



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3754

Introduced 2/22/2021, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

520 ILCS 5/1.2a-1 new

520 ILCS 5/2.25

520 ILCS 5/2.26

from Ch. 61, par. 2.25

from Ch. 61, par. 2.26

Amends the Wildlife Code. Permits the use of an airbow in hunting deer. Defines "airbow". Makes conforming changes.

LRB102 05133 CMG 15154 b

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 changing
5 Sections 2.25 and 2.26 and by adding Section 1.2a-1 as
6 follows:

7 (520 ILCS 5/1.2a-1 new)

8 Sec. 1.2a-1. "Airbow" means a bow and arrow device that
9 applies 150 pounds of force in the form of compressed air to an
10 arrow over a 25 inch power stroke.

11 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

12 Sec. 2.25. It shall be unlawful for any person to take deer
13 except (i) with a shotgun, handgun, or muzzleloading rifle or
14 (ii) as provided by administrative rule, with a bow and arrow
15 or airbow, during the open season of not more than 14 days
16 which will be set annually by the Director between the dates of
17 November 1st and December 31st, both inclusive, or a special
18 3-day, youth-only season between the dates of September 1 and
19 October 31. For the purposes of this Section, legal handguns
20 include any centerfire handguns of .30 caliber or larger with
21 a minimum barrel length of 4 inches. The only legal ammunition
22 for a centerfire handgun is a cartridge of .30 caliber or

1 larger with a capability of at least 500 foot pounds of energy
2 at the muzzle. Full metal jacket bullets may not be used to
3 harvest deer.

4 The Department shall make administrative rules concerning
5 management restrictions applicable to the firearm and bow and
6 arrow season.

7 It shall be unlawful for any person to take deer except
8 with a bow and arrow or airbow during the open season for bow
9 and arrow set annually by the Director between the dates of
10 September 1st and January 31st, both inclusive.

11 It shall be unlawful for any person to take deer except
12 with (i) a muzzleloading rifle or (ii) bow and arrow or airbow
13 during the open season for muzzleloading rifles set annually
14 by the Director.

15 The Director shall cause an administrative rule setting
16 forth the prescribed rules and regulations, including bag and
17 possession limits and those counties of the State where open
18 seasons are established, to be published in accordance with
19 Sections 1.3 and 1.13 of this Act.

20 The Department may establish separate harvest periods for
21 the purpose of managing or eradicating disease that has been
22 found in the deer herd. This season shall be restricted to gun,
23 ~~or~~ bow and arrow, and airbow hunting only. The Department
24 shall publicly announce, via statewide news release, the
25 season dates and shooting hours, the counties and sites open
26 to hunting, permit requirements, application dates, hunting

1 rules, legal weapons, and reporting requirements.

2 The Department is authorized to establish a separate
3 harvest period at specific sites within the State for the
4 purpose of harvesting surplus deer that cannot be taken during
5 the regular season provided for the taking of deer. This
6 season shall be restricted to gun, ~~or~~ bow and arrow, and airbow
7 hunting only and shall be established during the period of
8 September 1st to February 15th, both inclusive. The Department
9 shall publish suitable prescribed rules and regulations
10 established by administrative rule pertaining to management
11 restrictions applicable to this special harvest program. The
12 Department shall allow unused gun deer permits that are left
13 over from a regular season for the taking of deer to be rolled
14 over and used during any separate harvest period held within 6
15 months of the season for which those tags were issued at no
16 additional cost to the permit holder subject to the management
17 restrictions applicable to the special harvest program.

18 Beginning July 1, 2019, and on an annual basis thereafter,
19 the Department shall provide a report to the General Assembly
20 providing information regarding deer management programs
21 established by the Code or by administrative rule that
22 includes: (1) the number of surplus deer taken during each
23 separate harvest season; (2) the number of deer found to have a
24 communicable disease or other abnormality; and (3) what
25 happens to the deer taken during each separate harvest season.
26 (Source: P.A. 101-66, eff. 7-12-19.)

1 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

2 Sec. 2.26. Deer hunting permits. Any person attempting to
3 take deer shall first obtain a "Deer Hunting Permit" issued by
4 the Department in accordance with its administrative rules.
5 Those rules must provide for the issuance of the following
6 types of resident deer archery permits: (i) a combination
7 permit, consisting of one either-sex permit and one
8 antlerless-only permit, (ii) a single antlerless-only permit,
9 and (iii) a single either-sex permit. The fee for a Deer
10 Hunting Permit to take deer with either bow and arrow or gun
11 shall not exceed \$25.00 for residents of the State. The
12 Department may by administrative rule provide for non-resident
13 deer hunting permits for which the fee will not exceed \$300 in
14 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
15 provided below for non-resident landowners and non-resident
16 archery hunters. The Department may by administrative rule
17 provide for a non-resident archery deer permit consisting of
18 not more than 2 harvest tags at a total cost not to exceed \$325
19 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
20 fees for a youth resident and non-resident archery deer permit
21 shall be the same.

