



Sen. Bill Cunningham

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09900SB3003sam001

LRB099 20086 SLF 45538 a

1 AMENDMENT TO SENATE BILL 3003

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3003 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing  
5 Sections 2.11 and 2.26 and by adding Section 3.1-6 as follows:

6 (520 ILCS 5/2.11) (from Ch. 61, par. 2.11)

7 Sec. 2.11. Before any person may lawfully hunt wild turkey,  
8 he shall first obtain a "Wild Turkey Hunting Permit" in  
9 accordance with the prescribed regulations set forth in an  
10 administrative rule of the Department. The fee for a Resident  
11 Wild Turkey Hunting Permit shall not exceed \$15.

12 Upon submitting suitable evidence of legal residence in any  
13 other state, non-residents shall be charged a fee not to exceed  
14 \$125 for wild turkey hunting permits, ~~except as provided below~~  
15 ~~for non resident land owners.~~

16 ~~Permits shall be issued without charge to:~~

1           ~~(a) Illinois landowners residing in Illinois who own at~~  
2           ~~least 40 acres of Illinois land and wish to hunt on their~~  
3           ~~land only,~~

4           ~~(b) resident tenants of at least 40 acres of commercial~~  
5           ~~agricultural land, and~~

6           ~~(c) bona fide equity shareholders of a corporation,~~  
7           ~~bona fide equity members of a limited liability company, or~~  
8           ~~bona fide equity partners of a general or limited~~  
9           ~~partnership which owns at least 40 acres of land in a~~  
10           ~~county in Illinois who wish to hunt on the corporation's,~~  
11           ~~company's, or partnership's land only. One permit shall be~~  
12           ~~issued without charge to one bona fide equity shareholder,~~  
13           ~~one bona fide equity member, or one bona fide equity~~  
14           ~~partner for each 40 acres of land owned by the corporation,~~  
15           ~~company, or partnership in a county; however, the number of~~  
16           ~~permits issued without charge to bona fide equity~~  
17           ~~shareholders of any corporation or bona fide equity members~~  
18           ~~of a limited liability company in any county shall not~~  
19           ~~exceed 15, and shall not exceed 3 in the case of bona fide~~  
20           ~~equity partners of a partnership.~~

21           ~~The turkey hunting permit issued without fee shall be valid~~  
22           ~~on all lands upon which the person to whom it is issued owns,~~  
23           ~~leases or rents, except that in the case of a permit issued~~  
24           ~~without charge to a shareholder of a corporation, the permit~~  
25           ~~shall be valid on all lands owned by the corporation in the~~  
26           ~~county.~~

1           The Department may by administrative rule allocate and  
2 issue non-resident Wild Turkey Permits and establish fees for  
3 such permits.

4           It shall be unlawful to take wild turkey except by use of a  
5 bow and arrow or a shotgun of not larger than 10 nor smaller  
6 than 20 gauge with shot size not larger than No. 4, and no  
7 person while attempting to so take wild turkey may have in his  
8 possession any other gun.

9           It shall be unlawful to take, or attempt to take wild  
10 turkey except during the time from 1/2 hour before sunrise to  
11 1/2 hour after sunset or during such lesser period of time as  
12 may be specified by administrative rule, during those days for  
13 which an open season is established.

14           It shall be unlawful for any person to take, or attempt to  
15 take, wild turkey by use of dogs, horses, automobiles, aircraft  
16 or other vehicles, or conveyances, or by the use or aid of bait  
17 or baiting of any kind. For the purposes of this Section,  
18 "bait" means any material, whether liquid or solid, including  
19 food, salt, minerals, and other products, except pure water,  
20 that can be ingested, placed, or scattered in such a manner as  
21 to attract or lure wild turkeys. "Baiting" means the placement  
22 or scattering of bait to attract wild turkeys. An area is  
23 considered as baited during the presence of and for 10  
24 consecutive days following the removal of the bait.

25           It is unlawful for any person to take in Illinois or have  
26 in his possession more than one wild turkey per valid permit.

1       ~~For purposes of this Section "bona fide equity~~  
2 ~~shareholder", "bona fide equity member", and "bona fide equity~~  
3 ~~partner" shall have the same meaning as provided in Section~~  
4 ~~2.26 of this Act.~~

5       For the purposes of calculating acreage under this Section,  
6 the Department shall, after determining the total acreage of  
7 the applicable tract or tracts of land, round remaining  
8 fractional portions of an acre greater than or equal to half of  
9 an acre up to the next whole acre.

