



Rep. Lance Yednock

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1 AMENDMENT TO HOUSE BILL 4386

2 AMENDMENT NO. _____. Amend House Bill 4386 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing
5 Sections 2.25, 2.26, and 2.33 and by adding Sections 1.2aa and
6 1.2bb as follows:

7 (520 ILCS 5/1.2aa new)

8 Sec. 1.2aa. Centerfire. "Centerfire" means a gun that will
9 only fire a round that contains the primer in the center of the
10 cartridge and not in the rim of the cartridge.

11 (520 ILCS 5/1.2bb new)

12 Sec. 1.2bb. Single shot. "Single shot" means a gun that is
13 either manufactured or modified to only be capable of holding
14 a total of one round in the magazine and chamber combined.
15 "Single shot" does not include: (a) a rifle in the possession

1 of a person who is also in possession of or in close proximity
2 to a magazine that would allow the rifle to be capable of
3 holding more than one round or (b) a revolver. A gun shall be
4 considered single shot if there is no magazine in the
5 possession of or in close proximity to a hunter in the field
6 and the gun can only hold a total of one round.

7 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

8 Sec. 2.25. It shall be unlawful for any person to take deer
9 except (i) with a shotgun, handgun, single shot centerfire
10 rifle, or muzzleloading rifle or (ii) as provided by
11 administrative rule, with a bow and arrow, during the open
12 season of not more than 14 days which will be set annually by
13 the Director between the dates of November 1st and December
14 31st, both inclusive, or a special 3-day, youth-only season
15 between the dates of September 1 and October 31. For the
16 purposes of this Section, legal handguns and rifles are
17 limited to ~~include any~~ centerfire handguns that are either a
18 single shot or revolver and centerfire rifles that are single
19 shot of .30 caliber or larger with a minimum barrel length of 4
20 inches. The only legal ammunition for a centerfire handgun or
21 rifle is a bottleneck centerfire cartridge of .30 caliber or
22 larger with a case length not exceeding one and two-fifths
23 inches, or a straight-walled centerfire cartridge of .30
24 caliber or larger, both of which must be available as a factory
25 load with the published ballistic tables of the manufacturer

1 showing a capability of at least 500 foot pounds of energy at
2 the muzzle. The barrel of a handgun shall be at least 4 inches.
3 Full metal jacket bullets may not be used to 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 during the open season for bow and arrow
9 set annually by the Director between the dates of September
10 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 during the
13 open season for muzzleloading rifles set annually by the
14 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 hunting only. The Department shall publicly
24 announce, via statewide news release, the season dates and
25 shooting hours, the counties and sites open to hunting.

26 The Department is authorized to establish a separate

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

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

1 (Source: P.A. 101-66, eff. 7-12-19; 102-314, eff. 1-1-22.)

2 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

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

23 The Department shall create a pilot program during the
24 special 3-day, youth-only deer hunting season to allow for
25 youth deer hunting permits that are valid statewide, excluding

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

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

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

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

24 Persons having an archery deer hunting permit shall be
25 permitted to take deer only during the period from 1/2 hour
26 before sunrise to 1/2 hour after sunset, and only during those

1 days for which an open season is established for the taking of
2 deer by use of bow and arrow.

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

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

5 Persons hunting deer must have gun unloaded and no bow and
6 arrow device shall be carried with the arrow in the nocked
7 position during hours when deer hunting is unlawful.

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

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

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

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

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

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

26 For the purposes of taking white-tailed deer, nothing in

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

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

13 (520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

14 Sec. 2.33. Prohibitions.

15 (a) It is unlawful to carry or possess any gun in any State
16 refuge unless otherwise permitted by administrative rule.

17 (b) It is unlawful to use or possess any snare or
18 snare-like device, deadfall, net, or pit trap to take any
19 species, except that snares not powered by springs or other
20 mechanical devices may be used to trap fur-bearing mammals, in
21 water sets only, if at least one-half of the snare noose is
22 located underwater at all times.

23 (c) It is unlawful for any person at any time to take a
24 wild mammal protected by this Act from its den by means of any
25 mechanical device, spade, or digging device or to use smoke or

1 other gases to dislodge or remove such mammal except as
2 provided in Section 2.37.

