

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
5 Sections 2.11, 2.26, 3.1 and by adding Section 3.1-3 as
6 follows:

7 (520 ILCS 5/2.11) (from Ch. 61, par. 2.11)

8 Sec. 2.11. Before any person may lawfully hunt wild
9 turkey, he shall first obtain a "Wild Turkey Hunting Permit"
10 in accordance with the prescribed regulations set forth in an
11 administrative rule of the Department. The fee for a
12 Resident Wild Turkey Hunting Permit shall not exceed \$15.

13 Upon submitting suitable evidence of legal residence in
14 any other state, non-residents shall be charged a fee not to
15 exceed \$125 \$75 for wild turkey hunting permits, except as
16 provided below for non-resident land owners.

17 Permits shall be issued without charge to:

18 (a) Illinois landowners residing in Illinois who
19 own at least 40 acres of Illinois land and wish to hunt
20 on their land only,

21 (b) resident tenants of at least 40 acres of
22 commercial agricultural land, and

23 (c) shareholders of a corporation which owns at
24 least 40 acres of land in a county in Illinois who wish
25 to hunt on the corporation's land only. One permit shall
26 be issued without charge to one shareholder for each 40
27 acres of land owned by the corporation in a county;
28 however, the number of permits issued without charge to
29 shareholders of any corporation in any county shall not
30 exceed 15.

31 The turkey hunting permit issued without fee shall be

1 valid on all lands upon which the person to whom it is issued
2 owns, leases or rents, except that in the case of a permit
3 issued without charge to a shareholder of a corporation, the
4 permit shall be valid on all lands owned by the corporation
5 in the county.

6 The Department may by administrative rule allocate and
7 issue non-resident Wild Turkey Permits and establish fees for
8 such permits.

9 ~~The Department may set aside, in accordance with the~~
10 ~~prescribed regulations set forth in an administrative rule of~~
11 ~~the Department, a limited number of Wild Turkey Hunting~~
12 ~~Permits to be available to persons providing evidence of a~~
13 ~~contractual arrangement to hunt on properties controlled by a~~
14 ~~bona fide Illinois outfitter. The number of available~~
15 ~~permits shall be based on a percentage of unfilled permits~~
16 ~~remaining after the previous year's lottery. Eligible~~
17 ~~outfitters shall be those having membership in, and~~
18 ~~accreditation conferred by, a professional association of~~
19 ~~outfitters approved by the Department. The association shall~~
20 ~~be responsible for setting professional standards and codes~~
21 ~~of conduct for its membership, subject to Departmental~~
22 ~~approval. In addition to the fee normally charged for~~
23 ~~resident and nonresident permits, a reservation fee not to~~
24 ~~exceed \$200 shall be charged to the outfitter for each permit~~
25 ~~set aside in accordance with this Act. The reservation fee~~
26 ~~shall be deposited into the Wildlife and Fish Fund.~~

27 It shall be unlawful to take wild turkey except by use of
28 a bow and arrow or a shotgun of not larger than 10 nor
29 smaller than 20 gauge with shot size not larger than No. 4,
30 and no person while attempting to so take wild turkey may
31 have in his possession any other gun.

32 It shall be unlawful to take, or attempt to take wild
33 turkey except during the time from 1/2 hour before sunrise to
34 1/2 hour after sunset or during such lesser period of time as

1 may be specified by administrative rule, during those days
2 for which an open season is established.

3 It shall be unlawful for any person to take, or attempt
4 to take, wild turkey by use of dogs, horses, automobiles,
5 aircraft or other vehicles, or conveyances, or by the use of
6 bait of any kind.

7 It is unlawful for any person to take in Illinois or have
8 in his possession more than one wild turkey per valid permit.
9 (Source: P.A. 88-416; 89-715, eff. 2-21-97.)

10 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

11 Sec. 2.26. Any person attempting to take deer shall
12 first obtain a "Deer Hunting Permit" in accordance with
13 prescribed regulations set forth in an Administrative Rule.
14 Deer Hunting Permits shall be issued by the Department. The
15 fee for a Deer Hunting Permit to take deer with either bow
16 and arrow or gun shall not exceed \$15.00 for residents of the
17 State. The Department may by administrative rule provide for
18 non-resident deer hunting permits for which the fee will not
19 exceed \$200 ~~\$100~~ except as provided below for non-resident
20 landowners and non-resident archery hunters. The Department
21 may by administrative rule provide for a non-resident archery
22 deer permit consisting of not more than 2 harvest tags at a
23 total cost not to exceed \$225. Permits shall be issued
24 without charge to:

25 (a) Illinois landowners residing in Illinois who
26 own at least 40 acres of Illinois land and wish to hunt
27 their land only,

28 (b) resident tenants of at least 40 acres of
29 commercial agricultural land where they will hunt, and

30 (c) shareholders of a corporation which owns at
31 least 40 acres of land in a county in Illinois who wish
32 to hunt on the corporation's land only. One permit shall
33 be issued without charge to one shareholder for each 40

1 acres of land owned by the corporation in a county;
 2 however, the number of permits issued without charge to
 3 shareholders of any corporation in any county shall not
 4 exceed 15.