10       For the purposes of taking wild turkey, nothing in this  
11 Section shall be construed to prevent the manipulation,  
12 including mowing or cutting, of standing crops as a normal  
13 agricultural or soil stabilization practice, food plots, or  
14 normal agricultural practices, including planting, harvesting,  
15 and maintenance such as cultivating. Such manipulation for the  
16 purpose of taking wild turkey may be further modified by  
17 administrative rule.

18       (Source: P.A. 97-564, eff. 8-25-11; 98-180, eff. 8-5-13.)

19       (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

20       Sec. 2.26. Deer hunting permits. ~~In this Section, "bona~~  
21 ~~fide equity shareholder" means an individual who (1) purchased,~~  
22 ~~for market price, publicly sold stock shares in a corporation,~~  
23 ~~purchased shares of a privately held corporation for a value~~  
24 ~~equal to the percentage of the appraised value of the corporate~~  
25 ~~assets represented by the ownership in the corporation, or is a~~

1 ~~member of a closely held family owned corporation and has~~  
2 ~~purchased or been gifted with shares of stock in the~~  
3 ~~corporation accurately reflecting his or her percentage of~~  
4 ~~ownership and (2) intends to retain the ownership of the shares~~  
5 ~~of stock for at least 5 years.~~

6 ~~In this Section, "bona fide equity member" means an~~  
7 ~~individual who (1) (i) became a member upon the formation of~~  
8 ~~the limited liability company or (ii) has purchased a~~  
9 ~~distributional interest in a limited liability company for a~~  
10 ~~value equal to the percentage of the appraised value of the LLC~~  
11 ~~assets represented by the distributional interest in the LLC~~  
12 ~~and subsequently becomes a member of the company pursuant to~~  
13 ~~Article 30 of the Limited Liability Company Act and who (2)~~  
14 ~~intends to retain the membership for at least 5 years.~~

15 ~~In this Section, "bona fide equity partner" means an~~  
16 ~~individual who (1) (i) became a partner, either general or~~  
17 ~~limited, upon the formation of a partnership or limited~~  
18 ~~partnership, or (ii) has purchased, acquired, or been gifted a~~  
19 ~~partnership interest accurately representing his or her~~  
20 ~~percentage distributional interest in the profits, losses, and~~  
21 ~~assets of a partnership or limited partnership, (2) intends to~~  
22 ~~retain ownership of the partnership interest for at least 5~~  
23 ~~years, and (3) is a resident of Illinois.~~

24 Any person attempting to take deer shall first obtain a  
25 "Deer Hunting Permit" issued by the Department in accordance  
26 with its administrative rules. Those rules must provide for the

1 issuance of the following types of resident deer archery  
2 permits: (i) a combination permit, consisting of one either-sex  
3 permit and one antlerless-only permit, (ii) a single  
4 antlerless-only permit, and (iii) a single either-sex permit.  
5 The fee for a Deer Hunting Permit to take deer with either bow  
6 and arrow or gun shall not exceed \$25.00 for residents of the  
7 State. The Department may by administrative rule provide for  
8 non-resident deer hunting permits for which the fee will not  
9 exceed \$300 in 2005, \$350 in 2006, and \$400 in 2007 and  
10 thereafter except as provided below for non-resident  
11 landowners and non-resident archery hunters. The Department  
12 may by administrative rule provide for a non-resident archery  
13 deer permit consisting of not more than 2 harvest tags at a  
14 total cost not to exceed \$325 in 2005, \$375 in 2006, and \$425  
15 in 2007 and thereafter. ~~Permits shall be issued without charge~~  
16 ~~to:~~

17 ~~(a) Illinois landowners residing in Illinois who own at~~  
18 ~~least 40 acres of Illinois land and wish to hunt their land~~  
19 ~~only,~~

20 ~~(b) resident tenants of at least 40 acres of commercial~~  
21 ~~agricultural land where they will hunt, and~~

22 ~~(c) Bona fide equity shareholders of a corporation,~~  
23 ~~bona fide equity members of a limited liability company, or~~  
24 ~~bona fide equity partners of a general or limited~~  
25 ~~partnership which owns at least 40 acres of land in a~~  
26 ~~county in Illinois who wish to hunt on the corporation's,~~

1 ~~company's, or partnership's land only. One permit shall be~~  
2 ~~issued without charge to one bona fide equity shareholder,~~  
3 ~~one bona fide equity member, or one bona fide equity~~  
4 ~~partner for each 40 acres of land owned by the corporation,~~  
5 ~~company, or partnership in a county; however, the number of~~  
6 ~~permits issued without charge to bona fide equity~~  
7 ~~shareholders of any corporation or bona fide equity members~~  
8 ~~of a limited liability company in any county shall not~~  
9 ~~exceed 15, and shall not exceed 3 in the case of bona fide~~  
10 ~~equity partners of a partnership.~~

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

23 ~~The deer hunting permit issued without fee shall be valid~~  
24 ~~on all farm lands which the person to whom it is issued owns,~~  
25 ~~leases or rents, except that in the case of a permit issued to~~  
26 ~~a bona fide equity shareholder, bona fide equity member, or~~

1 ~~bona fide equity partner, the permit shall be valid on all~~  
2 ~~lands owned by the corporation, limited liability company, or~~  
3 ~~partnership in the 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 ~~either-sex~~ archery deer hunting permits to less than  
9 20,000.