22 The Department shall create a pilot program during the
23 special 3-day, youth-only deer hunting season to allow for
24 youth deer hunting permits that are valid statewide, excluding
25 those counties or portions of counties closed to firearm deer

1 hunting. The Department shall adopt rules to implement the
2 pilot program. Nothing in this paragraph shall be construed to
3 prohibit the Department from issuing Special Hunt Area Permits
4 for the youth-only deer hunting season or establishing,
5 through administrative rule, additional requirements
6 pertaining to the youth-only deer hunting season on
7 Department-owned or Department-managed sites, including
8 site-specific quotas or drawings. The provisions of this
9 paragraph are inoperative on and after January 1, 2023.

10 The standards and specifications for use of guns, and bow
11 and arrow, and airbow for deer hunting shall be established by
12 administrative rule.

13 No person may have in his or her possession any firearm not
14 authorized by administrative rule for a specific hunting
15 season when taking deer.

16 Persons having a firearm deer hunting permit shall be
17 permitted to take deer only during the period from 1/2 hour
18 before sunrise to 1/2 hour after sunset, and only during those
19 days for which an open season is established for the taking of
20 deer by use of shotgun, handgun, or muzzle loading rifle.

21 Persons having an archery deer hunting permit shall be
22 permitted to take deer only during the period from 1/2 hour
23 before sunrise to 1/2 hour after sunset, and only during those
24 days for which an open season is established for the taking of
25 deer by use of bow and arrow or airbow.

26 It shall be unlawful for any person to take deer by use of

1 dogs, horses, automobiles, aircraft or other vehicles, or by
2 the use or aid of bait or baiting of any kind. For the purposes
3 of this Section, "bait" means any material, whether liquid or
4 solid, including food, salt, minerals, and other products,
5 except pure water, that can be ingested, placed, or scattered
6 in such a manner as to attract or lure white-tailed deer.
7 "Baiting" means the placement or scattering of bait to attract
8 deer. An area is considered as baited during the presence of
9 and for 10 consecutive days following the removal of bait.
10 Nothing in this Section shall prohibit the use of a dog to
11 track wounded deer. Any person using a dog for tracking
12 wounded deer must maintain physical control of the dog at all
13 times by means of a maximum 50 foot lead attached to the dog's
14 collar or harness. Tracking wounded deer is permissible at
15 night, but at no time outside of legal deer hunting hours or
16 seasons shall any person handling or accompanying a dog being
17 used for tracking wounded deer be in possession of any firearm
18 or archery device. Persons tracking wounded deer with a dog
19 during the firearm deer seasons shall wear blaze orange or
20 solid blaze pink color as required. Dog handlers tracking
21 wounded deer with a dog are exempt from hunting license and
22 deer permit requirements so long as they are accompanied by
23 the licensed deer hunter who wounded the deer.

24 It shall be unlawful to possess or transport any wild deer
25 which has been injured or killed in any manner upon a public
26 highway or public right-of-way of this State unless exempted

1 by administrative rule.

2 Persons hunting deer must have gun unloaded and no bow and
3 arrow device, including an airbow, shall be carried with the
4 arrow in the nocked position during hours when deer hunting is
5 unlawful.

6 It shall be unlawful for any person, having taken the
7 legal limit of deer by gun, to further participate with gun in
8 any deer hunting party.

9 It shall be unlawful for any person, having taken the
10 legal limit of deer by bow and arrow or airbow, to further
11 participate with bow and arrow or airbow in any deer hunting
12 party.

13 The Department may prohibit upland game hunting during the
14 gun deer season by administrative rule.

15 The Department shall not limit the number of non-resident,
16 either-sex archery deer hunting permits to less than 20,000.

17 Any person who violates any of the provisions of this
18 Section, including administrative rules, shall be guilty of a
19 Class B misdemeanor.

20 For the purposes of calculating acreage under this
21 Section, the Department shall, after determining the total
22 acreage of the applicable tract or tracts of land, round
23 remaining fractional portions of an acre greater than or equal
24 to half of an acre up to the next whole acre.

25 For the purposes of taking white-tailed deer, nothing in
26 this Section shall be construed to prevent the manipulation,

1 including mowing or cutting, of standing crops as a normal
2 agricultural or soil stabilization practice, food plots, or
3 normal agricultural practices, including planting, harvesting,
4 and maintenance such as cultivating or the use of products
5 designed for scent only and not capable of ingestion, solid or
6 liquid, placed or scattered, in such a manner as to attract or
7 lure deer. Such manipulation for the purpose of taking
8 white-tailed deer may be further modified by administrative
9 rule.

10 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
11 101-81, eff. 7-12-19; 101-444, eff. 6-1-20.)