



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5192

by Rep. Nathan D. Reitz

SYNOPSIS AS INTRODUCED:

515 ILCS 5/20-5	from Ch. 56, par. 20-5
515 ILCS 5/20-20	from Ch. 56, par. 20-20
515 ILCS 5/20-45	from Ch. 56, par. 20-45
515 ILCS 5/20-55	from Ch. 56, par. 20-55

Amends the Fish and Aquatic Life Code. Provides that any individual, resident or non-resident, who is 18 years of age (rather than 16 years of age) or older shall, before taking or attempting to take any aquatic life protected by the Code by any means whatever in the State of Illinois, obtain a license to do so. Provides that before taking or attempting to take salmon from Lake Michigan, a resident or non-resident who is 18 years of age (rather than 16 years of age) or older shall obtain a salmon stamp authorized by the Department of Natural Resources; before taking or attempting to take trout from all waters except Lake Michigan, a resident or non-resident who is 18 years of age (rather than 16 years of age) or older shall obtain an inland trout stamp authorized by the Department. Requires an individual under 18 years of age (rather than 16 years of age) who possesses a lifetime hunting or sportsmen's combination license to have in his or her possession, while in the field, a certificate of competency as required under the Wildlife Code. Effective immediately.

LRB101 18457 CMG 67905 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Sections 20-5, 20-20, 20-45, and 20-55 as follows:

6 (515 ILCS 5/20-5) (from Ch. 56, par. 20-5)

7 Sec. 20-5. Necessity of license; exemptions.

8 (a) Any person taking or attempting to take any fish,
9 including minnows for commercial purposes, turtles, mussels,
10 crayfish, or frogs by any means whatever in any waters or lands
11 wholly or in part within the jurisdiction of the State,
12 including that part of Lake Michigan under the jurisdiction of
13 this State, shall first obtain a license to do so, and shall do
14 so only during the respective periods of the year when it shall
15 be lawful as provided in this Code. Individuals under 18 ~~16~~,
16 blind residents or residents with a disability, or individuals
17 fishing at fee fishing areas licensed by the Department,
18 however, may fish with sport fishing devices without being
19 required to have a license. For the purpose of this Section an
20 individual is blind or has a disability if that individual has
21 a Class 2 disability as defined in Section 4A of the Illinois
22 Identification Card Act. For purposes of this Section an
23 Illinois Person with a Disability Identification Card issued

1 under the Illinois Identification Card Act indicating that the
2 individual named on the card has a Class 2 disability shall be
3 adequate documentation of a disability.

4 (b) A courtesy non-resident sport fishing license or stamp
5 may be issued at the discretion of the Director, without fee,
6 to (i) any individual officially employed in the wildlife and
7 fish or conservation department of another state or of the
8 United States who is within the State to assist or consult or
9 cooperate with the Director or (ii) the officials of other
10 states, the United States, foreign countries, or officers or
11 representatives of conservation organizations or publications
12 while in the State as guests of the Governor or Director.

13 (c) The Director may issue special fishing permits without
14 cost to groups of hospital patients or to individuals with
15 disabilities for use on specified dates in connection with
16 supervised fishing for therapy.

17 (d) Veterans who, according to the determination of the
18 Veterans' Administration as certified by the Department of
19 Veterans' Affairs, are at least 10% disabled with
20 service-related disabilities or in receipt of total disability
21 pensions may fish with sport fishing devices during those
22 periods of the year it is lawful to do so without being
23 required to have a license, on the condition that their
24 respective disabilities do not prevent them from fishing in a
25 manner which is safe to themselves and others.

26 (e) Each year the Director may designate a period, not to

1 exceed 4 days in duration, when sport fishermen may fish waters
2 wholly or in part within the jurisdiction of the State,
3 including that part of Lake Michigan under the jurisdiction of
4 the State, and not be required to obtain the license or stamp
5 required by subsection (a) of this Section, Section 20-10 or
6 subsection (a) of Section 20-55. The term of any such period
7 shall be established by administrative rule. This subsection
8 shall not apply to commercial fishing.

9 (f) The Director may issue special fishing permits without
10 cost for a group event, restricted to specific dates and
11 locations if it is determined by the Department that the event
12 is beneficial in promoting sport fishing in Illinois.

13 (Source: P.A. 99-143, eff. 7-27-15.)

