

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 2.36 as follows:

6 (520 ILCS 5/2.36) (from Ch. 61, par. 2.36)

7 Sec. 2.36. It shall be unlawful to buy, sell or barter, or
8 offer to buy, sell or barter, and for a commercial institution,
9 other than a regularly operated refrigerated storage
10 establishment, to have in its possession any of the wild birds,
11 or any part thereof (and their eggs), or wild mammals or any
12 parts thereof, protected by this Act unless done as hereinafter
13 provided:

14 Game birds or any parts thereof (and their eggs), may be
15 held, possessed, raised and sold, or otherwise dealt with, as
16 provided in Section 3.23 of this Act or when legally produced
17 under similar special permit in another state or country and
18 legally transported into the State of Illinois; provided that
19 such imported game birds or any parts thereof, shall be marked
20 with permanent irremovable tags, or similar devices, to
21 establish and retain their origin and identity;

22 Rabbits may be legally taken and possessed as provided in
23 Sections 3.23, 3.24, and 3.26 of this Act;

1 Deer, or any parts thereof, may be held, possessed, sold or
2 otherwise dealt with as provided in this Section and Sections
3 3.23 and 3.24 of this Act;

4 If a properly tagged deer is processed at a licensed meat
5 processing facility, the meat processor at the facility is an
6 active member of the Illinois Sportsmen Against Hunger program,
7 and the owner of the deer (i) fails to claim the processed deer
8 within a reasonable time or (ii) notifies the licensed meat
9 processing facility that the owner no longer wants the
10 processed deer, then the deer meat may be given away by the
11 licensed meat processor to another person or donated to any
12 other charitable organization or community food bank that
13 receives wild game meat. The licensed meat processing facility
14 may charge the person receiving the deer meat a reasonable and
15 customary processing fee;

16 Meat processors who are active members of the Illinois
17 Sportsmen Against Hunger program shall keep written records of
18 all deer received. Records shall include the following
19 information:

20 (1) the date the deer was received;

21 (2) the name, address, and telephone number of the
22 person from whom the deer was received;

23 (3) whether the deer was received as a whole carcass or
24 as deboned meat; if the deer was brought to the meat
25 processor as deboned meat, the processor shall include the
26 weight of the meat;

1 (4) the number and state of issuance of the permit of
2 the person from whom the deer was received; in the absence
3 of a permit number, the meat processor may rely on the
4 written certification of the person from whom the deer was
5 received that the deer was legally taken or obtained; and

6 (5) if the person who originally delivered the deer to
7 the meat processor fails to collect or make arrangements
8 for the packaged deer meat to be collected and the meat
9 processor gives all or part of the unclaimed deer meat to
10 another person, the meat processor shall maintain a record
11 of the exchange; the meat processor's records shall include
12 the customer's name, physical address, telephone number,
13 as well as the quantity and type of deer meat given to the
14 customer. The meat processor shall also include the amount
15 of compensation received for the deer meat in his or her
16 records.

17 Meat processor records for unclaimed deer meat shall be
18 open for inspection by any peace officer at any reasonable
19 hour. Meat processors shall maintain records for a period of 2
20 years after the date of receipt of the wild game or for as long
21 as the specimen or meat remains in the meat processors
22 possession, whichever is longer;

23 No meat processor shall have in his or her possession any
24 deer that is not listed in his or her written records and
25 properly tagged or labeled;

26 All licensed meat processors who ship any deer or parts of

1 deer that have been held, possessed, or otherwise dealt with
2 shall tag or label the shipment, and the tag or label shall
3 state the name of the meat processor;

4 Nothing in this Section removes meat processors from
5 responsibility for the observance of any State or federal laws,
6 rules, or regulations that may apply to the meat processing
7 business;

8 Fur-bearing mammals, or any parts thereof, may be held,
9 possessed, sold or otherwise dealt with as provided in Sections
10 3.16, 3.24, and 3.26 of this Act or when legally taken and
11 possessed in Illinois or legally taken and possessed in and
12 transported from other states or countries;

13 The inedible parts of game mammals may be held, possessed,
14 sold or otherwise dealt with when legally taken, in Illinois or
15 legally taken and possessed in and transported from other
16 states or countries.

17 Failure to establish proof of the legality of possession in
18 another state or country and importation into the State of
19 Illinois, shall be prima facie evidence that such game birds or
20 any parts thereof, and their eggs, game mammals and fur-bearing
21 mammals, or any parts thereof, were taken within the State of
22 Illinois.

23 (Source: P.A. 95-196, eff. 1-1-08.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.