



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

#### HB2744

Introduced 2/19/2021, by Rep. Robert Rita

#### SYNOPSIS AS INTRODUCED:

515 ILCS 5/1-230	from Ch. 56, par. 1-230
515 ILCS 5/20-5	from Ch. 56, par. 20-5
515 ILCS 5/20-12 new	
515 ILCS 5/20-20	from Ch. 56, par. 20-20
515 ILCS 5/20-45	from Ch. 56, par. 20-45
515 ILCS 5/20-52 new	
515 ILCS 5/20-55	from Ch. 56, par. 20-55
515 ILCS 5/20-110	from Ch. 56, par. 20-110
515 ILCS 5/20-115	from Ch. 56, par. 20-115

Amends the Fish and Aquatic Life Code. Allows the holder of a scientific collector's permit to fish with sport fishing devices without a license. Requires any individual who is required to obtain a license to also obtain an aquatic conservation stamp prior to taking or attempting to take any fish, including minnows for commercial purposes, turtles, mussels, crayfish, or frogs from waters of this State. Provides that the fee for the aquatic conservation stamp is \$5 for both resident and non-resident licensees; waives the fee for residents over 75 years of age. Makes other conforming changes. Requires that fees derived solely from the sale of aquatic conservation stamps, gifts, donations, grants, and bequests of money for the conservation of aquatic life shall be deposited in the State treasury and set apart in a special fund known as the Aquatic Conservation Stamp Fund. Sets forth further requirements regarding appropriations from Aquatic Conservation Stamp Fund. Effective January 1, 2022.

LRB102 11467 KMF 16801 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning fish.

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

4 Section 5. The Fish and Aquatic Life Code is amended by  
5 changing Sections 1-230 20-5, 20-20, 20-45, 20-55, 20-110, and  
6 20-115, and by adding Sections 20-12 and 20-52 as follows:

7 (515 ILCS 5/1-230) (from Ch. 56, par. 1-230)

8 Sec. 1-230. Wildlife and Fish Fund; disposition of money  
9 received. All fees, fines, income of whatever kind or nature  
10 derived from hunting and fishing activities on lands, waters,  
11 or both under the jurisdiction or control of the Department,  
12 and all penalties collected under this Code shall be deposited  
13 into the State Treasury and shall be set apart in a special  
14 fund to be known as the Wildlife and Fish Fund; except that  
15 fees derived solely from the sale of salmon stamps, income  
16 from art contests for the salmon stamp, including income from  
17 the sale of reprints, and gifts, donations, grants, and  
18 bequests of money for the conservation and propagation of  
19 salmon shall be deposited into the State Treasury and set  
20 apart in the special fund to be known as the Salmon Fund; and  
21 except that fees derived solely from the sale of state  
22 migratory waterfowl stamps, and gifts, donations, grants and  
23 bequests of money for the conservation and propagation of

1 waterfowl, shall be deposited into the State Treasury and set  
2 apart in the special fund to be known as the State Migratory  
3 Waterfowl Stamp Fund; and except that fees derived solely from  
4 the sale of aquatic conservation stamps, and gifts, donations,  
5 grants, and bequests of money for the conservation of aquatic  
6 life, including, but not limited to, combating aquatic  
7 nuisance species, shall be deposited into the State treasury  
8 and set apart in the special fund to be known as the Aquatic  
9 Conservation Stamp Fund. All interest that accrues from moneys  
10 in the Wildlife and Fish Fund, the Salmon Fund, and the State  
11 Migratory Waterfowl Stamp Fund shall be retained in those  
12 funds respectively. Except for the additional moneys deposited  
13 under Section 805-550 of the Department of Natural Resources  
14 (Conservation) Law of the Civil Administrative Code of  
15 Illinois, appropriations from the Wildlife and Fish Fund shall  
16 be made only to the Department for the carrying out of the  
17 powers and functions vested by law in the Department for the  
18 administration and management of fish and wildlife resources  
19 of this State for such activities as (i) the purchase of land  
20 for fish hatcheries, wildlife refuges, preserves, and public  
21 shooting and fishing grounds; (ii) the purchase and  
22 distribution of wild birds, the eggs of wild birds, and wild  
23 mammals; (iii) the rescuing, restoring and distributing of  
24 fish; (iv) the maintenance of wildlife refuges or preserves,  
25 public shooting grounds, public fishing grounds, and fish  
26 hatcheries; and (v) the feeding and care of wild birds, wild