3 (d) It is unlawful to use a ferret or any other small
4 mammal which is used in the same or similar manner for which
5 ferrets are used for the purpose of frightening or driving any
6 mammals from their dens or hiding places.

7 (e) (Blank).

8 (f) It is unlawful to use spears, gigs, hooks or any like
9 device to take any species protected by this Act.

10 (g) It is unlawful to use poisons, chemicals or explosives
11 for the purpose of taking any species protected by this Act.

12 (h) It is unlawful to hunt adjacent to or near any peat,
13 grass, brush or other inflammable substance when it is
14 burning.

15 (i) It is unlawful to take, pursue or intentionally harass
16 or disturb in any manner any wild birds or mammals by use or
17 aid of any vehicle or conveyance, except as permitted by the
18 Code of Federal Regulations for the taking of waterfowl. It is
19 also unlawful to use the lights of any vehicle or conveyance or
20 any light from or any light connected to the vehicle or
21 conveyance in any area where wildlife may be found except in
22 accordance with Section 2.37 of this Act; however, nothing in
23 this Section shall prohibit the normal use of headlamps for
24 the purpose of driving upon a roadway. Striped skunk, opossum,
25 red fox, gray fox, raccoon, bobcat, and coyote may be taken
26 during the open season by use of a small light which is worn on

1 the body or hand-held by a person on foot and not in any
2 vehicle.

3 (j) It is unlawful to use any shotgun larger than 10 gauge
4 while taking or attempting to take any of the species
5 protected by this Act.

6 (k) It is unlawful to use or possess in the field any
7 shotgun shell loaded with a shot size larger than lead BB or
8 steel T (.20 diameter) when taking or attempting to take any
9 species of wild game mammals (excluding white-tailed deer),
10 wild game birds, migratory waterfowl or migratory game birds
11 protected by this Act, except white-tailed deer as provided
12 for in Section 2.26 and other species as provided for by
13 subsection (l) or administrative rule.

14 (l) It is unlawful to take any species of wild game, except
15 white-tailed deer and fur-bearing mammals, with a shotgun
16 loaded with slugs unless otherwise provided for by
17 administrative rule.

18 (m) It is unlawful to use any shotgun capable of holding
19 more than 3 shells in the magazine or chamber combined, except
20 on game breeding and hunting preserve areas licensed under
21 Section 3.27 and except as permitted by the Code of Federal
22 Regulations for the taking of waterfowl. If the shotgun is
23 capable of holding more than 3 shells, it shall, while being
24 used on an area other than a game breeding and shooting
25 preserve area licensed pursuant to Section 3.27, be fitted
26 with a one piece plug that is irremovable without dismantling

1 the shotgun or otherwise altered to render it incapable of
2 holding more than 3 shells in the magazine and chamber,
3 combined.

4 (n) It is unlawful for any person, except persons who
5 possess a permit to hunt from a vehicle as provided in this
6 Section and persons otherwise permitted by law, to have or
7 carry any gun in or on any vehicle, conveyance or aircraft,
8 unless such gun is unloaded and enclosed in a case, except that
9 at field trials authorized by Section 2.34 of this Act,
10 unloaded guns or guns loaded with blank cartridges only, may
11 be carried on horseback while not contained in a case, or to
12 have or carry any bow or arrow device in or on any vehicle
13 unless such bow or arrow device is unstrung or enclosed in a
14 case, or otherwise made inoperable unless in accordance with
15 the Firearm Concealed Carry Act.

16 (o) (Blank).

17 (p) It is unlawful to take game birds, migratory game
18 birds or migratory waterfowl with a rifle, pistol, revolver or
19 airgun.

20 (q) It is unlawful to fire a rifle, pistol, revolver or
21 airgun on, over or into any waters of this State, including
22 frozen waters.

23 (r) It is unlawful to discharge any gun or bow and arrow
24 device along, upon, across, or from any public right-of-way or
25 highway in this State.