5 Bona fide landowners or tenants who do not wish to hunt
 6 only on the land they own, rent or lease or shareholders who
 7 do not wish to hunt only on the land owned by the corporation
 8 shall be charged the same fee as the applicant who is not a
 9 landowner, tenant or shareholder. Nonresidents of Illinois
 10 who own at least 40 acres of land and wish to hunt on their
 11 land only shall be charged a fee set by administrative rule.
 12 The method for obtaining these permits shall be prescribed by
 13 administrative rule.

14 The deer hunting permit issued without fee shall be valid
 15 on all farm lands which the person to whom it is issued owns,
 16 leases or rents, except that in the case of a permit issued
 17 to a shareholder, the permit shall be valid on all lands
 18 owned by the corporation in the county.

19 ~~The Department may set aside, in accordance with the~~
 20 ~~prescribed regulations set forth in an administrative rule of~~
 21 ~~the Department, a limited number of Deer Hunting Permits to~~
 22 ~~be available to persons providing evidence of a contractual~~
 23 ~~arrangement to hunt on properties controlled by a bona fide~~
 24 ~~Illinois outfitter. The number of available permits shall be~~
 25 ~~based on a percentage of unfilled permits remaining after the~~
 26 ~~previous year's lottery. Eligible outfitters shall be those~~
 27 ~~having membership in, and accreditation conferred by, a~~
 28 ~~professional association of outfitters approved by the~~
 29 ~~Department. The association shall be responsible for setting~~
 30 ~~professional standards and codes of conduct for its~~
 31 ~~membership, subject to Departmental approval. In addition to~~
 32 ~~the fee normally charged for resident and nonresident~~
 33 ~~permits, a reservation fee not to exceed \$200 shall be~~
 34 ~~charged to the outfitter for each permit set aside in~~

1 accordance--with--this--Act.---The--reservation--fee--shall--be
2 deposited-into-the-Wildlife-and-Fish-Fund.

3 The standards and specifications for use of guns and bow
4 and arrow for deer hunting shall be established by
5 administrative rule.

6 No person may have in his possession any firearm not
7 authorized by administrative rule for a specific hunting
8 season when taking deer.

9 Persons having a firearm deer hunting permit shall be
10 permitted to take deer only during the period from 1/2 hour
11 before sunrise to sunset, and only during those days for
12 which an open season is established for the taking of deer by
13 use of shotgun or muzzle loading rifle.

14 Persons having an archery deer hunting permit shall be
15 permitted to take deer only during the period from 1/2 hour
16 before sunrise to 1/2 hour after sunset, and only during
17 those days for which an open season is established for the
18 taking of deer by use of bow and arrow.

19 It shall be unlawful for any person to take deer by use
20 of dogs, horses, automobiles, aircraft or other vehicles, or
21 by the use of salt or bait of any kind. An area is
22 considered as baited during the presence of and for 10
23 consecutive days following the removal of bait.

24 It shall be unlawful to possess or transport any wild
25 deer which has been injured or killed in any manner upon a
26 public highway or public right-of-way of this State unless
27 exempted by administrative rule.

28 Persons hunting deer must have gun unloaded and no bow
29 and arrow device shall be carried with the arrow in the
30 nocked position during hours when deer hunting is unlawful.

31 It shall be unlawful for any person, having taken the
32 legal limit of deer by gun, to further participate with gun
33 in any deer hunting party.

34 It shall be unlawful for any person, having taken the

1 legal limit of deer by bow and arrow, to further participate
2 with bow and arrow in any deer hunting party.

3 The Department may prohibit upland game hunting during
4 the gun deer season by administrative rule.

5 It shall be legal for handicapped persons, as defined in
6 Section 2.33, to utilize a crossbow device, as defined in
7 Department rules, to take deer.

8 Any person who violates any of the provisions of this
9 Section, including administrative rules, shall be guilty of a
10 Class B misdemeanor.

11 (Source: P.A. 89-715, eff. 2-21-97; 90-225, eff. 7-25-97;
12 90-490, eff. 8-17-97; 90-655, eff. 7-30-98.)

13 (520 ILCS 5/3.1) (from Ch. 61, par. 3.1)

14 Sec. 3.1. License and stamps required.

15 (a) Before any person shall take or attempt to take any
16 of the species protected by Section 2.2 for which an open
17 season is established under this Act, he shall first have
18 procured and possess a valid hunting license.

19 Before any person 16 years of age or older shall take or
20 attempt to take any bird of the species defined as migratory
21 waterfowl by Section 2.2, including coots, he shall first
22 have procured a State Migratory Waterfowl Stamp.

