

HB5869



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5869

by Rep. Sam Yingling

SYNOPSIS AS INTRODUCED:

515 ILCS 5/10-105

from Ch. 56, par. 10-105

Amends the Fish and Aquatic Life Code. Provides that an individual who knowingly imports any nuisance organism into this State is guilty of a Class C misdemeanor or a fine not exceeding \$1,500 per organism imported, with a maximum fine not exceeding \$25,000. Defines "nuisance organism" as a nonnative aquatic organism that will foreseeably alter and threaten to harm the ecosystem or the abundance and diversity of native or naturalized fish and other organisms.

LRB098 18168 MGM 53297 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning fish.

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

4 Section 5. The Fish and Aquatic Life Code is amended by
5 changing Section 10-105 as follows:

6 (515 ILCS 5/10-105) (from Ch. 56, par. 10-105)

7 Sec. 10-105. Fish importation permits. Live fish, viable
8 fish eggs, or viable sperm of any species or hybrid of salmon
9 or trout may be imported into the State only by the holder of a
10 fish importation permit and other required State permits.
11 Importation permits shall be issued at no charge to a person
12 who has applied on a Department special permit form, no less
13 than 15 days nor more than 30 days before shipment, provided
14 that the shipment is not considered detrimental to the fishery
15 resource of the State.

16 An importation permit shall be issued only if the source
17 hatchery is inspected and found free of those diseases
18 designated by administrative rule of the Department, or any
19 other diseases, that may be detrimental to the fishery resource
20 of the State. Inspections may be carried out only by persons
21 recognized by the Department as competent in the diagnosis of
22 fish diseases. An importation permit may be granted by the
23 Department for extended periods of up to 6 months from the date

1 the source hatchery is certified as being disease free. A
2 permit may be cancelled upon the diagnosis of a disease at the
3 source hatchery that may be detrimental to the fishery resource
4 of the State. A letter of disease free certification, including
5 date of examination, must be provided by the applicant.

6 A copy of the fish importation permit shall accompany
7 shipment. Fish, eggs, or viable sperm imported under this
8 permit are subject to inspection by employees of the Department
9 and may include taking samples for biological examination.
10 Shipment of live fish, viable fish eggs, or viable sperm of
11 salmon or trout into the State without a fish importation
12 permit shall be considered detrimental to the fishery resource
13 and shall be seized and disposed of by means found suitable to
14 the Department.

15 This Section does not apply to salmon or trout in transit
16 through the State that will not be released from their original
17 containers.

18 Failure to comply with this Section is grounds for
19 revocation of the aquaculture permit or fish dealers license,
20 or both.

21 In addition to any other penalty provided under law, an
22 individual who knowingly imports any nuisance organism into
23 this State is guilty of a Class C misdemeanor or a fine not
24 exceeding \$1,500 per organism imported, with a maximum fine not
25 exceeding \$25,000. As used in this Section, "nuisance organism"
26 means a nonnative aquatic organism that will foreseeably alter

1 and threaten to harm the ecosystem or the abundance and
2 diversity of native or naturalized fish and other organisms.

3 (Source: P.A. 87-833.)