26 (s) It is unlawful to use a silencer or other device to

1 muffle or mute the sound of the explosion or report resulting
2 from the firing of any gun.

3 (t) It is unlawful for any person to take or attempt to
4 take any species of wildlife or parts thereof, intentionally
5 or wantonly allow a dog to hunt, within or upon the land of
6 another, or upon waters flowing over or standing on the land of
7 another, or to knowingly shoot a gun or bow and arrow device at
8 any wildlife physically on or flying over the property of
9 another without first obtaining permission from the owner or
10 the owner's designee. For the purposes of this Section, the
11 owner's designee means anyone who the owner designates in a
12 written authorization and the authorization must contain (i)
13 the legal or common description of property for such authority
14 is given, (ii) the extent that the owner's designee is
15 authorized to make decisions regarding who is allowed to take
16 or attempt to take any species of wildlife or parts thereof,
17 and (iii) the owner's notarized signature. Before enforcing
18 this Section the law enforcement officer must have received
19 notice from the owner or the owner's designee of a violation of
20 this Section. Statements made to the law enforcement officer
21 regarding this notice shall not be rendered inadmissible by
22 the hearsay rule when offered for the purpose of showing the
23 required notice.

24 (u) It is unlawful for any person to discharge any firearm
25 for the purpose of taking any of the species protected by this
26 Act, or hunt with gun or dog, or intentionally or wantonly

1 allow a dog to hunt, within 300 yards of an inhabited dwelling
2 without first obtaining permission from the owner or tenant,
3 except that while trapping, hunting with bow and arrow,
4 hunting with dog and shotgun using shot shells only, or
5 hunting with shotgun using shot shells only, or providing
6 outfitting services under a waterfowl outfitter permit, or on
7 licensed game breeding and hunting preserve areas, as defined
8 in Section 3.27, on federally owned and managed lands and on
9 Department owned, managed, leased, or controlled lands, a 100
10 yard restriction shall apply.

11 (v) It is unlawful for any person to remove fur-bearing
12 mammals from, or to move or disturb in any manner, the traps
13 owned by another person without written authorization of the
14 owner to do so.

15 (w) It is unlawful for any owner of a dog to knowingly or
16 wantonly allow his or her dog to pursue, harass or kill deer,
17 except that nothing in this Section shall prohibit the
18 tracking of wounded deer with a dog in accordance with the
19 provisions of Section 2.26 of this Code.

20 (x) It is unlawful for any person to wantonly or
21 carelessly injure or destroy, in any manner whatsoever, any
22 real or personal property on the land of another while engaged
23 in hunting or trapping thereon.

24 (y) It is unlawful to hunt wild game protected by this Act
25 between one half hour after sunset and one half hour before
26 sunrise, except that hunting hours between one half hour after

1 sunset and one half hour before sunrise may be established by
2 administrative rule for fur-bearing mammals.

3 (z) It is unlawful to take any game bird (excluding wild
4 turkeys and crippled pheasants not capable of normal flight
5 and otherwise irretrievable) protected by this Act when not
6 flying. Nothing in this Section shall prohibit a person from
7 carrying an uncased, unloaded shotgun in a boat, while in
8 pursuit of a crippled migratory waterfowl that is incapable of
9 normal flight, for the purpose of attempting to reduce the
10 migratory waterfowl to possession, provided that the attempt
11 is made immediately upon downing the migratory waterfowl and
12 is done within 400 yards of the blind from which the migratory
13 waterfowl was downed. This exception shall apply only to
14 migratory game birds that are not capable of normal flight.
15 Migratory waterfowl that are crippled may be taken only with a
16 shotgun as regulated by subsection (j) of this Section using
17 shotgun shells as regulated in subsection (k) of this Section.

18 (aa) It is unlawful to use or possess any device that may
19 be used for tree climbing or cutting, while hunting
20 fur-bearing mammals, excluding coyotes.

21 (bb) It is unlawful for any person, except licensed game
22 breeders, pursuant to Section 2.29 to import, carry into, or
23 possess alive in this State any species of wildlife taken
24 outside of this State, without obtaining permission to do so
25 from the Director.

