

AN ACT concerning regulation.

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

Section 5. The Wildlife Code is amended by changing Sections 2.26, 2.37, and 3.1-6 as follows:

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

Sec. 2.26. Deer hunting permits. Any person attempting to take deer shall first obtain a "Deer Hunting Permit" issued by the Department in accordance with its administrative rules. Those rules must provide for the issuance of the following types of resident deer archery permits: (i) a combination permit, consisting of one either-sex permit and one antlerless-only permit, (ii) a single antlerless-only permit, and (iii) a single either-sex permit. The fee for a Deer Hunting Permit to take deer with either bow and arrow or gun shall not exceed \$25 for residents of the State. The Department may by administrative rule provide for non-resident deer hunting permits for which the fee will not exceed \$300 in 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as provided below for non-resident landowners and non-resident archery hunters. The Department may by administrative rule provide for a non-resident archery deer permit consisting of not more than 2 harvest tags at a total cost not to exceed \$325

in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The fees for a youth resident and non-resident archery deer permit shall be the same.

The Department shall create a pilot program during the special 3-day, youth-only deer hunting season to allow for youth deer hunting permits that are valid statewide, excluding those counties or portions of counties closed to firearm deer hunting. The Department shall adopt rules to implement the pilot program. Hunters qualifying to participate in a youth-only deer season shall be eligible for one either-sex permit and one antlerless-only permit. Nothing in this paragraph shall be construed to prohibit the Department from issuing Special Hunt Area Permits for the youth-only deer hunting season or establishing, through administrative rule, additional requirements pertaining to the youth-only deer hunting season on Department-owned or Department-managed sites, including site-specific quotas or drawings. The provisions of this paragraph are inoperative on and after January 1, 2023.

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

No person may have in his or her possession any firearm not authorized by administrative rule for a specific hunting season when taking deer unless in accordance with the Firearm Concealed Carry Act.

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

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

It shall be unlawful for any person to take deer by use of dogs, horses, automobiles, aircraft, or other vehicles, or by the use or aid of bait or baiting of any kind. For the purposes of this Section, "bait" means any material, whether liquid or solid, including food, salt, minerals, and other products, except pure water, that can be ingested, placed, or scattered in such a manner as to attract or lure white-tailed deer. "Baiting" means the placement or scattering of bait to attract deer. An area is considered as baited during the presence of and for 10 consecutive days following the removal of bait. Nothing in this Section shall prohibit the use of a dog to track wounded deer. Any person using a dog for tracking wounded deer must maintain physical control of the dog at all times by means of a maximum 50-foot ~~50-foot~~ lead attached to the dog's collar or harness. Tracking wounded deer is

permissible at night, but at no time outside of legal deer hunting hours or seasons shall any person handling or accompanying a dog being used for tracking wounded deer be in possession of any firearm or archery device. Persons tracking wounded deer with a dog during the firearm deer seasons shall wear blaze orange or solid blaze pink color as required. Dog handlers tracking wounded deer with a dog are exempt from hunting license and deer permit requirements so long as they are accompanied by the licensed deer hunter who wounded the deer.

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

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

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

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

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

The Department shall not limit the number of non-resident,

either-sex archery deer hunting permits to less than 20,000.

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

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

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

(Source: P.A. 101-81, eff. 7-12-19; 101-444, eff. 6-1-20; 102-237, eff. 1-1-22; 102-932, eff. 1-1-23; revised 10-23-24.)

(520 ILCS 5/2.37) (from Ch. 61, par. 2.37)

Sec. 2.37. Authority to kill wildlife responsible for damage.

(a) Subject to federal regulations and Section 3 of the Illinois Endangered Species Protection Act, the Department may authorize owners and tenants of lands or their agents, who are performing the service without fee or compensation, to remove or destroy any wild bird or wild mammal when the wild bird or wild mammal is known to be destroying property or causing a risk to human health or safety upon his or her land.

Upon receipt by the Department of information from the owner, tenant, or sharecropper that any one or more species of wildlife is damaging dams, levees, ditches, cattle pastures, or other property on the land on which he resides or controls, together with a statement regarding location of the property damages, the nature and extent of the damage, and the particular species of wildlife committing the damage, the Department shall make an investigation.

If, after investigation, the Department finds that damage or risk to human safety does exist and can be abated only by removing or destroying that wildlife, a permit shall be issued by the Department to remove or destroy the species responsible for causing the damage.

A permit to control the damage shall be for a period set by administrative rule ~~of up to 90 days~~, shall specify the means and methods by which and the person or persons by whom the wildlife may be removed or destroyed, without fee or compensation for the initial permits issued to a landowner or tenant, and shall set forth the disposition procedure to be

made of all wildlife taken and other restrictions the Director considers necessary and appropriate in the circumstances of the particular case. Whenever possible, the specimens destroyed shall be given to a bona fide public or State scientific, educational, or zoological institution.

