



Rep. Kelly M. Cassidy

Filed: 4/30/2014

09800SB3049ham001

LRB098 15948 MGM 58946 a

1 AMENDMENT TO SENATE BILL 3049

2 AMENDMENT NO. _____. Amend Senate Bill 3049 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing
5 Section 2.2 and adding Section 2.2b as follows:

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

7 Sec. 2.2. This Act shall apply only to the wild birds and
8 parts of wild birds (including, but not limited to, their nests
9 and eggs), and wild mammals and parts of wild mammals, which
10 shall include their green hides, in the State of Illinois, or
11 which may be brought into the State.

12 Wildlife protected by this Act, hereby defined as protected
13 species, include the following wild species and all wild
14 species contained in listed families, including, but not
15 limited to, groups of wild species preceding each family name:
16 (except the House Sparrow, *Passer domesticus*; European

1 Starling, *Sturnus vulgaris*; and Rock Pigeon, Domestic Pigeon,
2 *Columba livia*; Purple Swamphen, *Porphyrio porphyrio*; or Muscovy
3 Duck, *Cairina moschata*). GAME BIRDS-Ruffed grouse, *Bonasa*
4 *umbellus*; Sharp-tailed grouse, *Tympanuchus phasianellus*;
5 Northern Bobwhite, *Colinus virginianus*; Gray Partridge, *Perdix*
6 *perdix*; Chukar, *Alectoris chukar*; Ring-necked Pheasant,
7 *Phasianus colchicus*; Greater Prairie Chicken, *Tympanuchus*
8 *cupido*; Wild Turkey, *Meleagris gallopavo*. MIGRATORY GAME
9 BIRDS-Waterfowl including brant, ducks, geese, and swans,
10 Anatidae; wild species of the families Rallidae, Scolopacidae,
11 Columbidae, and Corvidae that may be legally hunted as provided
12 for in Section 2.18 of this Act. RESIDENT AND MIGRATORY
13 NON-GAME BIRDS-Loons, Gaviidae; grebes, Podicipedidae;
14 pelicans, Pelecanidae; gannets, Sulidae; cormorants,
15 Phalacrocoracidae; anhingas, Anhingidae; frigatebirds,
16 Fregatidae; herons, bitterns and egrets, Ardeidae; ibises and
17 spoonbills, Threskiornithidae; storks, Ciconiidae; vultures,
18 Cathartidae; kites, hawks, ospreys, and eagles, Accipitridae;
19 falcons, merlins, and kestrels, Falconidae; rails, gallinules,
20 and moorhens, which may not be legally hunted, Rallidae;
21 cranes, Gruidae; all shorebirds that may not be legally hunted,
22 of the families Charadriidae, Scolopacidae, and
23 Recurvirostridae gulls, terns, jaegers, skimmers, and
24 kittiwakes, Laridae; dovebies and murrelets, Alcidae; doves
25 and pigeons, which may not be legally hunted, Columbidae;
26 cuckoos and anis, Cuculidae; owls, Tytonidae and Strigidae;

