

HB2740



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2740

Introduced 2/6/2025, by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.33

Amends the Wildlife Code. Allows unmanned aerial vehicles to be used for the tracking of wounded animals in the course of hunting.

LRB104 09540 BDA 19603 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 2.33 as follows:

6 (520 ILCS 5/2.33)

7 Sec. 2.33. Prohibitions.

8 (a) It is unlawful to carry or possess any gun in any State
9 refuge unless otherwise permitted by administrative rule.

10 (b) It is unlawful to use or possess any snare or
11 snare-like device, deadfall, net, or pit trap to take any
12 species, except that snares not powered by springs or other
13 mechanical devices may be used to trap fur-bearing mammals, in
14 water sets only, if at least one-half of the snare noose is
15 located underwater at all times.

16 (c) It is unlawful for any person at any time to take a
17 wild mammal protected by this Act from its den by means of any
18 mechanical device, spade, or digging device or to use smoke or
19 other gases to dislodge or remove such mammal except as
20 provided in Section 2.37.

21 (d) It is unlawful to use a ferret or any other small
22 mammal which is used in the same or similar manner for which
23 ferrets are used for the purpose of frightening or driving any

1 mammals from their dens or hiding places.

2 (e) (Blank).

3 (f) It is unlawful to use spears, gigs, hooks, or any like
4 device to take any species protected by this Act.

5 (g) It is unlawful to use poisons, chemicals, or
6 explosives for the purpose of taking any species protected by
7 this Act.

8 (h) It is unlawful to hunt adjacent to or near any peat,
9 grass, brush, or other inflammable substance when it is
10 burning.

11 (i) It is unlawful to take, pursue or intentionally harass
12 or disturb in any manner any wild birds or mammals by use or
13 aid of any vehicle, conveyance, or unmanned aircraft as
14 defined by the Illinois Aeronautics Act, except for the
15 tracking of wounded animals in the course of hunting or, as
16 permitted by the Code of Federal Regulations, for the taking
17 of waterfowl; except that nothing in this subsection shall
18 prohibit the use of unmanned aircraft in the inspection of a
19 public utility facility, tower, or structure or a mobile
20 service facility, tower, or structure by a public utility, as
21 defined in Section 3-105 of the Public Utilities Act, or a
22 provider of mobile services as defined in Section 153 of Title
23 47 of the United States Code. It is also unlawful to use the
24 lights of any vehicle or conveyance, any light connected to
25 any vehicle or conveyance, or any other lighting device or
26 mechanism from inside or on a vehicle or conveyance in any area

1 where wildlife may be found except in accordance with Section
2 2.37 of this Act; however, nothing in this Section shall
3 prohibit the normal use of headlamps for the purpose of
4 driving upon a roadway. For purposes of this Section, any
5 other lighting device or mechanism shall include, but not be
6 limited to, any device that uses infrared or other light not
7 visible to the naked eye, electronic image intensification,
8 active illumination, thermal imaging, or night vision. Striped
9 skunk, opossum, red fox, gray fox, raccoon, bobcat, and coyote
10 may be taken during the open season by use of a small light
11 which is worn on the body or hand-held by a person on foot and
12 not in any vehicle.

13 (j) It is unlawful to use any shotgun larger than 10 gauge
14 while taking or attempting to take any of the species
15 protected by this Act.

16 (k) It is unlawful to use or possess in the field any
17 shotgun shell loaded with a shot size larger than lead BB or
18 steel T (.20 diameter) when taking or attempting to take any
19 species of wild game mammals (excluding white-tailed deer),
20 wild game birds, migratory waterfowl or migratory game birds
21 protected by this Act, except white-tailed deer as provided
22 for in Section 2.26 and other species as provided for by
23 subsection (l) or administrative rule.

24 (l) It is unlawful to take any species of wild game, except
25 white-tailed deer and fur-bearing mammals, with a shotgun
26 loaded with slugs unless otherwise provided for by

1 administrative rule.

2 (m) It is unlawful to use any shotgun capable of holding
3 more than 3 shells in the magazine or chamber combined, except
4 on game breeding and hunting preserve areas licensed under
5 Section 3.27 and except as permitted by the Code of Federal
6 Regulations for the taking of waterfowl. If the shotgun is
7 capable of holding more than 3 shells, it shall, while being
8 used on an area other than a game breeding and shooting
9 preserve area licensed pursuant to Section 3.27, be fitted
10 with a one-piece plug that is irremovable without dismantling
11 the shotgun or otherwise altered to render it incapable of
12 holding more than 3 shells in the magazine and chamber,
13 combined.

