

HB4386



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4386

Introduced 1/21/2022, by Rep. Lance Yednock

SYNOPSIS AS INTRODUCED:

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. Provides that a centerfire rifle may be used to harvest deer during the firearm open season set by the Director of Natural Resources annually. Provides that all straight walled rifle rounds are legal ammunition for a centerfire rifle.

LRB102 23033 CMG 32187 b

A BILL FOR

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 as follows:

6 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

7 Sec. 2.25. It shall be unlawful for any person to take deer
8 except (i) with a shotgun, centerfire rifle, handgun, or
9 muzzleloading rifle, or (ii) as provided by administrative
10 rule, with a bow and arrow, during the open season of not more
11 than 14 days which will be set annually by the Director between
12 the dates of November 1st and December 31st, both inclusive,
13 or a special 3-day, youth-only season between the dates of
14 September 1 and October 31. For the purposes of this Section,
15 legal handguns include any centerfire handguns of .30 caliber
16 or larger with a minimum barrel length of 4 inches. The only
17 legal ammunition for a centerfire handgun is a cartridge of
18 .30 caliber or larger with a capability of at least 500 foot
19 pounds of energy at the muzzle. Full metal jacket bullets may
20 not be used to harvest deer. All straight walled rifle rounds
21 are legal ammunition for a centerfire rifle.

22 The Department shall make administrative rules concerning
23 management restrictions applicable to the firearm and bow and

1 arrow season.

2 It shall be unlawful for any person to take deer except
3 with a bow and arrow during the open season for bow and arrow
4 set annually by the Director between the dates of September
5 1st and January 31st, both inclusive.

6 It shall be unlawful for any person to take deer except
7 with (i) a muzzleloading rifle or (ii) bow and arrow during the
8 open season for muzzleloading rifles set annually by the
9 Director.

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

15 The Department may establish separate harvest periods for
16 the purpose of managing or eradicating disease that has been
17 found in the deer herd. This season shall be restricted to gun
18 or bow and arrow hunting only. The Department shall publicly
19 announce, via statewide news release, the season dates and
20 shooting hours, the counties and sites open to hunting.

21 The Department is authorized to establish a separate
22 harvest period at specific sites within the State for the
23 purpose of harvesting surplus deer that cannot be taken during
24 the regular season provided for the taking of deer. This
25 season shall be restricted to gun or bow and arrow hunting only
26 and shall be established during the period of September 1st to

1 February 15th, both inclusive. The Department shall publicly
2 announce, via statewide news release, the season dates and
3 shooting hours, and the counties and sites open to hunting.
4 The Department shall publish suitable prescribed rules and
5 regulations established by administrative rule pertaining to
6 management restrictions applicable to this special harvest
7 program. The Department shall allow unused gun deer permits
8 that are left over from a regular season for the taking of deer
9 to be rolled over and used during any separate harvest period
10 held within 6 months of the season for which those tags were
11 issued at no additional cost to the permit holder subject to
12 the management restrictions applicable to the special harvest
13 program.

14 Beginning July 1, 2019, and on an annual basis thereafter,
15 the Department shall provide a report to the General Assembly
16 providing information regarding deer management programs
17 established by the Code or by administrative rule that
18 includes: (1) the number of surplus deer taken during each
19 separate harvest season; (2) the number of deer found to have a
20 communicable disease or other abnormality; and (3) what
21 happens to the deer taken during each separate harvest season.
22 (Source: P.A. 101-66, eff. 7-12-19; 102-314, eff. 1-1-22.)

23 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

24 Sec. 2.26. Deer hunting permits. Any person attempting to
25 take deer shall first obtain a "Deer Hunting Permit" issued by

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

19 The Department shall create a pilot program during the
20 special 3-day, youth-only deer hunting season to allow for
21 youth deer hunting permits that are valid statewide, excluding
22 those counties or portions of counties closed to firearm deer
23 hunting. The Department shall adopt rules to implement the
24 pilot program. Nothing in this paragraph shall be construed to
25 prohibit the Department from issuing Special Hunt Area Permits
26 for the youth-only deer hunting season or establishing,

1 through administrative rule, additional requirements
2 pertaining to the youth-only deer hunting season on
3 Department-owned or Department-managed sites, including
4 site-specific quotas or drawings. The provisions of this
5 paragraph are inoperative on and after January 1, 2023.

6 The standards and specifications for use of guns and bow
7 and arrow for deer hunting shall be established by
8 administrative rule.

9 No person may have in his or her possession any firearm not
10 authorized by administrative rule for a specific hunting
11 season when taking deer unless in accordance with the Firearm
12 Concealed Carry Act.

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

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

24 It shall be unlawful for any person to take deer by use of
25 dogs, horses, automobiles, aircraft or other vehicles, or by
26 the use or aid of bait or baiting of any kind. For the purposes

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

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

26 Persons hunting deer must have gun unloaded and no bow and

1 arrow device shall be carried with the arrow in the nocked
2 position during hours when deer hunting is unlawful.

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

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

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

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

13 Any person who violates any of the provisions of this
14 Section, including administrative rules, shall be guilty of a
15 Class B misdemeanor.

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

21 For the purposes of taking white-tailed deer, nothing in
22 this Section shall be construed to prevent the manipulation,
23 including mowing or cutting, of standing crops as a normal
24 agricultural or soil stabilization practice, food plots, or
25 normal agricultural practices, including planting, harvesting,
26 and maintenance such as cultivating or the use of products

1 designed for scent only and not capable of ingestion, solid or
2 liquid, placed or scattered, in such a manner as to attract or
3 lure deer. Such manipulation for the purpose of taking
4 white-tailed deer may be further modified by administrative
5 rule.

6 (Source: P.A. 101-81, eff. 7-12-19; 101-444, eff. 6-1-20;
7 102-237, eff. 1-1-22.)