1 whip-poor-wills, chuck-will's-widows, and nighthawks,
2 Caprimulgidae; swifts, Apodidae; hummingbirds, Trochilidae,
3 Kingfishers, Alcedinidae; woodpeckers, flickers, and
4 sapsuckers, Picidae; kingbirds, pewees, phoebes, and
5 flycatchers, Tyrannidae shrikes, Laniidae; vireos, Vireonidae;
6 magpies, ravens, and jays, Corvidae; larks, Alaudidae;
7 swallows and martins, Hirundinidae; chickadees and titmice,
8 Paridae; nuthatches, Sittidae; creepers, Certhiidae; wrens,
9 Troglodytidae; kinglets, Regulidae; gnatcatchers, Sylviidae;
10 robins, bluebirds, solitaires, veerys, and thrushes, Turdidae;
11 mockingbirds, catbirds, and thrashers, Mimidae; pipits,
12 Motacillidae; waxwings, Bombycillidae; warblers, parulas,
13 redstarts, ovenbirds, waterthrushes, yellowthroats, and chats,
14 Parulidae; tanagers, Thraupidae; towhees, longspurs, sparrows,
15 buntings, and juncos, Emberizidae; dickcissels, cardinals,
16 buntings, and grosbeaks, Cardinalidae; blackbirds,
17 meadowlarks, bobolinks, grackles, cowbirds, and orioles,
18 Icteridae; grosbeaks, finches, crossbills, redpolls, and
19 siskins, Fringillidae. GAME MAMMALS-Woodchuck, *Marmota monax*;
20 Gray squirrel, *Sciurus carolinensis*; Fox squirrel, *Sciurus*
21 *niger*; Eastern cottontail, *Sylvilagus floridanus*; Swamp
22 rabbit, *Sylvilagus aquaticus*; White-tailed deer, *Odocoileus*
23 *virginianus*. FUR-BEARING MAMMALS-Muskrat, *Ondatra zibethicus*;
24 Beaver, *Castor canadensis*; Raccoon, *Procyon lotor*; Opossum,
25 *Didelphis virginiana*; Least weasel, *Mustela nivalis*;
26 Long-tailed weasel, *Mustela frenata*; Mink, *Mustela vison*;

1 River otter, *Lontra canadensis*; Striped skunk, *Mephitis*
2 *mephitis*; Badger, *Taxidea taxus*; Red fox, *Vulpes vulpes*; Gray
3 fox, *Urocyon cinereoargenteus*; Coyote, *Canis latrans*; Bobcat,
4 *Lynx rufus*. OTHER MAMMALS-Flying squirrel, *Glaucomys volans*;
5 Red squirrel, *Tamiasciurus hudsonicus*; Eastern Woodrat,
6 *Neotoma floridana*; Golden Mouse, *Ochrotomys nuttalli*; Rice
7 Rat, *Oryzomys palustris*; Franklin's Ground Squirrel,
8 *Spermophilus franklinii*; Bats, *Vespertilionidae*; Gray wolf,
9 *Canis lupus*; American black bear, *Ursus americanus*; Cougar,
10 *Puma concolor*.

11 It shall be unlawful for any person at any time to take,
12 possess, sell, or offer for sale, propagate, or release into
13 the wild, any of these wild birds (dead or alive) and parts of
14 wild birds (including, but not limited to, their nests and
15 eggs), wild mammals (dead or alive) and parts of wild mammals,
16 including their green hides contrary to the provisions of this
17 Act. However, nothing in this Act shall prohibit bona-fide
18 public or state scientific, educational or zoological
19 institutions from receiving, holding, and displaying protected
20 species that were salvaged or legally obtained.

21 It shall be unlawful for any person to take any other
22 living wildlife animal not covered by this Act without the
23 permission of the landowner or tenant.

24 (Source: P.A. 97-431, eff. 8-16-11.)

1 Sec. 2.2b. Imminent threat; nuisance permits.

2 (a) It shall not be illegal for an owner or tenant of land,
3 or their designated agent, to immediately take on his or her
4 property a gray wolf, Canis lupus; American black bear, Ursus
5 americanus; or cougar, Puma concolor if, at any time, the gray
6 wolf, American black bear, or cougar is stalking, causing an
7 imminent threat, or there is a reasonable expectation that it
8 causes an imminent threat of physical harm or death to a human,
9 livestock, domestic animals or harm to structures or other
10 property on the owner or tenant's land.

11 (b) The Department may grant a nuisance permit to the owner
12 or tenant of land, or their designated agent, for the taking of
13 a gray wolf, American black bear, or cougar that is causing a
14 threat to an owner or tenant of land or his or her property
15 that is not an immediate threat under subsection (a) of this
16 Section.

17 (c) The Department shall adopt rules to implement this
18 Section."