



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2426

Introduced 2/7/2025, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

See Index

Amends the Forest Products Transportation Act. Changes the title of the Act to the Tree Transportation Act. Defines terms. Provides that no person may haul or transport any tree (instead of forest product) on the highways of the State without proof of ownership as required by the Department of Natural Resources by administrative rule (instead of the written consent of the timber grower or subsequent seller). Provides that any person hauling or transporting a tree or trees (instead of 2 or more trees and forest products), on any highway in this State shall be required to show proof of ownership as defined in the Act. Provides that the information required for proof of ownership shall be set by the Department by administrative rule, including information required for a person that is transporting or hauling a tree or trees that the person owns. Provides that the Department or any law enforcement agency may inspect any vehicle or conveyance hauling or transporting a tree or trees on any road or highway in the State to determine if the transportation of the tree or trees complies with the Act. Provides that, if an officer of the Department or law enforcement agency discovers any violation of the Act, he or she may issue a summons to the person operating the vehicle that is hauling or transporting the tree or trees that requires that the person appears before the circuit court for the county within which the offense was committed. Sets forth criteria for a violation of the amendatory provisions. Changes the level of misdemeanor that resisting or obstructing any officer, employee, or agent of the Department in the discharge of his or her duties under the provisions of the Act from a Class A misdemeanor to a Class C misdemeanor. Makes conforming changes. Repeals provisions concerning the definition of certain terms. Makes conforming changes in the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois and the Criminal and Traffic Assessment Act.

LRB104 09214 AAS 19271 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of
6 Illinois is amended by changing Section 805-540 as follows:

7 (20 ILCS 805/805-540) (was 20 ILCS 805/63b2.6)

8 Sec. 805-540. Enforcement of adjoining state's laws. The
9 Director may grant authority to the officers of any adjoining
10 state who are authorized and directed to enforce the laws of
11 that state relating to the protection of flora and fauna to
12 take any of the following actions and have the following
13 powers within the State of Illinois:

14 (1) To follow, seize, and return to the adjoining
15 state any flora or fauna or part thereof shipped or taken
16 from the adjoining state in violation of the laws of that
17 state and brought into this State.

18 (2) To dispose of any such flora or fauna or part
19 thereof under the supervision of an Illinois Conservation
20 Police Officer.

21 (3) To enforce as an agent of this State, with the same
22 powers as an Illinois Conservation Police Officer, each of
23 the following laws of this State:

1 (i) The Illinois Endangered Species Protection
2 Act.

3 (ii) The Fish and Aquatic Life Code.

4 (iii) The Wildlife Code.

5 (iv) The Wildlife Habitat Management Areas Act.

6 (v) Section 48-3 of the Criminal Code of 2012
7 (hunter or fisherman interference).

8 (vi) The Illinois Non-Game Wildlife Protection
9 Act.

10 (vii) The Ginseng Harvesting Act.

11 (viii) The State Forest Act.

12 (ix) The Tree Transportation Act ~~Forest Products~~
13 ~~Transportation Act~~.

14 (x) The Timber Buyers Licensing Act.

15 Any officer of an adjoining state acting under a power or
16 authority granted by the Director pursuant to this Section
17 shall act without compensation or other benefits from this
18 State and without this State having any liability for the acts
19 or omissions of that officer.

20 (Source: P.A. 96-397, eff. 1-1-10; 97-1108, eff. 1-1-13;
21 97-1150, eff. 1-25-13.)

22 Section 10. The Forest Products Transportation Act is
23 amended by changing Sections 1, 2, 3, 5, 6, 13, and 14 and by
24 adding Sections 6.5 and 6.8 as follows:

1 (225 ILCS 740/1) (from Ch. 96 1/2, par. 6901)

2 Sec. 1. This Act shall be known and may be cited as the
3 Tree Transportation Act ~~"Forest Products Transportation Act"~~.
4 (Source: P.A. 77-2801.)

5 (225 ILCS 740/2) (from Ch. 96 1/2, par. 6902)

6 Sec. 2. As used in this Act, unless the context otherwise
7 requires: ~~the terms defined in the Sections following this~~
8 ~~Section and preceding Section 3 have the meanings ascribed to~~
9 ~~them in those Sections.~~

10 "Christmas tree" means a coniferous evergreen species of
11 tree, such as spruce, pine, or fir, that is intended to be used
12 solely for holiday decoration.

13 "Firewood" means any tree or part thereof which is
14 harvested, is to be used solely for fuel, and is cut into
15 lengths not exceeding 48 inches.

16 "Person" means any person, partnership, firm, association,
17 limited liability company, business, trust, or corporation.

18 "Proof of ownership" means either a printed document
19 provided by the Department that serves as a written bill of
20 sale and bill of lading or any document that is approved by the
21 Department in administrative rule.