1 mammals, and fish. Appropriations from the Salmon Fund shall  
2 be made only to the Department to be used solely for the  
3 conservation and propagation of salmon, including  
4 construction, operation, and maintenance of a cold water  
5 hatchery, and for payment of the costs of printing salmon  
6 stamps, the expenses incurred in acquiring salmon stamp  
7 designs, and the expenses of producing reprints.  
8 Appropriations from the Aquatic Conservation Stamp Fund shall  
9 be made only to the Division of Fisheries of the Department to  
10 be used solely for the conservation of aquatic life,  
11 including, but not limited to, combating aquatic nuisance  
12 species, for the payment of the costs of printing aquatic  
13 conservation stamps, for the expenses incurred in acquiring  
14 aquatic conservation stamp designs, and for the expenses of  
15 producing reprints.

16 (Source: P.A. 95-853, eff. 8-18-08; 96-1160, eff. 1-1-11;  
17 96-1518, eff. 2-4-11.)

18 (515 ILCS 5/20-5) (from Ch. 56, par. 20-5)

19 Sec. 20-5. Necessity of license; exemptions.

20 (a) Any person taking or attempting to take any fish,  
21 including minnows for commercial purposes, turtles, mussels,  
22 crayfish, or frogs by any means whatever in any waters or lands  
23 wholly or in part within the jurisdiction of the State,  
24 including that part of Lake Michigan under the jurisdiction of  
25 this State, shall first obtain a license to do so, and shall do

1 so only during the respective periods of the year when it shall  
2 be lawful as provided in this Code. Individuals under 16,  
3 blind residents or residents with a disability, individuals  
4 holding a scientific collector's permit under this Code, or  
5 individuals fishing at fee fishing areas licensed by the  
6 Department, however, may fish with sport fishing devices  
7 without being required to have a license. For the purpose of  
8 this Section an individual is blind or has a disability if that  
9 individual has a Class 2 disability as defined in Section 4A of  
10 the Illinois Identification Card Act. For purposes of this  
11 Section an Illinois Person with a Disability Identification  
12 Card issued under the Illinois Identification Card Act  
13 indicating that the individual named on the card has a Class 2  
14 disability shall be adequate documentation of a disability.

15 (b) A courtesy non-resident sport fishing license or stamp  
16 may be issued at the discretion of the Director, without fee,  
17 to (i) any individual officially employed in the wildlife and  
18 fish or conservation department of another state or of the  
19 United States who is within the State to assist or consult or  
20 cooperate with the Director or (ii) the officials of other  
21 states, the United States, foreign countries, or officers or  
22 representatives of conservation organizations or publications  
23 while in the State as guests of the Governor or Director.

24 (c) The Director may issue special fishing permits without  
25 cost to groups of hospital patients or to individuals with  
26 disabilities for use on specified dates in connection with

1 supervised fishing for therapy.

2 (d) Veterans who, according to the determination of the  
3 Veterans' Administration as certified by the Department of  
4 Veterans' Affairs, are at least 10% disabled with  
5 service-related disabilities or in receipt of total disability  
6 pensions may fish with sport fishing devices during those  
7 periods of the year it is lawful to do so without being  
8 required to have a license, on the condition that their  
9 respective disabilities do not prevent them from fishing in a  
10 manner which is safe to themselves and others.

11 (e) Each year the Director may designate a period, not to  
12 exceed 4 days in duration, when sport fishermen may fish  
13 waters wholly or in part within the jurisdiction of the State,  
14 including that part of Lake Michigan under the jurisdiction of  
15 the State, and not be required to obtain the license or stamps  
16 ~~stamp~~ required by subsection (a) of this Section, Section  
17 20-10, Section 20-11, or Section 20-12 ~~or subsection (a) of~~  
18 ~~Section 20-55~~. The term of any such period shall be  
19 established by administrative rule. This subsection shall not  
20 apply to commercial fishing.

21 (f) The Director may issue special fishing permits without  
22 cost for a group event, restricted to specific dates and  
23 locations if it is determined by the Department that the event  
24 is beneficial in promoting sport fishing in Illinois.

25 (Source: P.A. 99-143, eff. 7-27-15.)