The permittee shall advise the Department in writing, as set by administrative rule ~~within 10 days after the expiration date of the permit~~, of the number of individual species of wildlife taken, disposition made of them, and any other information which the Department may consider necessary.

The Department shall adopt rules establishing: (i) procedures and criteria for issuance; (ii) timeline for issuance of permits; (iii) method of take; (iv) disposition of remains; (v) reporting; (vi) evaluation of damage; (vii) cost; (viii) suspension or revocation of permits; (ix) denial of permits; and (x) renewal of permits issued under this Section.
The Department shall adopt rules that allow landowners to have other individuals, that meet all requirements set forth in this Act, destroy deer authorized under permits issued to that landowner under this Section. The Department shall adopt rules allowing the automatic issuance of additional antlerless-only permits during the regular firearm or archery season of that year if a landowner demonstrates proof of successfully harvesting 50% of the permits issued from a permit issued under this Section to destroy deer in that same calendar year.
The Department shall adopt rules allowing the automatic

eligibility for additional permits to be issued in the following calendar year for use between June 1 through September 15 if a landowner demonstrates proof of harvesting 80% of the permits that were issued under this Section that were issued to the landowner for the previous year's regular firearm and archery deer hunting seasons.

(b) Subject to federal regulations and Section 3 of the Illinois Endangered Species Protection Act, the Department may grant the authority to control species protected by this Code pursuant to the issuance of a Nuisance Wildlife Control Permit to:

(1) any person who is providing such service or solicits customers for themselves or on behalf of a nuisance wildlife control permit holder for a fee or compensation;

(2) a governmental body; or

(3) a nonprofit or other charitable organization.

The Department shall set forth applicable regulations in an Administrative rule ~~Order~~ and may require periodic reports listing species taken, numbers of each species taken, dates when taken, and other pertinent information.

Any person operating under a Nuisance Wildlife Control Permit who subcontracts the operation of nuisance wildlife control to another shall ensure that such subcontractor possesses a valid Nuisance Wildlife Control Permit issued by the Department. The person must maintain a record of the

subcontractor including the subcontractor's name, address, and phone number, and type of work to be performed, for a period of not less than 2 years from the date the subcontractor is no longer performing services on behalf of the person. The records shall be presented to an authorized employee of the Department or law enforcement officer upon request for inspection.

Any person operating without the required permit as outlined under this subsection (b) or in violation of this subsection (b) is deemed to be taking, attempting to take, disturbing, or harassing wildlife contrary to the provisions of this Code, including the taking or attempting to take such species for commercial purposes as outlined in Sections 2.36 and 2.36a of this Code. Any devices and equipment, including vehicles, used in violation of this subsection (b) may be subject to the provisions of Section 1.25 of this Code.

Any person properly permitted and operating under the provisions of this subsection is exempt from the provisions of this Act except as limited by administrative rule adopted by the Department.

(c) The location of traps or snares authorized under this Section, either by the Department or any other governmental body with the authority to control species protected by this Code, shall be exempt from the provisions of the Freedom of Information Act.

(d) A drainage district or road district or the designee

of a drainage district or road district shall be exempt from the requirement to obtain a permit to control nuisance muskrats or beavers if all applicable provisions for licenses are complied with and any trap types and sizes used are in compliance with this Code, including marking or identification. The designee of a drainage district or road district must have a signed and dated written authorization from the drainage district or road district in possession at all times when conducting activities under this Section. This exemption from obtaining a permit shall be valid only upon property owned, leased, or controlled by the drainage district or road district. For the purposes of this Section, "road district" includes a township road district.

(e) The Department shall make available on its website the current and relevant information, criteria, and directions to the public for permits issued under this Section.

(Source: P.A. 102-524, eff. 8-20-21; 103-37, eff. 6-9-23; 103-225, eff. 6-30-23; 103-605, eff. 7-1-24; 103-611, eff. 1-1-25.)

(520 ILCS 5/3.1-6)

Sec. 3.1-6. Landowner or tenant ~~Special~~ deer and ~~turkey~~
~~and combination~~ hunting permits ~~licenses~~.

(a) For the purpose of this Section:

"Bona fide current income beneficiary" means an individual who, at the time of application for a permit, is:

(1) entitled to income, whether income exists or not, from the trust that owns Illinois land on which the applicant wishes to hunt with no condition precedent, such as surviving another person or reaching a certain age, other than the trustee distributing the income; and

(2) listed by name in the trust documents as an income beneficiary.

"Bona fide equity member" means an individual who:

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

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

"Bona fide equity partner" means an individual who:

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

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

(3) is a resident of this State.

"Bona fide equity shareholder" means an individual who:

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

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

"Current owners" means one or more bona fide landowners, one or more bona fide current income beneficiaries, one or more bona fide equity shareholders of a corporation, one or more bona fide equity members of a limited liability company, or one or more bona fide equity partners of a partnership that all own the same 240 acres of Illinois land.

"Immediate family of a bona fide landowner, tenant, or a bona fide current income beneficiary" means the spouse, children, brothers, sisters, grandchildren, grandparents, and parents permanently residing on the same property as the bona fide landowner, tenant, or bona fide current income

beneficiary.

