

1 AN ACT in relation to animals.

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  
5 Sections 2.2 and 3.34 and adding Section 2.33b as follows:

6 (520 ILCS 5/2.2) (from Ch. 61, par. 2.2)

7 Sec. 2.2. Definitions; prohibited acts. Except as  
8 provided in Sections 2.33b and 3.34, this Act shall apply  
9 only to the wild birds and parts of wild birds (their nests  
10 and eggs), and wild mammals and parts of wild mammals, which  
11 shall include their green hides, in the State of Illinois, or  
12 which may be brought into the State, that are hereby defined  
13 as follows:

14 All birds, both game and non-game (except the House  
15 Sparrow, *Passer domesticus*; European Starling, *Sturnus*  
16 *vulgaris*; and Rock Dove or Domestic Pigeon, *Columba livia*).  
17 GAME BIRDS - Ruffed grouse, *Bonasa umbellus*; Sharp-tailed  
18 grouse, *Pediochetes phasianellus*; Bobwhite quail, *Colinus*  
19 *virginianus*; Hungarian Partridge, *Perdix perdix*; Chukar  
20 Partridge, *Alectoris graeca*; Ring-necked Pheasant, *Phasianus*  
21 *colchicus*; Greater Prairie Chicken, *Tympanuchus cupido*; Wild  
22 Turkey, *Meleagris gallopavo*. MIGRATORY GAME BIRDS -  
23 Waterfowl including brant, wild ducks, geese and swans,  
24 Anatidae; rails, gallinules and coots, Rallidae; snipe,  
25 *Gallinago gallinago*; woodcock, *Scolopax minor*; pigeons,  
26 including doves and wild pigeons (except domestic pigeons),  
27 Columbidae; and crows, Corvidae. RESIDENT AND MIGRATORY  
28 NON-GAME BIRDS - Loons, Gaviidae; grebes, Podicipedidae;  
29 pelicans, Pelecanidae; cormorants, Phalacrocoracidae; herons,  
30 bitterns and egrets, Ardeidae; ibises and spoonbills,  
31 Threskiornithidae; storks, Ciconiidae; vultures,

1 Carthartidae; kites, hawks and eagles, Accipitridae; ospreys,  
2 Pandionidae; falcons, including the Peregrine Falcon,  
3 Falconidae; cranes, Gruidae; rails and gallinules, Rallidae;  
4 all shorebirds of the families Charadriidae, Scolopacidae,  
5 Recurvirostridae and Phalaropodidae; jaegers, Stercorariidae;  
6 gulls and terns, Laridae; cuckoos, Cuculidae; owls, Tytonidae  
7 and Strigidae; whip-poor-wills and nighthawks, Caprimulgidae;  
8 swifts, Apodidae; hummingbirds, Trochilidae, Kingfishers,  
9 Alcedinidae; woodpeckers, Picidae; kingbirds and flycatchers,  
10 Tyrannidae; larks, Alaudidae; swallows and martins,  
11 Hirundinidae; crows, magpies and jays, Corvidae; chickadees  
12 and titmice, Paridae; nuthatches, Sittidae; creepers,  
13 Certhiidae; wrens, Troglodytidae; mockingbirds, catbirds and  
14 thrashers, Mimidae; robins, bluebirds and thrushes, Turdidae;  
15 gnatcatchers and kinglets, Sylviidae; pipits, Motacillidae;  
16 waxwings, Bombycillidae; shrikes, Laniidae; vireos,  
17 Vireonidae; warblers, Parulidae; European Tree Sparrow,  
18 Passer montanus; blackbirds, meadowlarks and orioles,  
19 Icteridae; tanagers, thraupidae; cardinals, grosbeaks,  
20 finches, towhees, dickcissels, sparrows, juncos, buntings and  
21 longspurs, Fringillidae. GAME MAMMALS - Woodchuck, Marmota  
22 monax; Gray squirrel, Sciurus carolinensis; Fox squirrel,  
23 Sciurus niger; White-tailed jackrabbit, Lepus townsendii;  
24 Eastern cottontail, Sylvilagus floridanus; Swamp rabbit,  
25 Sylvilagus aquaticus; White-tailed deer, Odocoileus  
26 virginianus. FUR-BEARING MAMMALS - Muskrat, Ondatra  
27 zibethicus; Beaver, Castor canadensis; Raccoon, Procyon  
28 lotor; Opossum, Didelphis marsupialis; Least weasel, Mustela  
29 rixosa; Long-tailed weasel, Mustela frenata; Mink, Mustela  
30 vison; River otter, Lutra canadensis; Striped skunk, Mephitis  
31 mephitis; Badger, Taxidea taxus; Red fox, Vulpes vulpes; Gray  
32 fox, Urocyon cinerargenteus; Coyote, Canis latrans; Bobcat,  
33 Lynx rufus. OTHER MAMMALS - Flying squirrel, Glaucomys  
34 volans; Red squirrel, Tamasciurus hudsonicus; Eastern

1 Woodrat, *Neotoma floridana*; Golden Mouse, *Ochrotomys*  
2 *nuttalli*; Rice Rat, *Oryzomys palustris*; Bats,  
3 *Vespertilionidae*.