1 (515 ILCS 5/20-12 new)

2 Sec. 20-12. Aquatic Conservation Stamp.

3 (a) Any individual taking or attempting to take any fish,  
4 including minnows for commercial purposes, turtles, mussels,  
5 crayfish, or frogs by any means whatever in any waters of the  
6 State, in addition to any other license required by this Code,  
7 must first obtain an aquatic conservation stamp authorized by  
8 the Department. Individuals not required to obtain a license  
9 are not required to obtain an aquatic conservation stamp.

10 (b) The aquatic conservation stamp does not exempt the  
11 licensee from any salmon or inland trout stamp requirement.

12 (c) An aquatic conservation stamp may be issued at the  
13 discretion of the Director without fee.

14 (515 ILCS 5/20-20) (from Ch. 56, par. 20-20)

15 Sec. 20-20. Non-resident licenses. Any individuals 16  
16 years of age or older not residents of the State of Illinois  
17 shall, before taking or attempting to take any fish, including  
18 minnows for commercial purposes, turtles, mussels, crayfish,  
19 or frogs ~~aquatic life protected by this Code~~ by any means  
20 whatever in the State of Illinois, obtain a non-resident  
21 license to do so. Any individual required to obtain a license  
22 under this Section shall also obtain an aquatic conservation  
23 stamp prior to any take or attempted take. In addition, before  
24 taking or attempting to take salmon from Lake Michigan, a  
25 non-resident 16 years of age or older shall obtain a salmon

1 stamp authorized by the Department, and before taking or  
2 attempting to take trout from all waters except Lake Michigan,  
3 a non-resident 16 years of age or older shall obtain an inland  
4 trout stamp authorized by the Department.

5 (Source: P.A. 87-833; 88-91.)

6 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

7 Sec. 20-45. License fees for residents. Fees for licenses  
8 for residents of the State of Illinois shall be as follows:

9 (a) Except as otherwise provided in this Section, for  
10 sport fishing devices as defined in Section 10-95 or  
11 spearing devices as defined in Section 10-110, the fee is  
12 \$14.50 for individuals 16 to 64 years old, one-half of the  
13 current fishing license fee for individuals age 65 or  
14 older, and, commencing with the 2012 license year,  
15 one-half of the current fishing license fee for resident  
16 veterans of the United States Armed Forces after returning  
17 from service abroad or mobilization by the President of  
18 the United States. Veterans must provide, to the  
19 Department at one of the Department's 5 regional offices,  
20 verification of their service. The Department shall  
21 establish what constitutes suitable verification of  
22 service for the purpose of issuing fishing licenses to  
23 resident veterans at a reduced fee.

24 (a-5) The fee for all sport fishing licenses shall be  
25 \$1 for residents over 75 years of age.



1           (b) All residents before using any commercial fishing  
2 device shall obtain a commercial fishing license, the fee  
3 for which shall be \$60 and a resident fishing license, the  
4 fee for which is \$14.50. Each and every commercial device  
5 used shall be licensed by a resident commercial fisherman  
6 as follows:

7           (1) For each 100 lineal yards, or fraction  
8 thereof, of seine the fee is \$18. For each minnow  
9 seine, minnow trap, or net for commercial purposes the  
10 fee is \$20.

11           (2) For each device to fish with a 100 hook trot  
12 line device, basket trap, hoop net, or dip net the fee  
13 is \$3.

14           (3) When used in the waters of Lake Michigan, for  
15 the first 2000 lineal feet, or fraction thereof, of  
16 gill net the fee is \$10; and for each 1000 additional  
17 lineal feet, or fraction thereof, the fee is \$10.  
18 These fees shall apply to all gill nets in use in the  
19 water or on drying reels on the shore.

20           (4) For each 100 lineal yards, or fraction  
21 thereof, of gill net or trammel net the fee is \$18.

22           (c) Residents of the State of Illinois may obtain a  
23 sportsmen's combination license that shall entitle the  
24 holder to the same non-commercial fishing privileges as  
25 residents holding a license as described in subsection (a)  
26 of this Section and to the same hunting privileges as

1 residents holding a license to hunt all species as  
2 described in Section 3.1 of the Wildlife Code. No  
3 sportsmen's combination license shall be issued to any  
4 individual who would be ineligible for either the fishing  
5 or hunting license separately. The sportsmen's combination  
6 license fee shall be \$25.50. For residents age 65 or  
7 older, the fee is one-half of the fee charged for a  
8 sportsmen's combination license. For resident veterans of  
9 the United States Armed Forces after returning from  
10 service abroad or mobilization by the President of the  
11 United States, the fee, commencing with the 2012 license  
12 year, is one-half of the fee charged for a sportsmen's  
13 combination license. Veterans must provide to the  
14 Department, at one of the Department's 5 regional offices,  
15 verification of their service. The Department shall  
16 establish what constitutes suitable verification of  
17 service for the purpose of issuing sportsmen's combination  
18 licenses to resident veterans at a reduced fee.