"Tenant" means a person who rents 40 acres or more of Illinois land for commercial agricultural purposes under a written notarized agreement with the landowner.

(b) Landowner deer and turkey ~~Deer, Turkey, and combination~~ permits shall be issued without charge to an Illinois resident that owns at least 40 acres of Illinois land and that wishes to hunt only on the land that Illinois resident owns. Deer permits issued under this Section shall consist of one either-sex permit and one antlerless-only permit for the deer firearm season and one either-sex permit and one antlerless-only permit for the archery deer season. Land ownership shall only be accepted by the Department for:

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

(2) bona fide current income beneficiaries of a trust in which the trust owns Illinois land ~~resident tenants of at least 40 acres of commercial agricultural land where they will hunt; and~~

(3) bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns ~~at least 40 acres of land in a county in this State who wish to hunt on the corporation's, company's, or partnership's land only. One~~

~~permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.~~

(b-5) Tenant deer and turkey permits shall be issued without charge to Illinois resident tenants of at least 40 acres of commercial agricultural land that wish to hunt only on the land of which they are resident tenants. Deer permits issued under this Section shall consist of (i) one either-sex permit and one antlerless-only permit for the deer firearm season and (ii) one either-sex permit and one antlerless-only permit for the archery deer season.

(b-10) The total number of deer or turkey permits that may be issued to a person under this Section shall be established by administrative rule.

(b-15) Bona fide landowners ~~or tenants~~ who do not wish to hunt only on the land they own, tenants who do not wish to hunt only on the land they rent, or lease, or bona fide equity shareholders, bona fide equity members, bona fide current income beneficiaries of a trust, or bona fide equity partners who do not wish to hunt only on the land owned by the

corporation, limited liability company, trust, or partnership shall be charged the same fee as the applicant who is not a bona fide landowner, Illinois resident tenant, bona fide equity shareholder, bona fide equity member, bona fide current income beneficiary of a trust, or bona fide equity partner. Nonresidents of this State who own at least 40 acres of land as a bona fide landowner, a bona fide current income beneficiary of a trust, a bona fide equity shareholder, or a bona fide equity member and wish to hunt on their land only shall be charged a fee set by administrative rule. The method for obtaining these permits shall be prescribed by administrative rule.

(c) A deer or turkey ~~The deer, turkey, or combination~~ hunting permit issued without fee shall be valid on all Illinois farm lands which the person to whom it is issued owns, including land owned by the individual as a bona fide landowner, land owned as a bona fide equity shareholder of a corporation, land owned by the individual as a bona fide equity member of a limited liability company, and land owned by the individual as a bona fide equity partner of a partnership.

(d) Except for a person hunting under a permit issued under subsection (e) or (f), while hunting under a permit issued under this Section, a person must carry the permit and documentation showing proof of that the person is a bona fide landowner, a bona fide equity shareholder of a corporation, a

bona fide equity member of a limited liability company, a bona fide current income beneficiary, a bona fide equity partners of a general or limited partnership, or a tenant. While hunting under a permit issued under subsection (e) or (f), a person must carry the permit and documentation showing that the person is actively hunting on land covered by the permit.

(e) The Department may, by administrative rule, issue permits under this Section to the immediate family of a bona fide landowner, a bona fide current income beneficiary, or tenant.

(f) For every 240 acres of Illinois land owned by the current owners, the Department may issue one guest either-sex deer permit and one guest antlerless-only deer permit. The guest permits shall be for the same deer hunting season and for the same method of take as issued to the current owner. A guest permit shall be issued to an individual who is not a current owner and is listed on the application for the issuance of guest deer hunting permits by a current owner. An individual designated by a current owner must meet all the eligibility requirements to hunt under this Code and shall pay all fees required under Section 2.26 for the permits issued, including non-resident fees if that individual is a non-resident. Permits issued under this subsection may not be offered for resale by the landowner receiving the permit and are nontransferable. No more than 5 individuals, regardless of total number of 240 acres of Illinois land owned by the current

owners, may be issued guest permits under this subsection.

(g) The Department may adopt rules to administer and enforce this Section, including, but not limited to, application requirements, proof of ownership requirements, proof of residency requirements, eligibility requirements, restrictions, and suspension and revocation of permits.

(h) No person shall be issued more than (i) one either-sex permit and one antlerless-only permit for the deer firearm season and (ii) one either-sex permit and one antlerless-only permit for the deer archery season under this Section ~~leases or rents, except that in the case of a permit issued to a bona fide equity shareholder, bona fide equity member, or bona fide equity partner, the permit shall be valid on all lands owned by the corporation, limited liability company, or partnership in the county.~~

(Source: P.A. 99-869, eff. 1-1-17.)

Section 99. Effective date. This Act takes effect on January 1, 2026, except that the changes to Section 3.1-6 of the Wildlife Code take effect on January 1, 2027.