4 It shall be unlawful for any person at any time to take,  
5 possess, sell, or offer for sale, any of these wild birds  
6 (dead or alive) and parts of wild birds (including their  
7 nests and eggs), wild mammals (dead or alive) and parts of  
8 wild mammals, including their green hides contrary to the  
9 provisions of this Act. However, nothing in this Act shall  
10 prohibit bona-fide public or state scientific, educational or  
11 zoological institutions from receiving, holding and  
12 displaying wildlife specimens that were salvaged or legally  
13 obtained.

14 It shall be unlawful for any person to bring into the  
15 State of Illinois for the purpose of holding, releasing,  
16 propagating or selling any other living wild animal not  
17 covered by this Act without first obtaining a permit from the  
18 Director. The permit shall be granted only upon satisfactory  
19 proof that the specific animals intended to be imported are  
20 free of communicable disease at the time of importation, will  
21 not become a nuisance, and will not cause damage to any  
22 existing wild or domestic species. Application for this  
23 permit shall be filed with the Director not less than 30 days  
24 in advance of the proposed date of importation. The Director  
25 may incorporate in the permit any restrictions as he may deem  
26 appropriate. These provisions shall not apply to any animal  
27 imported into this State for the purpose of being confined  
28 and exhibited in any zoo or other public display of animals  
29 nor to any other animals or groups of animals that the  
30 Department of Natural Resources may exempt by administrative  
31 rule.

32 It shall be unlawful for any person to take any other  
33 living wild animal not covered by this Act without the  
34 permission of the landowner or tenant.

1 (Source: P.A. 89-445, eff. 2-7-96.)

2 (520 ILCS 5/2.33b new)

3 Sec. 2.33b. Hunting confined animals.

4 (a) As used in this Section:

5 "Animal" means a game mammal or fur-bearing mammal, as  
6 defined in this Act, or an exotic mammal; but the term  
7 specifically excludes white-tailed deer found in Illinois.

8 "Exotic mammal" means a mammal not indigenous to this  
9 State.

10 (b) No person may knowingly engage in, sponsor,  
11 instigate, assist, or profit from the killing or wounding (or  
12 attempted killing or wounding) of an animal for the purpose  
13 of sport, amusement, attainment or production of a trophy, or  
14 collection of a prize, if the animal is:

15 (1) confined in a man-made enclosure, regardless of  
16 the size of the enclosure;

17 (2) tied, staked, caged, or otherwise restrained  
18 from engaging in normal movement; or

19 (3) released from confinement or restraint in the  
20 presence of a person for the purpose of being killed or  
21 wounded by that person.

22 (c) No person may knowingly purchase or sell any animal,  
23 or any part of an animal, killed or wounded in violation of  
24 subsection (b).

25 (d) A person who violates subsection (b) or (c) is  
26 guilty of a business offense and subject to a fine of not  
27 less than \$500 and not more than the greater of \$5,000 or  
28 twice the amount of the financial gain realized by the person  
29 from the commission of the violation.

30 (520 ILCS 5/3.34) (from Ch. 61, par. 3.34)

31 Sec. 3.34. Exotic game hunting areas.

32 (a) Until January 1, 2004:

1 Any person who imports into Illinois wild or  
2 semi-domestic mammals from other states or foreign countries  
3 for the purpose of providing hunting with bow and arrow or  
4 gun with or without dogs must obtain an exotic game hunting  
5 area permit. The annual fee for this permit shall be \$1000  
6 and shall expire on April 30 of each year. The hunting area  
7 cannot be under 640 contiguous acres nor more than 2560 acres  
8 in size. It must be fenced in a manner capable of holding  
9 the mammals released. The holder of an exotic game hunting  
10 area permit must obtain a \$10,000 bond to cover damages that  
11 may occur if the mammals escape from the enclosure. The  
12 mammals must be inspected and certified disease free from a  
13 licensed Illinois veterinarian. The area must be inspected  
14 by personnel of the Department of Natural Resources before  
15 the license is issued.

16 (b) No exotic game hunting area permit may be issued on  
17 or after January 1, 2004, and any such permit then in effect  
18 shall be deemed to expire on that date.

19 (c) Beginning January 1, 2004, no person may import into  
20 Illinois any wild, semi-domestic, or exotic mammal from  
21 another state or from a foreign country for the purpose of  
22 providing hunting. For the purpose of this Section, "exotic  
23 mammal" means a mammal not indigenous to this State.

24 (d) No person may maintain or operate an exotic game  
25 hunting area in this State on or after January 1, 2004.

26 (e) Anyone who knowingly violates violating this Section  
27 is guilty of a business offense and shall be fined not less  
28 than from \$500 and not more than the greater of to \$5,000 or  
29 twice the amount of the financial gain realized by the person  
30 from the commission of the violation.

31 (Source: P.A. 89-445, eff. 2-7-96.)