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

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

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

1 white-tailed deer may be further modified by administrative  
2 rule.

3 (Source: P.A. 97-564, eff. 8-25-11; 97-907, eff. 8-7-12;  
4 98-180, eff. 8-5-13; revised 10-20-15.)

5 (520 ILCS 5/3.1-6 new)

6 Sec. 3.1-6. Special deer, turkey, and combination hunting  
7 licenses.

8 (a) For the purpose of this Section:

9 "Bona fide equity member" means an individual who:

10 (1) (i) became a member upon the formation of the  
11 limited liability company or (ii) has purchased a  
12 distributional interest in a limited liability company for  
13 a value equal to the percentage of the appraised value of  
14 the LLC assets represented by the distributional interest  
15 in the LLC and subsequently becomes a member of the company  
16 under Article 30 of the Limited Liability Company Act; and

17 (2) intends to retain the membership for at least 5  
18 years.

19 "Bona fide equity partner" means an individual who:

20 (1) (i) became a partner, either general or limited,  
21 upon the formation of a partnership or limited partnership,  
22 or (ii) has purchased, acquired, or been gifted a  
23 partnership interest accurately representing his or her  
24 percentage distributional interest in the profits, losses,  
25 and assets of a partnership or limited partnership;

1           (2) intends to retain ownership of the partnership  
2 interest for at least 5 years; and

3           (3) is a resident of this State.

4 "Bona fide equity shareholder" means an individual who:

5           (1) purchased, for market price, publicly sold stock  
6 shares in a corporation, purchased shares of a  
7 privately-held corporation for a value equal to the  
8 percentage of the appraised value of the corporate assets  
9 represented by the ownership in the corporation, or is a  
10 member of a closely-held family-owned corporation and has  
11 purchased or been gifted with shares of stock in the  
12 corporation accurately reflecting his or her percentage of  
13 ownership; and

14           (2) intends to retain the ownership of the shares of  
15 stock for at least 5 years.

16           (b) Landowner Deer, Turkey, and combination permits shall  
17 be issued without charge to:

18           (1) Illinois landowners residing in this State who own  
19 at least 40 acres of Illinois land and wish to hunt upon  
20 their land only;

21           (2) resident tenants of at least 40 acres of commercial  
22 agricultural land where they will hunt; and

23           (3) bona fide equity shareholders of a corporation,  
24 bona fide equity members of a limited liability company, or  
25 bona fide equity partners of a general or limited  
26 partnership which owns at least 40 acres of land in a

1       county in this State who wish to hunt on the corporation's,  
2       company's, or partnership's land only. One permit shall be  
3       issued without charge to one bona fide equity shareholder,  
4       one bona fide equity member, or one bona fide equity  
5       partner for each 40 acres of land owned by the corporation,  
6       company, or partnership in a county; however, the number of  
7       permits issued without charge to bona fide equity  
8       shareholders of any corporation or bona fide equity members  
9       of a limited liability company in any county shall not  
10       exceed 15, and shall not exceed 3 in the case of bona fide  
11       equity partners of a partnership. Bona fide landowners or  
12       tenants who do not wish to hunt only on the land they own,  
13       rent, or lease or bona fide equity shareholders, bona fide  
14       equity members, or bona fide equity partners who do not  
15       wish to hunt only on the land owned by the corporation,  
16       limited liability company, or partnership shall be charged  
17       the same fee as the applicant who is not a landowner,  
18       tenant, bona fide equity shareholder, bona fide equity  
19       member, or bona fide equity partner. Nonresidents of this  
20       State who own at least 40 acres of land and wish to hunt on  
21       their land only shall be charged a fee set by  
22       administrative rule. The method for obtaining these  
23       permits shall be prescribed by administrative rule.

24       (c) The deer, turkey, or combination hunting permit issued  
25       without fee shall be valid on all farm lands which the person  
26       to whom it is issued owns, leases or rents, except that in the

1 case of a permit issued to a bona fide equity shareholder, bona  
2 fide equity member, or bona fide equity partner, the permit  
3 shall be valid on all lands owned by the corporation, limited  
4 liability company, or partnership in the county."