14 (515 ILCS 5/20-20) (from Ch. 56, par. 20-20)

15 Sec. 20-20. Non-resident licenses. Any individuals 18 ~~16~~
16 years of age or older not residents of the State of Illinois
17 shall, before taking or attempting to take any aquatic life
18 protected by this Code by any means whatever in the State of
19 Illinois, obtain a non-resident license to do so. In addition,
20 before taking or attempting to take salmon from Lake Michigan,
21 a non-resident 18 ~~16~~ years of age or older shall obtain a
22 salmon stamp authorized by the Department, and before taking or
23 attempting to take trout from all waters except Lake Michigan,
24 a non-resident 18 ~~16~~ years of age or older shall obtain an
25 inland trout stamp authorized by the Department.

1 (Source: P.A. 87-833; 88-91.)

2 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

3 Sec. 20-45. License fees for residents. Fees for licenses
4 for residents of the State of Illinois shall be as follows:

5 (a) Except as otherwise provided in this Section, for
6 sport fishing devices as defined in Section 10-95 or
7 spearing devices as defined in Section 10-110, the fee is
8 \$14.50 for individuals 18 ~~16~~ to 64 years old, one-half of
9 the current fishing license fee for individuals age 65 or
10 older, and, commencing with the 2012 license year, one-half
11 of the current fishing license fee for resident veterans of
12 the United States Armed Forces after returning from service
13 abroad or mobilization by the President of the United
14 States. Veterans must provide, to the Department at one of
15 the Department's 5 regional offices, verification of their
16 service. The Department shall establish what constitutes
17 suitable verification of service for the purpose of issuing
18 fishing licenses to resident veterans at a reduced fee.

19 (a-5) The fee for all sport fishing licenses shall be
20 \$1 for residents over 75 years of age.

21 (b) All residents before using any commercial fishing
22 device shall obtain a commercial fishing license, the fee
23 for which shall be \$60 and a resident fishing license, the
24 fee for which is \$14.50. Each and every commercial device
25 used shall be licensed by a resident commercial fisherman

1 as follows:

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

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

8 (3) When used in the waters of Lake Michigan, for
9 the first 2000 lineal feet, or fraction thereof, of
10 gill net the fee is \$10; and for each 1000 additional
11 lineal feet, or fraction thereof, the fee is \$10. These
12 fees shall apply to all gill nets in use in the water
13 or on drying reels on the shore.

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

16 (c) Residents of the State of Illinois may obtain a
17 sportsmen's combination license that shall entitle the
18 holder to the same non-commercial fishing privileges as
19 residents holding a license as described in subsection (a)
20 of this Section and to the same hunting privileges as
21 residents holding a license to hunt all species as
22 described in Section 3.1 of the Wildlife Code. No
23 sportsmen's combination license shall be issued to any
24 individual who would be ineligible for either the fishing
25 or hunting license separately. The sportsmen's combination
26 license fee shall be \$25.50. For residents age 65 or older,

1 the fee is one-half of the fee charged for a sportsmen's
2 combination license. For resident veterans of the United
3 States Armed Forces after returning from service abroad or
4 mobilization by the President of the United States, the
5 fee, commencing with the 2012 license year, is one-half of
6 the fee charged for a sportsmen's combination license.
7 Veterans must provide to the Department, at one of the
8 Department's 5 regional offices, verification of their
9 service. The Department shall establish what constitutes
10 suitable verification of service for the purpose of issuing
11 sportsmen's combination licenses to resident veterans at a
12 reduced fee.

13 (d) For 24 hours of fishing by sport fishing devices as
14 defined in Section 10-95 or by spearing devices as defined
15 in Section 10-110 the fee is \$5. This license does not
16 exempt the licensee from the requirement for a salmon or
17 inland trout stamp. The licenses provided for by this
18 subsection are not required for residents of the State of
19 Illinois who have obtained the license provided for in
20 subsection (a) of this Section.

