**Section 885.10 Definitions**

"Act" means the Herptile-Herps Act [510 ILCS 68].

"*Administrative rule" means a regulatory measure* adopted, pursuant to the Illinois Administrative Procedure Act [5 ILCS 100], *by the Director under the Act*.

*"Authorized Law Enforcement Officer" means all sworn members of the Law Enforcement Division of the Department and those persons specifically granted law enforcement authorization by the Director.*

*"Bonafide Scientific or Educational Institution" means confirming educational or scientific tax-exemption from the federal Internal Revenue Service or the applicant's national, state or local tax authority, or a statement of accreditation or recognition as an educational institution.*

"Code" means the Fish and Aquatic Life Code [515 ILCS 5].

"Commercialize" means to sell, offer for sale, barter, trade or otherwise assign a commercial value to a herptile protected under this Part.

*"Contraband" means all reptile or amphibian life taken, bought, sold or bartered, shipped, or held in possession or* held in *any conveyance, vehicle, watercraft or other means of transportation whatsoever, except sealed railroad cars or other sealed common carriers, used to transport or ship any reptile or amphibian life or any part of reptile or amphibian life taken, contrary to the Act or this Part, or used to transport, contrary to the Act or this Part, any of the specified species when taken illegally.*

*"Culling" means picking out from others and removing rejected members because of inferior quality.*

*"Department" means the Illinois Department of Natural Resources.*

*"Director" means the Director of the Illinois Department of Natural Resources.*

*"Educational Program" means a program of organized instruction or study for providing education intended to meet a public need.*

*"Endangered or Threatened Species" means any species listed as endangered or threatened to the species level on either the Illinois List of Endangered and Threatened Fauna or the federal U.S. Fish and Wildlife Service List of Threatened or Endangered Species.*

"Herptile Special Use Permit" means the permit issued by the Department under Section 10-15 of the Act and Sections 885.120, 885.140 and 885.150 of this Part that authorizes use of special use herptiles for programs of a bonafide educational purpose.

"HSCP" means the Herptile Scientific Collection Permit described in Section 885.50.

*"Herptile" means collectively any amphibian or reptile taxon, whether indigenous to this State or not.*

*"Indigenous" or "Native Taxa" means those amphibians and reptiles to the subspecies level* (where applicable) *that can be found naturally in this State*.

*"Individual" means a natural person.*

"Limited Entry Special Use Herptile Permit" or "Limited Entry Permit" means a Herpetoculture Permit or Special Use Herptile Permit issued to a nonresident of Illinois allowing that person to bring specified herptiles into Illinois for a limited period not to exceed 30 days.

*"Medically Significant" means a venomous or poisonous species whose venom or toxin can cause death or serious illness or injury in humans that may require emergency room care or the immediate care of a physician. These species are categorized as being "medically significant" or "medically important".*

"Non-listed" means a species that is not endangered or threatened.

*"Owner" means an individual who has a legal right to the possession of a herptile.*

*"Person" means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture or group.*

*"Possession Limit" means the maximum number or amount of herptiles* either alive or dead *that can be lawfully held or possessed by one person at any time.*

*"Possessor" means any person who possesses, keeps, harbors, brings into the State, cares for, acts as custodian for, has in his or her custody or control or holds a property right to a herptile.*

"Ranavirus" means any group of viruses in the family Iridoviridae that are highly infectious and often lethal to aquatic and terrestrial cold-blooded wildlife. Ranaviruses can cause mass die-offs, especially in aquatic populations. These viruses are found nearly worldwide and can infect any species of fish, amphibian or reptile.

*"Reptile Show" means any event open to the public, for a fee or without a fee, that is not a licensed pet store, where herptiles or herptiles together with other animals are exhibited, displayed, sold, bought, traded or otherwise made available for public display.*

*"Resident" means a person who in good faith makes application for any license or permit and verifies by statement that he or she has maintained his or her permanent abode in this State for a period of at least 30 consecutive days immediately preceding the person's application, and who does not maintain permanent abode or claim residency in another state for the purposes of obtaining any of the same or similar licenses or permits under the Act. A person's permanent abode is his or her fixed and permanent dwelling place, as distinguished from a temporary or transient place of residence. Domiciliary intent is required to establish that the person is maintaining his or her permanent abode in this State. Evidence of domiciliary intent includes, but is not limited to, the location where the person votes, pays personal income tax, or obtains a driver's license. Any person* qualifying as a resident under this definition who is *on active duty in the Armed Forces shall be considered a resident of Illinois during his or her period of military duty.*

*"Special Use Herptile" means any taxon of amphibian or reptile* (including, but not limited to crocodilians, Komodo dragons, crocodile monitor lizards, or venomous species) *for which a Special Use Herptile Permit is required* to acquire and possess.

*"Take" means possess, collect, catch, detain, hunt, shoot, pursue, lure, kill, destroy, capture, gig or spear, trap or ensnare or harass, or an attempt to do so.*

"Taxidermy Services" means the act of preparing, preserving, stuffing and/or mounting the skins of animals with lifelike effect (e.g., mounting, cleaning, tanning).

"Taxon" or the plural "Taxa" means a taxonomic category such as a genus, species or subspecies.

*"Transport" or "Ship" means to convey by parcel post, express, freight, baggage or shipment by common carrier of any description; by automobile, motorcycle or other vehicle of any kind; by water or aircraft of any kind; or by any other means of transportation.*

*"Turtle Farming" means the act of breeding, hatching, raising or selling turtles, or any combination, commercially for the purpose of providing turtles, turtle eggs or turtle parts to pet suppliers, exporters and food industries.*

"Voucher Herptile" means an actual herptile specimen deposited into a museum or scientific institution collection as proof of its existence in the locality at which it was collected.

"Wildlife Sanctuary" means any non-profit organization that:

*is exempt from taxation and currently confirmed as exempt under the federal Internal Revenue Code;*

*operates a place of refuge where wild animals are provided care for their lifetime or released back to their natural range;*

*does not conduct activities on animals in its possession that are not inherent to the animal's nature;*

*does not use animals in its possession for entertainment;*

*does not sell, trade or barter animals in its possession or parts of those animals; and*

*does not breed animals in its possession.* [510 ILCS 68/1-15]