

HB2569



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2569

Introduced 2/4/2025, by Rep. Amy Briel

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.37

from Ch. 61, par. 2.37

Amends the Wildlife Code. Provides that striped skunks and raccoons may be rehabilitated by a licensed wildlife rehabilitator for treatment and release. Requires the Department of Natural Resources to adopt rules to implement the amendatory Act.

LRB104 09337 BDA 19395 b

A BILL FOR

1 AN ACT concerning wildlife.

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 Section 2.37 as follows:

6 (520 ILCS 5/2.37) (from Ch. 61, par. 2.37)

7 (Text of Section before amendment by P.A. 103-611)

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

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

17 Upon receipt by the Department of information from the
18 owner, tenant, or sharecropper that any one or more species of
19 wildlife is damaging dams, levees, ditches, cattle pastures,
20 or other property on the land on which he resides or controls,
21 together with a statement regarding location of the property
22 damages, the nature and extent of the damage, and the
23 particular species of wildlife committing the damage, the

1 Department shall make an investigation.

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

7 A permit to control the damage shall be for a period of up
8 to 90 days, shall specify the means and methods by which and
9 the person or persons by whom the wildlife may be removed or
10 destroyed, without fee or compensation, and shall set forth
11 the disposition procedure to be made of all wildlife taken and
12 other restrictions the Director considers necessary and
13 appropriate in the circumstances of the particular case.
14 Whenever possible, the specimens destroyed shall be given to a
15 bona fide public or State scientific, educational, or
16 zoological institution.

17 The permittee shall advise the Department in writing,
18 within 10 days after the expiration date of the permit, of the
19 number of individual species of wildlife taken, disposition
20 made of them, and any other information which the Department
21 may consider necessary.

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

1 (1) any person who is providing such service for a fee
2 or compensation;

3 (2) a governmental body; or

4 (3) a nonprofit or other charitable organization.

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

9 Any person operating under a Nuisance Wildlife Control
10 Permit who subcontracts the operation of nuisance wildlife
11 control to another shall ensure that such subcontractor
12 possesses a valid Nuisance Wildlife Control Permit issued by
13 the Department. The person must maintain a record of the
14 subcontractor including the subcontractor's name, address, and
15 phone number, and type of work to be performed, for a period of
16 not less than 2 years from the date the subcontractor is no
17 longer performing services on behalf of the person. The
18 records shall be presented to an authorized employee of the
19 Department or law enforcement officer upon request for
20 inspection.

21 Any person operating without the required permit as
22 outlined under this subsection (b) or in violation of this
23 subsection (b) is deemed to be taking, attempting to take,
24 disturbing, or harassing wildlife contrary to the provisions
25 of this Code, including the taking or attempting to take such
26 species for commercial purposes as outlined in Sections 2.36

1 and 2.36a of this Code. Any devices and equipment, including
2 vehicles, used in violation of this subsection (b) may be
3 subject to the provisions of Section 1.25 of this Code.

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

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

23 (e) Notwithstanding any provision of law to the contrary,
24 striped skunks and raccoons may be rehabilitated by a licensed
25 wildlife rehabilitator for treatment and release after removal
26 under this Section and rules adopted under this Section. The

1 Department may set reasonable requirements for the release of
2 striped skunks and raccoons under this subsection in order to
3 protect the health, welfare, and safety of the people of the
4 State of Illinois. The Department shall adopt rules
5 implementing this subsection within one year of the effective
6 date of this amendatory Act of the 104th General Assembly.

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

9 (Text of Section after amendment by P.A. 103-611)

10 Sec. 2.37. Authority to kill wildlife responsible for
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17 wild mammal is known to be destroying property or causing a
18 risk to human health or safety upon his or her land.

19 Upon receipt by the Department of information from the
20 owner, tenant, or sharecropper that any one or more species of
21 wildlife is damaging dams, levees, ditches, cattle pastures,
22 or other property on the land on which he resides or controls,
23 together with a statement regarding location of the property
24 damages, the nature and extent of the damage, and the
25 particular species of wildlife committing the damage, the

1 Department shall make an investigation.

2 If, after investigation, the Department finds that damage
3 does exist and can be abated only by removing or destroying
4 that wildlife, a permit shall be issued by the Department to
5 remove or destroy the species responsible for causing the
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7 A permit to control the damage shall be for a period of up
8 to 90 days, shall specify the means and methods by which and
9 the person or persons by whom the wildlife may be removed or
10 destroyed, without fee or compensation, and shall set forth
11 the disposition procedure to be made of all wildlife taken and
12 other restrictions the Director considers necessary and
13 appropriate in the circumstances of the particular case.
14 Whenever possible, the specimens destroyed shall be given to a
15 bona fide public or State scientific, educational, or
16 zoological institution.

17 The permittee shall advise the Department in writing,
18 within 10 days after the expiration date of the permit, of the
19 number of individual species of wildlife taken, disposition
20 made of them, and any other information which the Department
21 may consider necessary.

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

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

5 (2) a governmental body; or

6 (3) a nonprofit or other charitable organization.

7 The Department shall set forth applicable regulations in
8 an Administrative Order and may require periodic reports
9 listing species taken, numbers of each species taken, dates
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11 Any person operating under a Nuisance Wildlife Control
12 Permit who subcontracts the operation of nuisance wildlife
13 control to another shall ensure that such subcontractor
14 possesses a valid Nuisance Wildlife Control Permit issued by
15 the Department. The person must maintain a record of the
16 subcontractor including the subcontractor's name, address, and
17 phone number, and type of work to be performed, for a period of
18 not less than 2 years from the date the subcontractor is no
19 longer performing services on behalf of the person. The
20 records shall be presented to an authorized employee of the
21 Department or law enforcement officer upon request for
22 inspection.

23 Any person operating without the required permit as
24 outlined under this subsection (b) or in violation of this
25 subsection (b) is deemed to be taking, attempting to take,
26 disturbing, or harassing wildlife contrary to the provisions

1 of this Code, including the taking or attempting to take such
2 species for commercial purposes as outlined in Sections 2.36
3 and 2.36a of this Code. Any devices and equipment, including
4 vehicles, used in violation of this subsection (b) may be
5 subject to the provisions of Section 1.25 of this Code.

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

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

15 (d) A drainage district or road district or the designee
16 of a drainage district or road district shall be exempt from
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6 under this Section and rules adopted under this Section. The
7 Department may set reasonable requirements for the release of
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9 protect the health, welfare, and safety of the people of the
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11 implementing this subsection within one year of the effective
12 date of this amendatory Act of the 104th General Assembly.

13 (Source: P.A. 102-524, eff. 8-20-21; 103-37, eff. 6-9-23;
14 103-225, eff. 6-30-23; 103-605, eff. 7-1-24; 103-611, eff.
15 1-1-25.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.