14 (n) It is unlawful for any person, except persons who
15 possess a permit to hunt from a vehicle as provided in this
16 Section and persons otherwise permitted by law, to have or
17 carry any gun in or on any vehicle, conveyance, or aircraft,
18 unless such gun is unloaded and enclosed in a case, except that
19 at field trials authorized by Section 2.34 of this Act,
20 unloaded guns or guns loaded with blank cartridges only may be
21 carried on horseback while not contained in a case, or to have
22 or carry any bow or arrow device in or on any vehicle unless
23 such bow or arrow device is unstrung or enclosed in a case, or
24 otherwise made inoperable unless in accordance with the
25 Firearm Concealed Carry Act.

26 (o) (Blank).

1 (p) It is unlawful to take game birds, migratory game
2 birds or migratory waterfowl with a rifle, pistol, revolver,
3 or air rifle.

4 (q) It is unlawful to fire a rifle, pistol, revolver, or
5 air rifle on, over, or into any waters of this State, including
6 frozen waters.

7 (r) It is unlawful to discharge any gun or bow and arrow
8 device along, upon, across, or from any public right-of-way or
9 highway in this State.

10 (s) It is unlawful to use a silencer or other device to
11 muffle or mute the sound of the explosion or report resulting
12 from the firing of any gun.

13 (t) It is unlawful for any person to take or attempt to
14 take any species of wildlife or parts thereof, or allow a dog
15 to hunt, within or upon the land of another, or upon waters
16 flowing over or standing on the land of another, or to
17 knowingly shoot a gun or bow and arrow device at any wildlife
18 physically on or flying over the property of another without
19 first obtaining permission from the owner or the owner's
20 designee. For the purposes of this Section, the owner's
21 designee means anyone who the owner designates in a written
22 authorization and the authorization must contain (i) the legal
23 or common description of property for which such authority is
24 given, (ii) the extent that the owner's designee is authorized
25 to make decisions regarding who is allowed to take or attempt
26 to take any species of wildlife or parts thereof, and (iii) the

1 owner's notarized signature. Before enforcing this Section,
2 the law enforcement officer must have received notice from the
3 owner or the owner's designee of a violation of this Section.
4 Statements made to the law enforcement officer regarding this
5 notice shall not be rendered inadmissible by the hearsay rule
6 when offered for the purpose of showing the required notice.

7 (u) It is unlawful for any person to discharge any firearm
8 for the purpose of taking any of the species protected by this
9 Act, or hunt with gun or dog, or allow a dog to hunt, within
10 300 yards of an inhabited dwelling without first obtaining
11 permission from the owner or tenant, except that while
12 trapping, hunting with bow and arrow, hunting with dog and
13 shotgun using shot shells only, or hunting with shotgun using
14 shot shells only, or providing outfitting services under a
15 waterfowl outfitter permit, or on licensed game breeding and
16 hunting preserve areas, as defined in Section 3.27, on
17 federally owned and managed lands and on Department owned,
18 managed, leased, or controlled lands, a 100 yard restriction
19 shall apply.

20 (v) It is unlawful for any person to remove fur-bearing
21 mammals from, or to move or disturb in any manner, the traps
22 owned by another person without written authorization of the
23 owner to do so.

24 (w) It is unlawful for any owner of a dog to allow his or
25 her dog to pursue, harass, or kill deer, except that nothing in
26 this Section shall prohibit the tracking of wounded deer with

1 a dog in accordance with the provisions of Section 2.26 of this
2 Code.

3 (x) It is unlawful for any person to wantonly or
4 carelessly injure or destroy, in any manner whatsoever, any
5 real or personal property on the land of another while engaged
6 in hunting or trapping thereon.

7 (y) It is unlawful to hunt wild game protected by this Act
8 between one-half hour after sunset and one-half hour before
9 sunrise, except that hunting hours between one-half hour after
10 sunset and one-half hour before sunrise may be established by
11 administrative rule for fur-bearing mammals.

12 (z) It is unlawful to take any game bird (excluding wild
13 turkeys and crippled pheasants not capable of normal flight
14 and otherwise irretrievable) protected by this Act when not
15 flying. Nothing in this Section shall prohibit a person from
16 carrying an uncased, unloaded shotgun in a boat, while in
17 pursuit of a crippled migratory waterfowl that is incapable of
18 normal flight, for the purpose of attempting to reduce the
19 migratory waterfowl to possession, provided that the attempt
20 is made immediately upon downing the migratory waterfowl and
21 is done within 400 yards of the blind from which the migratory
22 waterfowl was downed. This exception shall apply only to
23 migratory game birds that are not capable of normal flight.
24 Migratory waterfowl that are crippled may be taken only with a
25 shotgun as regulated by subsection (j) of this Section using
26 shotgun shells as regulated in subsection (k) of this Section.

