aquatic Life Code, the stamp shall be signed  
19 by the person or affixed to his license or permit in a space  
20 designated by the Department for that purpose.

21 Nothing in this Section shall be construed as to require  
22 the purchase of more than one State Habitat Stamp by any  
23 person in any one license year.

24 The Department shall furnish the holders of hunting  
25 licenses and stamps with an insignia as evidence of  
26 possession of license, or license and stamp, as the  
27 Department may consider advisable. The insignia shall be  
28 exhibited and used as the Department may order.

29 All other hunting licenses and all State stamps shall  
30 expire upon March 31 of each year.

31 Every person holding any license, permit, or stamp issued  
32 under the provisions of this Act shall have it in his  
33 possession for immediate presentation for inspection to the  
34 officers and authorized employees of the Department, any



1 sheriff, deputy sheriff, or any other peace officer making a  
2 demand for it. This provision shall not apply to Department  
3 owned or managed sites where it is required that all hunters  
4 deposit their license, permit, or Firearm Owner's  
5 Identification Card at the check station upon entering the  
6 hunting areas.

7 (Source: P.A. 89-75, eff. 1-1-96; 89-338, eff. 1-1-96;  
8 89-445, eff. 2-7-96; 89-626, eff. 8-9-96; 90-225, eff.  
9 7-25-97.)

10 (520 ILCS 5/3.27) (from Ch. 61, par. 3.27)

11 Sec. 3.27. Any person owning, holding or controlling, by  
12 lease, which possession must be for a term of 5 or more  
13 years, any contiguous tract of land having an area of not  
14 less than 200 acres, and not more than 1280 acres, with at  
15 least 100 acres of suitable wildlife habitat, who desires to  
16 establish a game breeding and hunting preserve area, to  
17 propagate, preserve and hunt game birds shall make  
18 application to the Department for a license as herein  
19 provided. Such application shall be made under oath of the  
20 applicant or under oath of one of its principal officers if  
21 the applicant is an association, club or corporation. In the  
22 case of releasing and harvesting hand reared mallards, the  
23 tract of land, with the approval of the Department, may be  
24 smaller than that required in this Section but in all other  
25 respects the applicant shall conform to the provisions of  
26 this Act. The application shall be accompanied by a license  
27 fee of not to exceed \$100 for a Class A license or a license  
28 fee not to exceed \$200 for a Class B license.

29 Every licensee under this Section shall release not less  
30 than 250 Bobwhite quail or pheasants each season.

31 Upon receipt of such application, the Department shall  
32 inspect the proposed licensed area described in such  
33 application and the premises and facilities where game birds

1 are to be propagated and the cover for game birds and the  
2 ability of the applicant to operate a property of this  
3 character. If the Department finds that the area meets the  
4 requirements of all applicable laws and administrative rules  
5 and that the game birds are reasonably healthy and disease  
6 free; and that the issuing of the license will otherwise be  
7 in the public interest; the Department shall approve the  
8 application and issue the license for the operation of the  
9 property described in the application with the rights and  
10 subject to the limitations in this Act prescribed.

11 All game breeding and hunting preserve area licenses  
12 expire on April 30 of each year.

13 Upon receipt of such license, the licensee shall promptly  
14 post such licensed areas at intervals of not more than 500  
15 feet with signs to be prescribed by the Department. The  
16 boundaries of such licensed game breeding and hunting  
17 preserve areas shall also be clearly defined by natural or  
18 artificial boundaries and by signs.

19 (Source: P.A. 85-152.)

20 (520 ILCS 5/3.29) (from Ch. 61, par. 3.29)

21 Sec. 3.29. For the purpose of this Act, game birds shall  
22 be released upon licensed game breeding and hunting preserve  
23 areas in a manner satisfactory to the Department. The  
24 licensee shall keep a register on forms prescribed by the  
25 Department which shall clearly show the number and kind of  
26 game birds released and-~~propagated~~ each year, the month date  
27 of release, and also the number and kind of game birds taken,  
28 the month date when taken and the disposition made of such  
29 game birds, and shall submit such reports under oath as to  
30 game birds released~~7-propagated~~ and taken, to the Department  
31 not later than 10 days following the end of each month during  
32 the season. The Department shall keep an adequate record of  
33 the number of birds released and-~~propagated~~ on each licensed

1 game breeding and hunting preserve area in each year and of  
2 the birds taken.

3 The Department shall prepare special tags suitable for  
4 use upon legs of game birds, including hand reared mallard  
5 ducks, which tags shall be of a type not removable without  
6 breaking and mutilating the tag, such tags to be used to  
7 designate birds taken upon a licensed game breeding and  
8 hunting preserve area, and such tag shall remain upon the leg  
9 of such game bird until such bird is finally prepared for  
10 consumption. Those licensed areas which dress game birds may  
11 affix the tag to the bag in which the dressed game birds are  
12 ~~bird--is~~ contained. Upon application and payment of a fee of  
13 10 cents for each such tag, the Department shall furnish  
14 licensees with such tags; ~~provided that the Department shall~~  
15 ~~not in any year furnish any licensee a number of tags in~~  
16 ~~excess of the number of game birds which may lawfully be~~  
17 ~~taken from such licensed area as hereinbefore provided.~~ All  
18 game birds harvested on licensed areas are to be properly  
19 banded on the same day they are taken.

20 (Source: P.A. 84-150.)

21 (520 ILCS 5/3.30) (from Ch. 61, par. 3.30)

22 Sec. 3.30. Game birds may be taken upon a Class A game  
23 breeding and hunting preserve area only during the period  
24 from September 1st to April 15th, ~~or as otherwise determined~~  
25 ~~by the Director through the issuance of an Administrative~~  
26 Rule, of each year, both dates inclusive. Game birds may be  
27 taken upon a Class B game breeding and hunting preserve area  
28 all year.

29 Before any person shall take or attempt to take game  
30 birds upon such licensed game breeding and hunting preserve  
31 areas, he shall first secure a hunting license in accordance  
32 with this Act.

33 (Source: P.A. 85-152.)

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.