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

24 (f) Residents of this State, upon establishing
25 residency as required by the Department, may obtain a
26 lifetime hunting or fishing license or lifetime

1 sportsmen's combination license which shall entitle the
2 holder to the same non-commercial fishing privileges as
3 residents holding a license as described in paragraph (a)
4 of this Section and to the same hunting privileges as
5 residents holding a license to hunt all species as
6 described in Section 3.1 of the Wildlife Code. No lifetime
7 sportsmen's combination license shall be issued to or
8 retained by any individual who would be ineligible for
9 either the fishing or hunting license separately, either
10 upon issuance, or in any year a violation would subject an
11 individual to have either or both fishing or hunting
12 privileges rescinded. The lifetime hunting and fishing
13 license fees shall be as follows:

14 (1) Lifetime fishing: 30 x the current fishing
15 license fee.

16 (2) Lifetime hunting: 30 x the current hunting
17 license fee.

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

20 Lifetime licenses shall not be refundable. A \$10 fee shall
21 be charged for reissuing any lifetime license. The Department
22 may establish rules and regulations for the issuance and use of
23 lifetime licenses and may suspend or revoke any lifetime
24 license issued under this Section for violations of those rules
25 or regulations or other provisions under this Code or the
26 Wildlife Code. Individuals under 18 ~~16~~ years of age who possess

1 a lifetime hunting or sportsmen's combination license shall
2 have in their possession, while in the field, a certificate of
3 competency as required under Section 3.2 of the Wildlife Code.
4 Any lifetime license issued under this Section shall not exempt
5 individuals from obtaining additional stamps or permits
6 required under the provisions of this Code or the Wildlife
7 Code. Individuals required to purchase additional stamps shall
8 sign the stamps and have them in their possession while fishing
9 or hunting with a lifetime license. All fees received from the
10 issuance of lifetime licenses shall be deposited in the Fish
11 and Wildlife Endowment Fund.

12 Except for licenses issued under subsection (e) of this
13 Section, all licenses provided for in this Section shall expire
14 on March 31 of each year, except that the license provided for
15 in subsection (d) of this Section shall expire 24 hours after
16 the effective date and time listed on the face of the license.

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

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

24 (Source: P.A. 97-498, eff. 4-1-12; 97-1136, eff. 1-1-13;
25 98-800, eff. 8-1-14.)

1 (515 ILCS 5/20-55) (from Ch. 56, par. 20-55)

2 Sec. 20-55. License fees for non-residents. Fees for
3 licenses for non-residents of the State of Illinois are as
4 follows:

5 (a) For sport fishing devices as defined by Section 10-95,
6 or spearing devices as defined in Section 10-110, non-residents
7 age 18 ~~16~~ or older shall be charged \$31 for a fishing license
8 to fish. For sport fishing devices as defined by Section 10-95,
9 or spearing devices as defined in Section 10-110, for a period
10 not to exceed 3 consecutive days fishing in the State of
11 Illinois the fee is \$15.00.

12 For sport fishing devices as defined in Section 10-95, or
13 spearing devices as defined in Section 10-110, for 24 hours of
14 fishing the fee is \$10. This license does not exempt the
15 licensee from the salmon or inland trout stamp requirement.

16 (b) All non-residents before using any commercial fishing
17 device shall obtain a non-resident commercial fishing license,
18 the fee for which shall be \$300, and a non-resident fishing
19 license. Each and every commercial device shall be licensed by
20 a non-resident commercial fisherman as follows:

21 (1) For each 100 lineal yards, or fraction thereof, of
22 seine (excluding minnow seines) the fee is \$36.

23 (2) For each device to fish with a 100 hook trot line
24 device, basket trap, hoop net, or dip net the fee is \$6.

25 (3) For each 100 lineal yards, or fraction thereof, of
26 trammel net the fee is \$36.

1 (4) For each 100 lineal yards, or fraction thereof, of
2 gill net the fee is \$36.

3 All persons required to have and failing to have the
4 license provided for in subsection (a) of this Section shall be
5 fined under Section 20-35 of this Code. Each person required to
6 have and failing to have the licenses required under subsection
7 (b) of this Section shall be guilty of a Class B misdemeanor.

8 All licenses provided for in this Section shall expire on
9 March 31 of each year; except that the 24-hour license for
10 sport fishing devices or spearing devices shall expire 24 hours
11 after the effective date and time listed on the face of the
12 license and licenses for sport fishing devices or spearing
13 devices for a period not to exceed 3 consecutive days fishing
14 in the State of Illinois as provided in subsection (a) of this
15 Section shall expire at midnight on the tenth day after issued,
16 not counting the day issued.

17 (Source: P.A. 99-78, eff. 7-20-15.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.