22 "Tree" or "trees" means a woody perennial plant, typically
23 having a single stem or trunk, growing to a height and bearing
24 lateral branches at some distance from the ground which can be
25 used for:

1 (1) sawing or processing into lumber for building or
2 structural purposes;

3 (2) the manufacture of furniture; or

4 (3) the manufacture of any article.

5 "Tree" does not include firewood, Christmas trees, or
6 live, viable trees.

7 "Viable" means a tree with an attached root system that is
8 capable of being replanted and live successfully.

9 (Source: P.A. 97-333, eff. 8-12-11.)

10 (225 ILCS 740/3) (from Ch. 96 1/2, par. 6910)

11 Sec. 3. Nothing in this Act affects the rights of the
12 owners of trees ~~or forest products~~ nor imposes any duties or
13 liabilities on them not otherwise imposed by law. This Act is,
14 rather, intended to protect the rights of the owners of trees,
15 identify the transportation of stolen trees, and protect the
16 ~~and forest products as well as the interests of the public in~~
17 trees and forest products on public lands.

18 (Source: P.A. 77-2801.)

19 (225 ILCS 740/5) (from Ch. 96 1/2, par. 6912)

20 Sec. 5. No person may haul or transport any tree ~~or forest~~
21 ~~product~~ on the highways of this State without proof of
22 ownership as required by the Department by administrative rule
23 ~~the written consent of the timber grower or subsequent seller.~~

24 (Source: P.A. 85-294.)

1 (225 ILCS 740/6) (from Ch. 96 1/2, par. 6913)

2 Sec. 6. Any person hauling or transporting a tree or 2 or
3 ~~more trees and forest products, or either of them,~~ on any
4 highway in this State shall be required to show proof of
5 ownership as defined in ~~Section 2.06~~ of this Act, except that
6 interstate transporters originating outside of this State and
7 traveling to destinations within or outside of this State may
8 show documents in accordance with federal Motor Carrier Safety
9 Administration rules in lieu of such proof of ownership.

10 If any ~~that~~ person is unable to show proof of ownership,
11 the tree or trees ~~timber and forest products~~ so hauled or
12 transported, and the vehicle or conveyance used as the means
13 of transportation may be held by the Department for
14 disposition subject to court order. The information required
15 for proof of ownership shall be set by the Department by
16 administrative rule, including information required for a
17 person that is transporting or hauling a tree or trees that the
18 person owns.

19 (Source: P.A. 92-805, eff. 8-21-02.)

20 (225 ILCS 740/6.5 new)

21 Sec. 6.5. Inspection. The Department or any law
22 enforcement agency may inspect any vehicle or conveyance
23 hauling or transporting a tree or trees on any road or highway
24 in this State to determine if the transportation of the tree or

1 trees complies with this Act. If an officer of the Department
2 or law enforcement agency discovers any violation of this Act,
3 he or she may issue a summons to the person operating the
4 vehicle that is hauling or transporting the tree or trees that
5 requires that the person appears before the circuit court for
6 the county within which the offense was committed.

7 (225 ILCS 740/6.8 new)

8 Sec. 6.8. Violations.

9 (a) Every person hauling a tree or trees shall be subject
10 to this Act, and upon the request of a designated law
11 enforcement officer to stop hauling the tree or trees, must
12 stop immediately and provide required proof of ownership.

13 (b) Proof of ownership shall be available for inspection
14 at all times and shall be kept with the vehicle or other
15 conveyance load.

16 (c) No person shall willfully fail or refuse to comply
17 with any lawful order or direction of any officer authorized
18 by law to enforce this Act.

19 (d) No person shall knowingly falsify any information
20 required on any proof of ownership or provide false
21 information to any person that results in false information
22 being provided on any proof of ownership.

23 (225 ILCS 740/13) (from Ch. 96 1/2, par. 6920)

24 Sec. 13. It shall be unlawful for any person to resist or

1 obstruct any officer, employee or agent of the Department in
2 the discharge of his duties under the provisions of this Act.

3 Violation of this Section shall be a Class C ~~Class A~~
4 misdemeanor.

5 (Source: P.A. 85-294.)

6 (225 ILCS 740/14)

7 Sec. 14. Any tree ~~timber, forestry,~~ or wood cutting device
8 or equipment, including vehicles and conveyances used or
9 operated in violation of this Act or rules adopted under this
10 Act or attempted to be used in violation of this Act or rules
11 adopted under this Act shall be deemed a public nuisance and
12 subject to seizure and confiscation by any authorized employee
13 of the Department. Upon the seizure of such an item the
14 Department shall take and hold the item until disposed of as
15 provided in this Section.

