

HB2036



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2036

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

515 ILCS 5/20-45
520 ILCS 5/3.2

from Ch. 56, par. 20-45
from Ch. 61, par. 3.2

Amends the Fish and Aquatic Life Code. Provides that the fee for all sport fishing licenses shall be waived for resident veterans of the United States Armed Forces who have been honorably discharged. Amends the Wildlife Code. Provides that the fee for a hunting license to hunt all species shall be waived for resident veterans of the United States Armed Forces who have been honorably discharged. Makes technical changes. Effective immediately.

LRB101 04894 SLF 49903 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Fish and Aquatic Life Code is amended by
5 changing Section 20-45 as follows:

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 and ~~and~~ one-half of
13 the current fishing license fee for individuals age 65 or
14 older, ~~and, commencing with the 2012 license year, one half~~
15 ~~of the current fishing license fee for resident veterans of~~
16 ~~the United States Armed Forces after returning from service~~
17 ~~abroad or mobilization by the President of the United~~
18 ~~States. Veterans must provide, to the Department at one of~~
19 ~~the Department's 5 regional offices, verification of their~~
20 ~~service. The Department shall establish what constitutes~~
21 ~~suitable verification of service for the purpose of issuing~~
22 ~~fishing licenses to resident veterans at a reduced fee.~~

23 (a-3) The fee for all sport fishing licenses shall be

1 waived for resident veterans of the United States Armed
2 Forces who have been honorably discharged. Veterans must
3 provide, to the Department at one of the Department's 5
4 regional offices, verification of their service and
5 honorable discharge. The Department shall establish what
6 constitutes suitable verification of service and honorable
7 discharge for the purpose of issuing fishing licenses to
8 resident veterans without a fee.

9 (a-5) The fee for all sport fishing licenses shall be
10 \$1 for residents over 75 years of age.

11 (b) All residents before using any commercial fishing
12 device shall obtain a commercial fishing license, the fee
13 for which shall be \$60 and a resident fishing license, the
14 fee for which is \$14.50. Each and every commercial device
15 used shall be licensed by a resident commercial fisherman
16 as follows:

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

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

23 (3) When used in the waters of Lake Michigan, for
24 the first 2000 lineal feet, or fraction thereof, of
25 gill net the fee is \$10; and for each 1000 additional
26 lineal feet, or fraction thereof, the fee is \$10. These

1 fees shall apply to all gill nets in use in the water
2 or on drying reels on the shore.

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

5 (c) Residents of the State of Illinois may obtain a
6 sportsmen's combination license that shall entitle the
7 holder to the same non-commercial fishing privileges as
8 residents holding a license as described in subsection (a)
9 of this Section and to the same hunting privileges as
10 residents holding a license to hunt all species as
11 described in Section 3.1 of the Wildlife Code. No
12 sportsmen's combination license shall be issued to any
13 individual who would be ineligible for either the fishing
14 or hunting license separately. The sportsmen's combination
15 license fee shall be \$25.50. For residents age 65 or older,
16 the fee is one-half of the fee charged for a sportsmen's
17 combination license. For resident veterans of the United
18 States Armed Forces after returning from service abroad or
19 mobilization by the President of the United States, the
20 fee, commencing with the 2012 license year, is one-half of
21 the fee charged for a sportsmen's combination license.
22 Veterans must provide to the Department, at one of the
23 Department's 5 regional offices, verification of their
24 service. The Department shall establish what constitutes
25 suitable verification of service for the purpose of issuing
26 sportsmen's combination licenses to resident veterans at a

1 reduced fee.

2 (d) For 24 hours of fishing by sport fishing devices as
3 defined in Section 10-95 or by spearing devices as defined
4 in Section 10-110 the fee is \$5. This license does not
5 exempt the licensee from the requirement for a salmon or
6 inland trout stamp. The licenses provided for by this
7 subsection are not required for residents of the State of
8 Illinois who have obtained the license provided for in
9 subsection (a) of this Section.

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

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

1 privileges rescinded. The lifetime hunting and fishing
2 license fees shall be as follows:

3 (1) Lifetime fishing: 30 x the current fishing
4 license fee.

5 (2) Lifetime hunting: 30 x the current hunting
6 license fee.

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

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

1 Except for licenses issued under subsection (e) of this
2 Section, all licenses provided for in this Section shall expire
3 on March 31 of each year, except that the license provided for
4 in subsection (d) of this Section shall expire 24 hours after
5 the effective date and time listed on the face of the license.

6 All individuals required to have and failing to have the
7 license provided for in subsection (a) or (d) of this Section
8 shall be fined according to the provisions of Section 20-35 of
9 this Code.

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

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

15 Section 10. The Wildlife Code is amended by changing
16 Section 3.2 as follows:

17 (520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

18 Sec. 3.2. Hunting license; application; instruction.
19 Before the Department or any county, city, village, township,
20 incorporated town clerk, or his or her duly designated agent or
21 any other person authorized or designated by the Department to
22 issue hunting licenses shall issue a hunting license to any
23 person, the person shall file his or her application with the
24 Department or other party authorized to issue licenses on a

1 form provided by the Department and further give definite proof
2 of identity and place of legal residence. Each clerk
3 designating agents to issue licenses and stamps shall furnish
4 the Department, within 10 days following the appointment, the
5 names and mailing addresses of the agents. Each clerk or his or
6 her duly designated agent shall be authorized to sell licenses
7 and stamps only within the territorial area for which he or she
8 was elected or appointed. No duly designated agent is
9 authorized to furnish licenses or stamps for issuance by any
10 other business establishment. Each application shall be
11 executed and sworn to and shall set forth the name and
12 description of the applicant and place of residence.