23 Before any person 16 years of age or older takes,
24 attempts to take, or pursues any species of wildlife
25 protected by this Code, except migratory waterfowl, coots,
26 and hand-reared birds on licensed game breeding and hunting
27 preserve areas and state controlled pheasant hunting areas,
28 he or she shall first obtain a State Habitat Stamp. Disabled
29 veterans and former prisoners of war shall not be required to
30 obtain State Habitat Stamps. Any person who obtained a
31 lifetime license before January 1, 1993, shall not be
32 required to obtain State Habitat Stamps. Income from the sale
33 of State Furbearer Stamps and State Pheasant Stamps received

1 after the effective date of this amendatory Act of 1992 shall
2 be deposited into the State Furbearer Fund and State Pheasant
3 Fund, respectively.

4 Before any person 16 years of age or older shall take,
5 attempt to take, or sell the green hide of any mammal of the
6 species defined as fur-bearing mammals by Section 2.2 for
7 which an open season is established under this Act, he shall
8 first have procured a State Habitat Stamp.

9 (b) Before any person who is a non-resident of the State
10 of Illinois shall take or attempt to take any of the species
11 protected by Section 2.2~~7-except-white-tailed--deer--or--wild~~
12 ~~turkey~~₇ for which an open season is established under this
13 Act, he shall, unless specifically exempted by law, first
14 procure a non-resident license as provided by this Act for
15 the taking of any wild game.

16 Before a nonresident shall take or attempt to take
17 white-tailed deer, he shall first have procured a Deer
18 Hunting Permit as defined in Section 2.26 of this Code.

19 Before a nonresident shall take or attempt to take wild
20 turkeys, he shall have procured a Wild Turkey Hunting Permit
21 as defined in Section 2.11 of this Code.

22 (c) The owners residing on, or bona fide tenants of,
23 farm lands and their children, parents, brothers, and sisters
24 actually permanently residing on their lands shall have the
25 right to hunt any of the species protected by Section 2.2
26 upon their lands and waters without procuring hunting
27 licenses; but the hunting shall be done only during periods
28 of time and with devices and by methods as are permitted by
29 this Act. Any person on active duty with the Armed Forces of
30 the United States who is now and who was at the time of
31 entering the Armed Forces a resident of Illinois and who
32 entered the Armed Forces from this State, and who is
33 presently on ordinary leave from the Armed Forces, and any
34 resident of Illinois who is disabled may hunt any of the

1 species protected by Section 2.2 without procuring a hunting
2 license, but the hunting shall be done only during such
3 periods of time and with devices and by methods as are
4 permitted by this Act. For the purpose of this Section a
5 person is disabled when that person has a Type 1 or Type 4,
6 Class 2 disability as defined in Section 4A of the Illinois
7 Identification Card Act. For purposes of this Section, an
8 Illinois Disabled Person Identification Card issued pursuant
9 to the Illinois Identification Card Act indicating that the
10 person named has a Type 1 or Type 4, Class 2 disability shall
11 be adequate documentation of the disability.

12 (d) A courtesy non-resident license, permit, or stamp
13 for taking game may be issued at the discretion of the
14 Director, without fee, to any person officially employed in
15 the game and fish or conservation department of another state
16 or of the United States who is within the State to assist or
17 consult or cooperate with the Director; or to the officials
18 of other states, the United States, foreign countries, or
19 officers or representatives of conservation organizations or
20 publications while in the State as guests of the Governor or
21 Director. The Director may provide to nonresident
22 participants and official gunners at field trials an
23 exemption from licensure while participating in a field
24 trial.

25 (e) State Migratory Waterfowl Stamps shall be required
26 for those persons qualifying under subsections (c) and (d)
27 who intend to hunt migratory waterfowl, including coots, to
28 the extent that hunting licenses of the various types are
29 authorized and required by this Section for those persons.

30 (f) Registration in the U.S. Fish and Wildlife Migratory
31 Bird Harvest Information Program shall be required for those
32 persons who are required to have a hunting license before
33 taking or attempting to take any bird of the species defined
34 as migratory game birds by Section 2.2, except that this

1 subsection shall not apply to crows in this State or
2 hand-reared birds on licensed game breeding and hunting
3 preserve areas, for which an open season is established by
4 this Act. Persons registering with the Program must carry
5 proof of registration with them while migratory bird hunting.

6 The Department shall publish suitable prescribed
7 regulations pertaining to registration by the migratory bird
8 hunter in the U.S. Fish and Wildlife Service Migratory Bird
9 Harvest Information Program.

10 (Source: P.A. 89-341, eff. 8-17-95; 90-743, eff. 1-1-99.)

11 (520 ILCS 5/3.1-3 new)

12 Sec. 3.1-3. Deer and wild turkey outfitter permit;
13 application and fees. Before any person provides or offers to
14 provide, for compensation, outfitting services for deer or
15 wild turkey hunting, that person must apply for and receive a
16 permit from the Department. The annual fee for resident
17 outfitter permits shall not exceed \$1,000. The annual fee
18 for nonresident outfitter permits shall not exceed \$2,500.
19 All outfitter permit fees shall be deposited into the
20 Wildlife and Fish Fund. The criteria, definitions,
21 application process, fees, and standards of outfitting
22 services shall be provided by administrative rule.

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