



Sen. Linda Holmes

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10400HB3760sam001

LRB104 12106 BDA 25504 a

1 AMENDMENT TO HOUSE BILL 3760

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3760 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is  
5 amended by adding Section 5-45.65 as follows:

6 (5 ILCS 100/5-45.65 new)

7 Sec. 5-45.65. Emergency rulemaking; Department of Natural  
8 Resources. To provide for the expeditious and timely  
9 implementation of this amendatory Act of the 104th General  
10 Assembly, emergency rules implementing the changes made to the  
11 Wildlife Code by this amendatory Act of the 104th General  
12 Assembly may be adopted in accordance with Section 5-45 by the  
13 Department of Natural Resources. The adoption of emergency  
14 rules authorized by Section 5-45 and this Section is deemed to  
15 be necessary for the public interest, safety, and welfare.

16 This Section is repealed one year after the effective date

1 of this amendatory Act of the 104th General Assembly.

2 Section 10. The Wildlife Code is amended by changing  
3 Sections 1.4 and 2.30 as follows:

4 (520 ILCS 5/1.4) (from Ch. 61, par. 1.4)

5 Sec. 1.4. The Department is authorized to make rules and  
6 regulations for carrying out, administering and enforcing the  
7 provisions of this Act. These rules and regulations shall be  
8 called and hereinafter referred to as administrative rules.

9 Each rule shall be promulgated in accordance with the  
10 Illinois Administrative Procedure Act.

11 A copy of any such rule, under the seal of the Department  
12 and certified by the Director thereof shall be received in  
13 evidence in all courts of this State with the same effect as  
14 the original.

15 Such rules, after becoming effective, shall be enforced in  
16 the same manner as are any other provisions of this Act and  
17 violators thereof are subject to the penalties set out in  
18 Section 3.5 of this Act.

19 The Department may adopt emergency rules in accordance  
20 with Section 5-45 of the Illinois Administrative Procedure  
21 Act. The adoption of emergency rules authorized by Sections  
22 5-45 of the Illinois Administrative Procedure Act and this  
23 paragraph is deemed to be necessary for the public interest,  
24 safety, and welfare.

1 (Source: P.A. 91-357, eff. 7-29-99.)

2 (520 ILCS 5/2.30) (from Ch. 61, par. 2.30)

3 Sec. 2.30. Except as provided in this Section, it shall be  
4 unlawful for any person to trap or to hunt with a gun, dog, dog  
5 and gun, or bow and arrow, gray fox, red fox, raccoon, weasel,  
6 mink, muskrat, badger, bobcat, and opossum except during the  
7 open season which will be set annually by the Director between  
8 12:01 a.m., November 1 to 12:00 midnight, February 15, both  
9 inclusive.

10 Except as provided in this Section, it shall be unlawful  
11 for any person to trap or to hunt gray fox with a gun, dog, dog  
12 and gun, or bow and arrow, except during an open season, which  
13 may be set annually by the Director between 12:01 a.m.,  
14 November 1 to 12:00 midnight, February 15, both inclusive.  
15 When the biological balance of the gray fox is affected for any  
16 reason, the Director may, by administrative rule, set the  
17 dates of, lengthen, shorten, or close the season during which  
18 gray fox may be taken. The Director may also set, lessen, or  
19 increase the daily bag limit or possession limit of gray fox by  
20 administrative rule.

21 It shall be unlawful for any person to hunt or trap bobcat  
22 in this State on and after the effective date of this  
23 amendatory Act of the 100th General Assembly in the counties  
24 of Boone, Bureau, Champaign, Cook, DeKalb, DeWitt, DuPage,  
25 Ford, Grundy, Henry, Iroquois, Kane, Kankakee, Kendall, Knox,

1 Lake, LaSalle, Lee, Livingston, Logan, Marshall, McHenry,  
2 McLean, Ogle, Peoria, Piatt, Putnam, Stark, Stephenson,  
3 Vermilion, Will, Winnebago, and Woodford and north of U.S.  
4 Route 36 in Edgar and Douglas and north of U.S. Route 36 to the  
5 junction with Illinois Route 121 and north or east of Illinois  
6 Route 121 in Macon. For the season beginning in 2017, a total  
7 number of 350 bobcats may be hunted or trapped lawfully, or the  
8 conclusion of the season occurs, whichever is earlier. For the  
9 season beginning in 2018, a total number of 375 bobcats may be  
10 hunted or trapped lawfully, or the conclusion of the season  
11 occurs, whichever is earlier. The changes added to this  
12 Section by this amendatory Act of the 100th General Assembly,  
13 except for this sentence, are inoperative on and after June  
14 30, 2019.

15 It is unlawful to pursue any fur-bearing mammal with a dog  
16 or dogs between the hours of sunset and sunrise during the 10  
17 day period preceding the opening date of the raccoon hunting  
18 season and the 10 day period following the closing date of the  
19 raccoon hunting season except that the Department may issue  
20 field trial permits in accordance with Section 2.34 of this  
21 Act. A non-resident from a state with more restrictive  
22 fur-bearer pursuit regulations for any particular species than  
23 provided for that species in this Act may not pursue that  
24 species in Illinois except during the period of time that  
25 Illinois residents are allowed to pursue that species in the  
26 non-resident's state of residence. Hound running areas

1 approved by the Department shall be exempt from the provisions  
2 of this Section.

3 It shall be unlawful to take beaver, river otter, weasel,  
4 mink, or muskrat except during the open season set annually by  
5 the Director, and then, only with traps, except that a  
6 firearm, pistol, or air rifle of a caliber not larger than a  
7 .22 long rifle may be used to remove the animal from the trap.

8 It shall be unlawful for any person to trap beaver or river  
9 otter with traps except during the open season which will be  
10 set annually by the Director between 12:01 a.m., November 1st  
11 and 12:00 midnight, March 31, both inclusive.

12 Coyote may be taken by trapping methods only during the  
13 period from September 1 to March 1, both inclusive, and by  
14 hunting methods at any time.

15 Striped skunk may be taken by trapping methods only during  
16 the period from September 1 to March 1, both inclusive, and by  
17 hunting methods at any time.

18 Muskrat may be taken by trapping methods during an open  
19 season set annually by the Director.

20 For the purpose of taking fur-bearing mammals, the State  
21 may be divided into management zones by administrative rule.

22 It shall be unlawful to take or possess more than the  
23 season limit or possession limit of fur-bearing mammals that  
24 shall be set annually by the Director. The season limit for  
25 bobcat shall not exceed one bobcat per permit. Possession  
26 limits shall not apply to fur buyers, tanners, manufacturers,

1 and taxidermists, as defined by this Act, who possess  
2 fur-bearing mammals in accordance with laws governing such  
3 activities.

4 Nothing in this Section shall prohibit the taking or  
5 possessing of fur-bearing mammals found dead or  
6 unintentionally killed by a vehicle along a roadway during the  
7 open season provided the person who possesses such fur-bearing  
8 mammals has all appropriate licenses, stamps, or permits; the  
9 season for which the species possessed is open; and that such  
10 possession and disposal of such fur-bearing mammals is  
11 otherwise subject to the provisions of this Section.

12 The provisions of this Section are subject to modification  
13 by administrative rule.

14 (Source: P.A. 102-837, eff. 5-13-22.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."