

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 and 2.26 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 Section 99. Effective date. This Act takes effect upon

1 becoming law.