

HB0406



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0406

by Rep. David B. Reis

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.26

from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that a person with a valid concealed carry license issued under the Firearm Concealed Carry Act, or an off-duty law enforcement official or officer, may carry a handgun on or about his or her person while hunting. Effective immediately.

LRB100 04113 SLF 14118 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 Section
5 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 (Text of Section after amendment by P.A. 99-869)

8 Sec. 2.26. Deer hunting permits. Any person attempting to
9 take deer shall first obtain a "Deer Hunting Permit" issued by
10 the Department in accordance with its administrative rules.
11 Those rules must provide for the issuance of the following
12 types of resident deer archery permits: (i) a combination
13 permit, consisting of one either-sex permit and one
14 antlerless-only permit, (ii) a single antlerless-only permit,
15 and (iii) a single either-sex permit. The fee for a Deer
16 Hunting Permit to take deer with either bow and arrow or gun
17 shall not exceed \$25.00 for residents of the State. The
18 Department may by administrative rule provide for non-resident
19 deer hunting permits for which the fee will not exceed \$300 in
20 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
21 provided below for non-resident landowners and non-resident
22 archery hunters. The Department may by administrative rule
23 provide for a non-resident archery deer permit consisting of

1 not more than 2 harvest tags at a total cost not to exceed \$325
2 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter.

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

6 No person may have in his or her possession any firearm not
7 authorized by administrative rule for a specific hunting season
8 when taking deer. However, a person with a valid concealed
9 carry license issued under the Firearm Concealed Carry Act, or
10 an off-duty law enforcement official or officer, may carry a
11 handgun on or about his or her person while hunting.

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

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

22 It shall be unlawful for any person to take deer by use of
23 dogs, horses, automobiles, aircraft or other vehicles, or by
24 the use or aid of bait or baiting of any kind. For the purposes
25 of this Section, "bait" means any material, whether liquid or
26 solid, including food, salt, minerals, and other products,

1 except pure water, that can be ingested, placed, or scattered
2 in such a manner as to attract or lure white-tailed deer.
3 "Baiting" means the placement or scattering of bait to attract
4 deer. An area is considered as baited during the presence of
5 and for 10 consecutive days following the removal of bait.
6 Nothing in this Section shall prohibit the use of a dog to
7 track wounded deer. Any person using a dog for tracking wounded
8 deer must maintain physical control of the dog at all times by
9 means of a maximum 50 foot lead attached to the dog's collar or
10 harness. Tracking wounded deer is permissible at night, but at
11 no time outside of legal deer hunting hours or seasons shall
12 any person handling or accompanying a dog being used for
13 tracking wounded deer be in possession of any firearm or
14 archery device. Persons tracking wounded deer with a dog during
15 the firearm deer seasons shall wear blaze orange as required.
16 Dog handlers tracking wounded deer with a dog are exempt from
17 hunting license and deer permit requirements so long as they
18 are accompanied by the licensed deer hunter who wounded the
19 deer.

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

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

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

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

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

9 The Department shall not limit the number of non-resident,
10 either-sex, ~~either sex~~ archery deer hunting permits to less
11 than 20,000.

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

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

20 For the purposes of taking white-tailed deer, nothing in
21 this Section shall be construed to prevent the manipulation,
22 including mowing or cutting, of standing crops as a normal
23 agricultural or soil stabilization practice, food plots, or
24 normal agricultural practices, including planting, harvesting,
25 and maintenance such as cultivating or the use of products
26 designed for scent only and not capable of ingestion, solid or

1 liquid, placed or scattered, in such a manner as to attract or
2 lure deer. Such manipulation for the purpose of taking
3 white-tailed deer may be further modified by administrative
4 rule.

5 (Source: P.A. 98-180, eff. 8-5-13; 99-642, eff. 7-28-16;
6 99-869, eff. 1-1-17.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.