16 Upon the seizure of any property pursuant to this Section,
17 the authorized employee of the Department making the seizure
18 shall forthwith cause a complaint to be filed before the
19 circuit court and a summons to be issued requiring the person
20 who illegally used or operated or attempted to use or operate
21 the property and the owner and person in possession of the
22 property to appear in court and show cause why the seized
23 property should not be forfeited to the State. Upon the return
24 of the summons duly served or other notice as provided in this
25 Section, the court shall proceed to determine the question of

1 the illegality of the use of the seized property and upon
2 judgment being entered to the effect that the property was
3 illegally used, an order may be entered providing for the
4 forfeiture of the seized property to the Department, which
5 shall thereupon become the property of the Department.
6 However, the owner of the property may have a jury determine
7 the illegality of its use and shall have the right of an appeal
8 as in other cases. Such a confiscation or forfeiture shall not
9 preclude or mitigate against prosecution and assessment of
10 penalties otherwise provided in this Act.

11 Upon seizure of any property under circumstances
12 supporting a reasonable belief that the property was
13 abandoned, lost, stolen, or otherwise illegally possessed or
14 used contrary to the provisions of this Act, except property
15 seized during a search or arrest and ultimately returned,
16 destroyed, or otherwise disposed of pursuant to a court order
17 in accordance with this Act, the authorized employee of the
18 Department shall make reasonable inquiry and efforts to
19 identify and notify the owner or other person entitled to
20 possession thereof and shall return the property after that
21 person provides reasonable and satisfactory proof of his or
22 her ownership or right to possession and reimburses the
23 Department for all reasonable expenses of such custody. If the
24 identity or location of the owner or other person entitled to
25 possession of the property has not been ascertained within 6
26 months after the Department obtains possession, the Department

1 shall effectuate the sale of the property for cash to the
2 highest bidder at a public auction. The owner or other person
3 entitled to possession of the property may claim and recover
4 possession of the property at any time before its sale at
5 public auction upon providing reasonable and satisfactory
6 proof of ownership or right of possession and after
7 reimbursing the Department for all reasonable expenses of
8 custody thereof.

9 Any property forfeited to the State by court order
10 pursuant to this Section may be disposed of by public auction,
11 except that any property that is the subject of such a court
12 order shall not be disposed of pending appeal of the order. The
13 proceeds of the sale at auction shall be deposited in the
14 Illinois Forestry Development Fund.

15 The Department shall pay all costs of notices required by
16 this Section.

17 (Source: P.A. 92-805, eff. 8-21-02.)

18 (225 ILCS 740/2.02 rep.)

19 (225 ILCS 740/2.03 rep.)

20 (225 ILCS 740/2.04 rep.)

21 (225 ILCS 740/2.05 rep.)

22 (225 ILCS 740/2.06 rep.)

23 (225 ILCS 740/2.07 rep.)

24 Section 15. The Forest Products Transportation Act is
25 amended by repealing Sections 2.02, 2.03, 2.04, 2.05, 2.06,

1 and 2.07.

2 Section 20. The Criminal and Traffic Assessment Act is
3 amended by changing Section 1-5 as follows:

4 (705 ILCS 135/1-5)

5 Sec. 1-5. Definitions. In this Act:

6 "Assessment" means any costs imposed on a defendant under
7 schedules 1 through 13 of this Act.

8 "Business offense" means any offense punishable by a fine
9 in excess of \$1,000 and for which a sentence of imprisonment is
10 not an authorized disposition.

11 "Case" means all charges and counts filed against a single
12 defendant which are being prosecuted as a single proceeding
13 before the court.

14 "Count" means each separate offense charged in the same
15 indictment, information, or complaint when the indictment,
16 information, or complaint alleges the commission of more than
17 one offense.

18 "Conservation offense" means any violation of the
19 following Acts, Codes, or ordinances, except any offense
20 punishable upon conviction by imprisonment in the
21 penitentiary:

22 (1) Fish and Aquatic Life Code;

23 (2) Wildlife Code;

24 (3) Boat Registration and Safety Act;

- 1 (4) Park District Code;
- 2 (5) Chicago Park District Act;
- 3 (6) State Parks Act;
- 4 (7) State Forest Act;
- 5 (8) Forest Fire Protection District Act;
- 6 (9) Snowmobile Registration and Safety Act;
- 7 (10) Endangered Species Protection Act;
- 8 (11) Tree Transportation Act ~~Forest Products~~
- 9 ~~Transportation Act~~;
- 10 (12) Timber Buyers Licensing Act;
- 11 (13) Downstate Forest Preserve District Act;
- 12 (14) Illinois Exotic Weeds Act;
- 13 (15) Ginseng Harvesting Act;
- 14 (16) Cave Protection Act;
- 15 (17) ordinances adopted under the Counties Code for
- 16 the acquisition of property for parks or recreational
- 17 areas;
- 18 (18) Recreational Trails of Illinois Act;
- 19 (19) Herptiles-Herps Act; or
- 20 (20) any rule, regulation, proclamation, or ordinance
- 21 adopted under any Code or Act named in paragraphs (1)
- 22 through (19) of this definition.
- 23 "Conviction" means a judgment of conviction or sentence
- 24 entered upon a plea of guilty or upon a verdict or finding of
- 25 guilty of an offense, rendered by a legally constituted jury
- 26 or by a court of competent jurisdiction authorized to try the

1 case without a jury.