19 (d) For 24 hours of fishing by sport fishing devices  
20 as defined in Section 10-95 or by spearing devices as  
21 defined in Section 10-110 the fee is \$5. This license does  
22 not exempt the licensee from the requirement for a salmon,  
23 ~~or~~ inland trout, or aquatic conservation stamp. The  
24 licenses provided for by this subsection are not required  
25 for residents of the State of Illinois who have obtained  
26 the license provided for in subsection (a) of this

1 Section.

2 (e) All residents before using any commercial mussel  
3 device shall obtain a commercial mussel license, the fee  
4 for which shall be \$50.

5 (f) Residents of this State, upon establishing  
6 residency as required by the Department, may obtain a  
7 lifetime hunting or fishing license or lifetime  
8 sportsmen's combination license which shall entitle the  
9 holder to the same non-commercial fishing privileges as  
10 residents holding a license as described in paragraph (a)  
11 of this Section and to the same hunting privileges as  
12 residents holding a license to hunt all species as  
13 described in Section 3.1 of the Wildlife Code. No lifetime  
14 sportsmen's combination license shall be issued to or  
15 retained by any individual who would be ineligible for  
16 either the fishing or hunting license separately, either  
17 upon issuance, or in any year a violation would subject an  
18 individual to have either or both fishing or hunting  
19 privileges rescinded. The lifetime hunting and fishing  
20 license fees shall be as follows:

21 (1) Lifetime fishing: 30 x the current fishing  
22 license fee.

23 (2) Lifetime hunting: 30 x the current hunting  
24 license fee.

25 (3) Lifetime sportsmen's combination license: 30 x  
26 the current sportsmen's combination license fee.

1           Lifetime licenses shall not be refundable. A \$10 fee shall  
2 be charged for reissuing any lifetime license. The Department  
3 may establish rules and regulations for the issuance and use  
4 of lifetime licenses and may suspend or revoke any lifetime  
5 license issued under this Section for violations of those  
6 rules or regulations or other provisions under this Code or  
7 the Wildlife Code. Individuals under 16 years of age who  
8 possess a lifetime hunting or sportsmen's combination license  
9 shall have in their possession, while in the field, a  
10 certificate of competency as required under Section 3.2 of the  
11 Wildlife Code. Any lifetime license issued under this Section  
12 shall not exempt individuals from obtaining additional stamps  
13 or permits required under the provisions of this Code or the  
14 Wildlife Code. Individuals required to purchase additional  
15 stamps shall sign the stamps and have them in their possession  
16 while fishing or hunting with a lifetime license. All fees  
17 received from the issuance of lifetime licenses shall be  
18 deposited in the Fish and Wildlife Endowment Fund.

19           Except for licenses issued under subsection (e) of this  
20 Section, all licenses provided for in this Section shall  
21 expire on March 31 of each year, except that the license  
22 provided for in subsection (d) of this Section shall expire 24  
23 hours after the effective date and time listed on the face of  
24 the license.

25           All individuals required to have and failing to have the  
26 license provided for in subsection (a) or (d) of this Section

1 shall be fined according to the provisions of Section 20-35 of  
2 this Code.

3 All individuals required to have and failing to have the  
4 licenses provided for in subsections (b) and (e) of this  
5 Section shall be guilty of a Class B misdemeanor.

6 (Source: P.A. 97-498, eff. 4-1-12; 97-1136, eff. 1-1-13;  
7 98-800, eff. 8-1-14.)

8 (515 ILCS 5/20-52 new)

9 Sec. 20-52. Aquatic Conservation Stamp Fee. The fee for an  
10 aquatic conservation stamp shall be \$5 for both resident and  
11 non-resident licensees. The fee for an aquatic conservation  
12 stamp shall be waived for residents over 75 years of age. Every  
13 person shall sign the aquatic conservation stamp or affix the  
14 aquatic conservation stamp to his or her license. These stamps  
15 shall expire on March 31 of each year. All individuals  
16 required to have and failing to have an aquatic conservation  
17 stamp as provided in Section 20-12 of this Code shall be guilty  
18 of a petty offense.

