



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB4277

by Rep. Laura Fine

#### SYNOPSIS AS INTRODUCED:

515 ILCS 5/15-5

from Ch. 56, par. 15-5

Amends the Fish and Aquatic Life Code. Provides that blind or disabled residents may fish with commercial fishing devices without holding a sports fishing license. Provides that veterans who, according to the determination of the federal Veterans' Administration as certified by the Department of Veterans' Affairs, are at least 10% disabled with service-related disabilities or in receipt of total disability pensions may fish with commercial fishing devices without holding a sports fishing license during those periods of the year that it is lawful to fish with commercial fishing devices, if the respective disabilities do not prevent them from fishing in a manner that is safe to themselves and others.

LRB098 15949 MGM 50996 b

1 AN ACT concerning fish.

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 15-5 as follows:

6 (515 ILCS 5/15-5) (from Ch. 56, par. 15-5)

7 Sec. 15-5. Commercial fisherman; license requirement.

8 (a) A "commercial fisherman" is defined as any individual  
9 who uses any of the commercial fishing devices as defined by  
10 this Code for the taking of any aquatic life, except mussels,  
11 protected by the terms of this Code.

12 (b) All commercial fishermen shall have a commercial  
13 fishing license. In addition to a commercial fishing license, a  
14 commercial fisherman shall also obtain a sport fishing license.  
15 All individuals assisting a licensed commercial fisherman in  
16 taking aquatic life, except mussels, from any waters of the  
17 State must have a commercial fishing license unless these  
18 individuals are under the direct supervision of and aboard the  
19 same watercraft as the licensed commercial fisherman. An  
20 individual assisting a licensed commercial fisherman must  
21 first obtain a sport fishing license.

22 (c) Notwithstanding any other provision of law to the  
23 contrary, blind or disabled residents may fish with commercial

1 fishing devices without holding a sports fishing license. For  
2 the purpose of this Section, an individual is blind or disabled  
3 if that individual has a Class 2 disability as defined in  
4 Section 4A of the Illinois Identification Card Act. For the  
5 purposes of this Section, an Illinois Person with a Disability  
6 Identification Card issued under the Illinois Identification  
7 Card Act indicating that the individual named on the card has a  
8 Class 2 disability shall be adequate documentation of a  
9 disability.

10 (d) Notwithstanding any other provision of law to the  
11 contrary, a veteran who, according to the determination of the  
12 federal Veterans' Administration as certified by the  
13 Department of Veterans' Affairs, is at least 10% disabled with  
14 service-related disabilities or in receipt of total disability  
15 pensions may fish with commercial fishing devices without  
16 holding a sports fishing license during those periods of the  
17 year that it is lawful to fish with commercial fishing devices,  
18 if the respective disabilities do not prevent the veteran from  
19 fishing in a manner that is safe to him or herself and others.

20 (e) ~~(e)~~ A "Lake Michigan commercial fisherman" is defined  
21 as an individual who resides in this State or an Illinois  
22 corporation who uses any of the commercial fishing devices as  
23 defined by this Code for the taking of aquatic life, except  
24 mussels, protected by the terms of this Code.

25 (f) ~~(d)~~ For purposes of this Section, an act or omission  
26 that constitutes a violation committed by an officer, employee,

1 or agent of a corporation shall be deemed the act or omission  
2 of the corporation.

3 (Source: P.A. 98-336, eff. 1-1-14.)