26 (cc) It is unlawful for any person to have in his or her

1 possession any freshly killed species protected by this Act
2 during the season closed for taking.

3 (dd) It is unlawful to take any species protected by this
4 Act and retain it alive except as provided by administrative
5 rule.

6 (ee) It is unlawful to possess any rifle while in the field
7 during gun deer season except as provided in Sections 2.25 and
8 ~~Section~~ 2.26 and administrative rules.

9 (ff) It is unlawful for any person to take any species
10 protected by this Act, except migratory waterfowl, during the
11 gun deer hunting season in those counties open to gun deer
12 hunting, unless he or she wears, when in the field, a cap and
13 upper outer garment of a solid blaze orange color or solid
14 blaze pink color, with such articles of clothing displaying a
15 minimum of 400 square inches of blaze orange or solid blaze
16 pink color material.

17 (gg) It is unlawful during the upland game season for any
18 person to take upland game with a firearm unless he or she
19 wears, while in the field, a cap of solid blaze orange color or
20 solid blaze pink color. For purposes of this Act, upland game
21 is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked
22 Pheasant, Eastern Cottontail and Swamp Rabbit.

23 (hh) It shall be unlawful to kill or cripple any species
24 protected by this Act for which there is a bag limit without
25 making a reasonable effort to retrieve such species and
26 include such in the bag limit. It shall be unlawful for any

1 person having control over harvested game mammals, game birds,
2 or migratory game birds for which there is a bag limit to
3 wantonly waste or destroy the usable meat of the game, except
4 this shall not apply to wildlife taken under Sections 2.37 or
5 3.22 of this Code. For purposes of this subsection, "usable
6 meat" means the breast meat of a game bird or migratory game
7 bird and the hind ham and front shoulders of a game mammal. It
8 shall be unlawful for any person to place, leave, dump, or
9 abandon a wildlife carcass or parts of it along or upon a
10 public right-of-way or highway or on public or private
11 property, including a waterway or stream, without the
12 permission of the owner or tenant. It shall not be unlawful to
13 discard game meat that is determined to be unfit for human
14 consumption.

15 (ii) This Section shall apply only to those species
16 protected by this Act taken within the State. Any species or
17 any parts thereof, legally taken in and transported from other
18 states or countries, may be possessed within the State, except
19 as provided in this Section and Sections 2.35, 2.36 and 3.21.

20 (jj) (Blank).

21 (kk) Nothing contained in this Section shall prohibit the
22 Director from issuing permits to paraplegics or to other
23 persons with disabilities who meet the requirements set forth
24 in administrative rule to shoot or hunt from a vehicle as
25 provided by that rule, provided that such is otherwise in
26 accord with this Act.

1 (ll) Nothing contained in this Act shall prohibit the
2 taking of aquatic life protected by the Fish and Aquatic Life
3 Code or birds and mammals protected by this Act, except deer
4 and fur-bearing mammals, from a boat not camouflaged or
5 disguised to alter its identity or to further provide a place
6 of concealment and not propelled by sail or mechanical power.
7 However, only shotguns not larger than 10 gauge nor smaller
8 than .410 bore loaded with not more than 3 shells of a shot
9 size no larger than lead BB or steel T (.20 diameter) may be
10 used to take species protected by this Act.

11 (mm) Nothing contained in this Act shall prohibit the use
12 of a shotgun, not larger than 10 gauge nor smaller than a 20
13 gauge, with a rifled barrel.

14 (nn) It shall be unlawful to possess any species of
15 wildlife or wildlife parts taken unlawfully in Illinois, any
16 other state, or any other country, whether or not the wildlife
17 or wildlife parts is indigenous to Illinois. For the purposes
18 of this subsection, the statute of limitations for unlawful
19 possession of wildlife or wildlife parts shall not cease until
20 2 years after the possession has permanently ended.

21 (oo) It is unlawful while deer hunting:

22 (1) to possess or be in close proximity to a rifle that
23 is not centerfire; or

24 (2) be in possession of or in close proximity to a
25 magazine that is capable of making a rifle not a single
26 shot.

1 (Source: P.A. 102-237, eff. 1-1-22.)".