13 No hunting license shall be issued to any person born on or
14 after January 1, 1980 unless he or she presents the person
15 authorized to issue the license evidence that he or she has
16 held a hunting license issued by the State of Illinois or
17 another state in a prior year, or a certificate of competency
18 as provided in this Section. Persons under 18 years of age may
19 be issued a Lifetime Hunting or Sportsmen's Combination License
20 as provided under Section 20-45 of the Fish and Aquatic Life
21 Code but shall not be entitled to hunt alone, without the
22 supervision of an adult age 21 or older ~~order~~, unless they have
23 a certificate of competency as provided in this Section and the
24 certificate is in their possession while hunting.

25 The Department of Natural Resources shall authorize
26 personnel of the Department or certified volunteer instructors

1 to conduct courses, of not less than 10 hours in length, in
2 firearms and hunter safety, which may include training in bow
3 and arrow safety, at regularly specified intervals throughout
4 the State. Persons successfully completing the course shall
5 receive a certificate of competency. The Department of Natural
6 Resources may further cooperate with any reputable association
7 or organization in establishing courses if the organization has
8 as one of its objectives the promotion of safety in the
9 handling of firearms or bow and arrow.

10 The Department of Natural Resources shall designate any
11 person found by it to be competent to give instruction in the
12 handling of firearms, hunter safety, and bow and arrow. The
13 persons so appointed shall give the course of instruction and
14 upon the successful completion shall issue to the person
15 instructed a certificate of competency in the safe handling of
16 firearms, hunter safety, and bow and arrow. No charge shall be
17 made for any course of instruction except for materials or
18 ammunition consumed. The Department of Natural Resources shall
19 furnish information on the requirements of hunter safety
20 education programs to be distributed free of charge to
21 applicants for hunting licenses by the persons appointed and
22 authorized to issue licenses. Funds for the conducting of
23 firearms and hunter safety courses shall be taken from the fee
24 charged for the Firearm Owners Identification Card.

25 The fee for a hunting license to hunt all species for a
26 resident of Illinois is \$12. For residents age 65 or older,

1 ~~and, commencing with the 2012 license year, resident veterans~~
2 ~~of the United States Armed Forces after returning from service~~
3 ~~abroad or mobilization by the President of the United States,~~
4 the fee is one-half of the fee charged for a hunting license to
5 hunt all species for a resident of Illinois. The fee for a
6 hunting license to hunt all species shall be waived for
7 resident veterans of the United States Armed Forces who have
8 been honorably discharged. Veterans must provide to the
9 Department, at one of the Department's 5 regional offices,
10 verification of their service and honorable discharge. The
11 Department shall establish what constitutes suitable
12 verification of service and honorable discharge for the purpose
13 of issuing resident veterans hunting licenses at a without a
14 fee ~~reduced fee~~. The fee for a hunting license to hunt all
15 species shall be \$1 for residents over 75 years of age.
16 Nonresidents shall be charged \$57 for a hunting license.

17 Nonresidents may be issued a nonresident hunting license
18 for a period not to exceed 10 consecutive days' hunting in the
19 State and shall be charged a fee of \$35.

20 A special nonresident hunting license authorizing a
21 nonresident to take game birds by hunting on a game breeding
22 and hunting preserve area only, established under Section 3.27,
23 shall be issued upon proper application being made and payment
24 of a fee equal to that for a resident hunting license. The
25 expiration date of this license shall be on the same date each
26 year that game breeding and hunting preserve area licenses

1 expire.

2 Each applicant for a State Migratory Waterfowl Stamp,
3 regardless of his residence or other condition, shall pay a fee
4 of \$15 and shall receive a stamp. The fee for a State Migratory
5 Waterfowl Stamp shall be waived for residents over 75 years of
6 age. Except as provided under Section 20-45 of the Fish and
7 Aquatic Life Code, the stamp shall be signed by the person or
8 affixed to his license or permit in a space designated by the
9 Department for that purpose.

10 Each applicant for a State Habitat Stamp, regardless of his
11 residence or other condition, shall pay a fee of \$5 and shall
12 receive a stamp. The fee for a State Habitat Stamp shall be
13 waived for residents over 75 years of age. Except as provided
14 under Section 20-45 of the Fish and Aquatic Life Code, the
15 stamp shall be signed by the person or affixed to his license
16 or permit in a space designated by the Department for that
17 purpose.

18 Nothing in this Section shall be construed as to require
19 the purchase of more than one State Habitat Stamp by any person
20 in any one license year.

21 The fees for State Pheasant Stamps and State Furbearer
22 Stamps shall be waived for residents over 75 years of age.

23 The Department shall furnish the holders of hunting
24 licenses and stamps with an insignia as evidence of possession
25 of license, or license and stamp, as the Department may
26 consider advisable. The insignia shall be exhibited and used as

1 the Department may order.

2 All other hunting licenses and all State stamps shall
3 expire upon March 31 of each year.

4 Every person holding any license, permit, or stamp issued
5 under the provisions of this Act shall have it in his
6 possession for immediate presentation for inspection to the
7 officers and authorized employees of the Department, any
8 sheriff, deputy sheriff, or any other peace officer making a
9 demand for it. This provision shall not apply to Department
10 owned or managed sites where it is required that all hunters
11 deposit their license, permit, or Firearm Owner's
12 Identification Card at the check station upon entering the
13 hunting areas.

14 (Source: P.A. 100-638, eff. 1-1-19; revised 10-3-18.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.