1 (aa) It is unlawful to use or possess any device that may
2 be used for tree climbing or cutting while hunting fur-bearing
3 mammals, excluding coyotes. However, coyotes may not be hunted
4 utilizing these devices during open season for deer except by
5 properly licensed deer hunters.

6 (bb) It is unlawful for any person, except licensed game
7 breeders, pursuant to Section 2.29 to import, carry into, or
8 possess alive in this State any species of wildlife taken
9 outside of this State, without obtaining permission to do so
10 from the Director.

11 (cc) It is unlawful for any person to have in his or her
12 possession any freshly killed species protected by this Act
13 during the season closed for taking.

14 (dd) It is unlawful to take any species protected by this
15 Act and retain it alive except as provided by administrative
16 rule.

17 (ee) It is unlawful to possess any rifle while in the field
18 during gun deer season except as provided in Sections 2.25 and
19 2.26 and administrative rules.

20 (ff) It is unlawful for any person to take any species
21 protected by this Act, except migratory waterfowl, during the
22 gun deer hunting season in those counties open to gun deer
23 hunting, unless he or she wears, when in the field, a cap and
24 upper outer garment of a solid blaze orange color or solid
25 blaze pink color, with such articles of clothing displaying a
26 minimum of 400 square inches of blaze orange or solid blaze

1 pink color material.

2 (gg) It is unlawful during the upland game season for any
3 person to take upland game with a firearm unless he or she
4 wears, while in the field, a cap of solid blaze orange color or
5 solid blaze pink color. For purposes of this Act, upland game
6 is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked
7 Pheasant, Eastern Cottontail, and Swamp Rabbit.

8 (hh) It shall be unlawful to kill or cripple any species
9 protected by this Act for which there is a bag limit without
10 making a reasonable effort to retrieve such species and
11 include such in the bag limit. It shall be unlawful for any
12 person having control over harvested game mammals, game birds,
13 or migratory game birds for which there is a bag limit to
14 wantonly waste or destroy the usable meat of the game, except
15 this shall not apply to wildlife taken under Sections 2.37 or
16 3.22 of this Code. For purposes of this subsection, "usable
17 meat" means the breast meat of a game bird or migratory game
18 bird and the hind ham and front shoulders of a game mammal. It
19 shall be unlawful for any person to place, leave, dump, or
20 abandon a wildlife carcass or parts of it along or upon a
21 public right-of-way or highway or on public or private
22 property, including a waterway or stream, without the
23 permission of the owner or tenant. It shall not be unlawful to
24 discard game meat that is determined to be unfit for human
25 consumption.

26 (ii) This Section shall apply only to those species

1 protected by this Act taken within the State. Any species or
2 any parts thereof, legally taken in and transported from other
3 states or countries, may be possessed within the State, except
4 as provided in this Section and Sections 2.35, 2.36, and 3.21.

5 (jj) (Blank).

6 (kk) Nothing contained in this Section shall prohibit the
7 Director from issuing permits to paraplegics or to other
8 persons with disabilities who meet the requirements set forth
9 in administrative rule to shoot or hunt from a vehicle as
10 provided by that rule, provided that such is otherwise in
11 accord with this Act.

12 (ll) Nothing contained in this Act shall prohibit the
13 taking of aquatic life protected by the Fish and Aquatic Life
14 Code or birds and mammals protected by this Act, except deer
15 and fur-bearing mammals, from a boat not camouflaged or
16 disguised to alter its identity or to further provide a place
17 of concealment and not propelled by sail or mechanical power.
18 However, only shotguns not larger than 10 gauge nor smaller
19 than .410 bore loaded with not more than 3 shells of a shot
20 size no larger than lead BB or steel T (.20 diameter) may be
21 used to take species protected by this Act.

22 (mm) Nothing contained in this Act shall prohibit the use
23 of a shotgun, not larger than 10 gauge nor smaller than a 20
24 gauge, with a rifled barrel.

25 (nn) It shall be unlawful to possess any species of
26 wildlife or wildlife parts taken unlawfully in Illinois, any

1 other state, or any other country, whether or not the wildlife
2 or wildlife parts are indigenous to Illinois. For the purposes
3 of this subsection, the statute of limitations for unlawful
4 possession of wildlife or wildlife parts shall not cease until
5 2 years after the possession has permanently ended.

6 (oo) It is unlawful while deer hunting:

7 (1) to possess or be in close proximity to a rifle that
8 is not centerfire; or

9 (2) to be in possession of or in close proximity to a
10 magazine that is capable of making a rifle not a single
11 shot.

12 (Source: P.A. 102-237, eff. 1-1-22; 102-837, eff. 5-13-22;
13 102-932, eff. 1-1-23; 103-154, eff. 6-30-23.)