



Rep. Andrew S. Chesney

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10100HB2425ham001

LRB101 05156 SLF 59396 a

1 AMENDMENT TO HOUSE BILL 2425

2 AMENDMENT NO. _____. Amend House Bill 2425 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Endangered Species Protection Act
5 is amended by changing Section 7 and by adding Section 5.6 as
6 follows:

7 (520 ILCS 10/5.6 new)

8 Sec. 5.6. Federal pre-Listing agreements and conference
9 reports. A permit for incidental taking under Section 5.5 shall
10 not be required:

11 (1) on land that is subject to and for activities that are
12 implemented in compliance with a federal Candidate
13 Conservation Agreement or Candidate Conservation Agreement
14 with Assurances approved by the United States Fish and Wildlife
15 Service under Section 10 of the federal Endangered Species Act
16 of 1973; or

1 (2) for covered conservation practices conducted in this
2 State within a federal program under a Conference Report
3 authorized under Section 7 of the federal Endangered Species
4 Act of 1973 on land subject to that program.

5 (520 ILCS 10/7) (from Ch. 8, par. 337)

6 Sec. 7. Any species or subspecies of animal or plant
7 designated as endangered or threatened by the Secretary of the
8 Interior of the United States pursuant to the Endangered
9 Species Act of 1973, P.L. 93-205, as amended, shall be
10 automatically listed as an endangered or threatened species
11 under this Act and thereby placed on the Illinois List by the
12 Board ~~without notice or public hearing.~~ Upon an automatic
13 listing of a federally-listed species, the Board shall
14 immediately publish a notice for an informational hearing in
15 accordance with this Section and conduct said hearing within 14
16 day of the automatic listing. The Board may list, as endangered
17 or threatened, species of animals or plants which have
18 reproduced in or otherwise significantly used, as in migration
19 or overwintering, the area which is now the State of Illinois,
20 if there is scientific evidence that the species qualify as
21 endangered or threatened as these terms are defined in this
22 Act. The Board may delist any non-federally-listed species for
23 which it finds satisfactory scientific evidence that its wild
24 or natural populations are no longer endangered or threatened.
25 Listing, delisting, or change of listing status for any

1 non-federally listed species shall be made only after a public
2 hearing.

3 Notice of such hearing shall be published at least 7 days
4 before the hearing in a newspaper of general circulation
5 throughout the state and shall be mailed to any person who has,
6 in writing requested such notice from the agency holding the
7 hearing. All persons heard or represented at a hearing and all
8 persons who requested from the responsible agency notice of
9 such hearing, shall be given a written summary of any action
10 taken by the Board or Department relative to the hearing
11 subject.

12 Upon listing or delisting or change of listing status by
13 the Board, the Director shall file a certified copy of the
14 names of the species so listed, delisted or changed with the
15 Secretary of State as provided in "The Illinois Administrative
16 Procedure Act", approved September 22, 1975, as amended.

17 (Source: P.A. 84-1065.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."