19 (515 ILCS 5/20-55) (from Ch. 56, par. 20-55)

20 Sec. 20-55. License fees for non-residents. Fees for  
21 licenses for non-residents of the State of Illinois are as  
22 follows:

23 (a) For sport fishing devices as defined by Section 10-95,  
24 or spearing devices as defined in Section 10-110,

1 non-residents age 16 or older shall be charged \$31 for a  
2 fishing license to fish. For sport fishing devices as defined  
3 by Section 10-95, or spearing devices as defined in Section  
4 10-110, for a period not to exceed 3 consecutive days fishing  
5 in the State of Illinois the fee is \$15.00.

6 For sport fishing devices as defined in Section 10-95, or  
7 spearing devices as defined in Section 10-110, for 24 hours of  
8 fishing the fee is \$10. This license does not exempt the  
9 licensee from the salmon, ~~or~~ inland trout, or aquatic  
10 conservation stamp requirement.

11 (b) All non-residents before using any commercial fishing  
12 device shall obtain a non-resident commercial fishing license,  
13 the fee for which shall be \$300, and a non-resident fishing  
14 license. This license does not exempt the licensee from the  
15 salmon, inland trout, or aquatic conservation stamp  
16 requirement. Each and every commercial device shall be  
17 licensed by a non-resident commercial fisherman as follows:

18 (1) For each 100 lineal yards, or fraction thereof, of  
19 seine (excluding minnow seines) the fee is \$36.

20 (2) For each device to fish with a 100 hook trot line  
21 device, basket trap, hoop net, or dip net the fee is \$6.

22 (3) For each 100 lineal yards, or fraction thereof, of  
23 trammel net the fee is \$36.

24 (4) For each 100 lineal yards, or fraction thereof, of  
25 gill net the fee is \$36.

26 (c) All persons required to have and failing to have the

1 license provided for in subsection (a) of this Section shall  
2 be fined under Section 20-35 of this Code. Each person  
3 required to have and failing to have the licenses required  
4 under subsection (b) of this Section shall be guilty of a Class  
5 B misdemeanor.

6 (d) All licenses provided for in this Section shall expire  
7 on March 31 of each year; except that the 24-hour license for  
8 sport fishing devices or spearing devices shall expire 24  
9 hours after the effective date and time listed on the face of  
10 the license and licenses for sport fishing devices or spearing  
11 devices for a period not to exceed 3 consecutive days fishing  
12 in the State of Illinois as provided in subsection (a) of this  
13 Section shall expire at midnight on the tenth day after  
14 issued, not counting the day issued.

15 (Source: P.A. 99-78, eff. 7-20-15.)

16 (515 ILCS 5/20-110) (from Ch. 56, par. 20-110)

17 Sec. 20-110. Possession of license, permit, or stamp.  
18 Every person holding any license, salmon stamp, inland trout  
19 stamp, aquatic conservation stamp, or permit issued under this  
20 Code shall have it in his or her possession for immediate  
21 presentation for inspection to the authorized employees of the  
22 Department, or to any sheriff, deputy sheriff, or any other  
23 peace officer, making a demand for it within his or her  
24 jurisdiction.

25 (Source: P.A. 87-833; 88-91.)

1 (515 ILCS 5/20-115) (from Ch. 56, par. 20-115)  
2 Sec. 20-115. Form of licenses, stamps, and permits.  
3 Licenses, salmon stamps, inland trout stamps, aquatic  
4 conservation stamps, and permits authorized to be issued under  
5 this Code shall be prepared by the Department and shall be in  
6 the form prescribed by the Department. In addition, at the  
7 time of issuance, the information required on each license  
8 shall be completed on it by the issuing agent or his or her  
9 sub-agent and each license shall be signed by the licensee, or  
10 initialed by the designated purchaser and then signed  
11 immediately upon receipt by the licensee, ~~and counter signed~~  
12 ~~by the issuing agent or his or her sub-agent~~. All licenses  
13 shall be supplied by the Department, subject to any rules and  
14 regulations as the Department may prescribe. Any license not  
15 properly prepared, obtained, and signed as required by this  
16 Code shall be void.

17 (Source: P.A. 90-225, eff. 7-25-97.)

18 Section 99. Effective date. This Act takes effect January  
19 1, 2022.