2 "Drug offense" means any violation of the Cannabis Control
3 Act, the Illinois Controlled Substances Act, the
4 Methamphetamine Control and Community Protection Act, or any
5 similar local ordinance which involves the possession or
6 delivery of a drug.

7 "Drug-related emergency response" means the act of
8 collecting evidence from or securing a site where controlled
9 substances were manufactured, or where by-products from the
10 manufacture of controlled substances are present, and cleaning
11 up the site, whether these actions are performed by public
12 entities or private contractors paid by public entities.

13 "Electronic citation" means the process of transmitting
14 traffic, misdemeanor, ordinance, conservation, or other
15 citations and law enforcement data via electronic means to a
16 circuit court clerk.

17 "Emergency response" means any incident requiring a
18 response by a police officer, an ambulance, a firefighter
19 carried on the rolls of a regularly constituted fire
20 department or fire protection district, a firefighter of a
21 volunteer fire department, or a member of a recognized
22 not-for-profit rescue or emergency medical service provider.

23 "Emergency response" does not include a drug-related emergency
24 response.

25 "Felony offense" means an offense for which a sentence to
26 a term of imprisonment in a penitentiary for one year or more

1 is provided.

2 "Fine" means a pecuniary punishment for a conviction or
3 supervision disposition as ordered by a court of law.

4 "Highest classified offense" means the offense in the case
5 which carries the most severe potential disposition under
6 Article 4.5 of Chapter V of the Unified Code of Corrections.

7 "Major traffic offense" means a traffic offense, as
8 defined by paragraph (f) of Supreme Court Rule 501, other than
9 a petty offense or business offense.

10 "Minor traffic offense" means a traffic offense, as
11 defined by paragraph (f) of Supreme Court Rule 501, that is a
12 petty offense or business offense.

13 "Misdemeanor offense" means any offense for which a
14 sentence to a term of imprisonment in other than a
15 penitentiary for less than one year may be imposed.

16 "Offense" means a violation of any local ordinance or
17 penal statute of this State.

18 "Petty offense" means any offense punishable by a fine of
19 up to \$1,000 and for which a sentence of imprisonment is not an
20 authorized disposition.

21 "Service provider costs" means costs incurred as a result
22 of services provided by an entity including, but not limited
23 to, traffic safety programs, laboratories, ambulance
24 companies, and fire departments. "Service provider costs"
25 includes conditional amounts under this Act that are
26 reimbursements for services provided.

1 "Street value" means the amount determined by the court on
2 the basis of testimony of law enforcement personnel and the
3 defendant as to the amount of drug or materials seized and any
4 testimony as may be required by the court as to the current
5 street value of the cannabis, controlled substance,
6 methamphetamine or salt of an optical isomer of
7 methamphetamine, or methamphetamine manufacturing materials
8 seized.

9 "Supervision" means a disposition of conditional and
10 revocable release without probationary supervision, but under
11 the conditions and reporting requirements as are imposed by
12 the court, at the successful conclusion of which disposition
13 the defendant is discharged and a judgment dismissing the
14 charges is entered.

15 (Source: P.A. 103-620, eff. 1-1-25.)

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 805/805-540 was 20 ILCS 805/63b2.6
4 225 ILCS 740/1 from Ch. 96 1/2, par. 6901
5 225 ILCS 740/2 from Ch. 96 1/2, par. 6902
6 225 ILCS 740/3 from Ch. 96 1/2, par. 6910
7 225 ILCS 740/5 from Ch. 96 1/2, par. 6912
8 225 ILCS 740/6 from Ch. 96 1/2, par. 6913
9 225 ILCS 740/6.5 new
10 225 ILCS 740/6.8 new
11 225 ILCS 740/13 from Ch. 96 1/2, par. 6920
12 225 ILCS 740/14
13 225 ILCS 740/2.02 rep.
14 225 ILCS 740/2.03 rep.
15 225 ILCS 740/2.04 rep.
16 225 ILCS 740/2.05 rep.
17 225 ILCS 740/2.06 rep.
18 225 ILCS 740/2.07 rep.
19 705 ILCS 135/1-5