**Section 528.10 Definitions**

"Bona fide current income beneficiary" means, an individual who, at the time of application for a permit:

is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income; and

is listed by name in the trust documents as an income beneficiary.

"Bona fide equity member" means an individual who:

became a member upon the formation of the limited liability company, or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act [805 ILCS 180]; and

intends to retain the membership for at least 5 years.

"Bona fide equity partner" means an individual who:

became a partner, either general or limited, upon the formation of the partnership, or has purchased a distributional interest in the partnership or limited partnership for a value equal to the percentage of the appraised value of the partnership assets represented by the distributional interest in the partnership;

intends to retain ownership of the partnership for at least 5 years; and

is a resident of Illinois. Nonresident partners cannot receive permits under this Part.

"Bona fide equity shareholder" means an individual who:

purchased, for market price, publicly sold stock shares in a corporation, purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation, or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and

intends to retain ownership of the shares of stock for at least 5 years.

"Commercial agriculture" means utilization of land for the raising of hay, grain crops or livestock for profit. A hunting rights lease, or other nonagricultural lease, is not valid as a basis for obtaining a landowner or tenant permit.

"Immediate family of a landowner, tenant, or a bona fide current income beneficiary" means, and is limited to, the spouse, children, brothers, sisters and parents permanently residing on the same property as the landowner, tenant, or bona fide current income beneficiary.

"Landowner permit", "tenant permit" or "property only hunting (POH) permit" means any permit issued under this Part to any individual or entity for purposes of hunting only on the property owned or leased by that individual or entity.

"Tenant" means, for purposes of this Part, an Illinois resident who rents 40 acres or more of land for commercial agricultural purposes under an agreement with a landowner.

(Source: Amended at 45 Ill. Reg. 8382, effective June 23, 2021)