

SB0201



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0201

Introduced 1/30/2019, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.5b new

Amends the Wildlife Code. Provides that nontoxic ammunition, as certified by the Department of Natural Resources, shall be required when taking all wildlife, including game mammals, game birds, non-game birds, and non-game mammals with any firearm. Provides that the Department shall adopt by rule a public process to certify ammunition as nontoxic ammunition and shall define, by rule, nontoxic ammunition to include only ammunition in which there is no lead content, excluding the presence of trace elements of lead. Provides that to the extent that funding is available, the Department shall establish a process that provides hunters with nontoxic ammunition at no or reduced charge. Grants rulemaking authority to the Department. Provides for penalties. Makes other changes.

LRB101 04841 SLF 49850 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 Wildlife Code is amended by adding Section
5 2.5b as follows:

6 (520 ILCS 5/2.5b new)

7 Sec. 2.5b. Nontoxic ammunition.

8 (a) Except as provided in subsections (e) and (g), and as
9 soon as can be practicably implemented by the Department of
10 Natural Resources under subsection (d), nontoxic ammunition,
11 as certified by the Department, shall be required when taking
12 all wildlife, including game mammals, game birds, non-game
13 birds, and non-game mammals with any firearm.

14 (b) The Department shall adopt by rule a public process to
15 certify ammunition as nontoxic ammunition and shall define, by
16 rule, nontoxic ammunition to include only ammunition in which
17 there is no lead content, excluding the presence of trace
18 elements of lead. The Department shall establish and annually
19 update a list of certified ammunition. The list of certified
20 ammunition shall include, but not be limited to, any federally
21 approved nontoxic shotgun ammunition.

22 (c) To the extent that funding is available, the Department
23 shall establish a process that provides hunters with nontoxic

1 ammunition at no or reduced charge. The process shall provide
2 that the offer for nontoxic ammunition at no or reduced charge
3 may be redeemed through a coupon sent to a permit holder with
4 the appropriate permit tag. If available funding is not
5 sufficient to provide nontoxic ammunition at no charge, the
6 Department shall set the value of the reduced charge coupon at
7 the maximum value possible through available funding, up to the
8 average cost within this State for nontoxic ammunition, as
9 determined by the Department. The nontoxic ammunition coupon
10 program described in this subsection (c) shall be implemented
11 to the extent that there is sufficient funding within the
12 Department.

13 (d) The Department shall adopt rules phasing in the
14 requirements of this Section by July 1, 2020. The requirements
15 of this Section shall be fully implemented statewide by no
16 later than January 1, 2021. If any of the requirements of this
17 Section can be implemented practicably, in whole or in part, in
18 advance of January 1, 2021, the Department of Natural Resources
19 shall implement those requirements. The Department of Natural
20 Resources shall not reduce or eliminate any existing
21 restrictions on the use of lead ammunition until the additional
22 requirements for use of nontoxic ammunition as required are
23 implemented.

24 (e) If nontoxic ammunition is not commercially available
25 for a specific and lawful hunting purpose due to the operation
26 of the federal prohibitions relating to armor piercing

1 ammunition in 18 U.S.C. 44, the requirement for use of nontoxic
2 ammunition shall be suspended for that specific hunting purpose
3 until the time as any nontoxic ammunition becomes commercially
4 available, at which point the suspension of the nontoxic
5 requirement shall automatically expire. In this paragraph,
6 "commercially available" means offered for sale in the consumer
7 marketplace.

8 (f) A person who violates any provision of this Section is
9 guilty of a petty offense and shall be fined \$500. A second or
10 subsequent offense is a petty offense punishable by a fine of
11 not less than \$1,000 or more than \$5,000.

12 (g) This Section does not apply to government officials or
13 their agents when carrying out a statutory duty required by
14 law.