



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4981

Introduced 1/27/2022, by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.970 new	
515 ILCS 5/1-230	from Ch. 56, par. 1-230
515 ILCS 5/20-5	from Ch. 56, par. 20-5
515 ILCS 5/20-12 new	
515 ILCS 5/20-20	from Ch. 56, par. 20-20
515 ILCS 5/20-45	from Ch. 56, par. 20-45
515 ILCS 5/20-52 new	
515 ILCS 5/20-55	from Ch. 56, par. 20-55
515 ILCS 5/20-110	from Ch. 56, par. 20-110
515 ILCS 5/20-115	from Ch. 56, par. 20-115

Amends the Fish and Aquatic Life Code. Allows the holder of a scientific collector's permit to fish with sport fishing devices without a license. Requires any individual who is required to obtain a license to also obtain an aquatic conservation stamp prior to taking or attempting to take any fish, including minnows for commercial purposes, turtles, mussels, crayfish, or frogs from waters of this State. Provides that the fee for the aquatic conservation stamp is \$5 for both resident and non-resident licensees; waives the fee for residents over 75 years of age. Makes other conforming changes. Requires that fees derived solely from the sale of aquatic conservation stamps, gifts, donations, grants, and bequests of money for the conservation of aquatic life shall be deposited into the State treasury and set apart in a special fund known as the Aquatic Conservation Stamp Fund. Sets forth further requirements regarding appropriations from the Aquatic Conservation Stamp Fund. Amends the State Finance Act to make corresponding change. Effective January 1, 2023.

LRB102 25383 NLB 34663 b

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 State Finance Act is amended by adding
5 Section 5.970 as follows:

6 (30 ILCS 105/5.970 new)

7 Sec. 5.970. The Aquatic Conservation Stamp Fund.

8 Section 10. The Fish and Aquatic Life Code is amended by
9 changing Sections 1-230, 20-5, 20-20, 20-45, 20-55, 20-110,
10 and 20-115, and by adding Sections 20-12 and 20-52 as follows:

11 (515 ILCS 5/1-230) (from Ch. 56, par. 1-230)

12 Sec. 1-230. Wildlife and Fish Fund; disposition of money
13 received. All fees, fines, income of whatever kind or nature
14 derived from hunting and fishing activities on lands, waters,
15 or both under the jurisdiction or control of the Department,
16 and all penalties collected under this Code shall be deposited
17 into the State treasury ~~Treasury~~ and shall be set apart in a
18 special fund to be known as the Wildlife and Fish Fund; except
19 that fees derived solely from the sale of salmon stamps,
20 income from art contests for the salmon stamp, including
21 income from the sale of reprints, and gifts, donations,

1 grants, and bequests of money for the conservation and
2 propagation of salmon shall be deposited into the State
3 treasury ~~Treasury~~ and set apart in the special fund to be known
4 as the Salmon Fund; and except that fees derived solely from
5 the sale of state migratory waterfowl stamps, and gifts,
6 donations, grants and bequests of money for the conservation
7 and propagation of waterfowl, shall be deposited into the
8 State treasury ~~Treasury~~ and set apart in the special fund to be
9 known as the State Migratory Waterfowl Stamp Fund; and except
10 that fees derived solely from the sale of aquatic conservation
11 stamps, and gifts, donations, grants, and bequests of money
12 for the conservation of aquatic life, including, but not
13 limited to, combating aquatic nuisance species, shall be
14 deposited into the State treasury and set apart in the special
15 fund to be known as the Aquatic Conservation Stamp Fund. All
16 interest that accrues from moneys in the Wildlife and Fish
17 Fund, the Salmon Fund, and the State Migratory Waterfowl Stamp
18 Fund shall be retained in those funds respectively. Except for
19 the additional moneys deposited under Section 805-550 of the
20 Department of Natural Resources (Conservation) Law of the
21 Civil Administrative Code of Illinois, appropriations from the
22 Wildlife and Fish Fund shall be made only to the Department for
23 the carrying out of the powers and functions vested by law in
24 the Department for the administration and management of fish
25 and wildlife resources of this State for such activities as
26 (i) the purchase of land for fish hatcheries, wildlife

1 refuges, preserves, and public shooting and fishing grounds;
2 (ii) the purchase and distribution of wild birds, the eggs of
3 wild birds, and wild mammals; (iii) the rescuing, restoring
4 and distributing of fish; (iv) the maintenance of wildlife
5 refuges or preserves, public shooting grounds, public fishing
6 grounds, and fish hatcheries; and (v) the feeding and care of
7 wild birds, wild mammals, and fish. Appropriations from the
8 Salmon Fund shall be made only to the Department to be used
9 solely for the conservation and propagation of salmon,
10 including construction, operation, and maintenance of a cold
11 water hatchery, and for payment of the costs of printing
12 salmon stamps, the expenses incurred in acquiring salmon stamp
13 designs, and the expenses of producing reprints.
14 Appropriations from the Aquatic Conservation Stamp Fund shall
15 be made only to the Division of Fisheries of the Department to
16 be used solely for the conservation of aquatic life,
17 including, but not limited to, combating aquatic nuisance
18 species, for the payment of the costs of printing aquatic
19 conservation stamps, for the expenses incurred in acquiring
20 aquatic conservation stamp designs, and for the expenses of
21 producing reprints.

22 (Source: P.A. 95-853, eff. 8-18-08; 96-1160, eff. 1-1-11;
23 96-1518, eff. 2-4-11.)

24 (515 ILCS 5/20-5) (from Ch. 56, par. 20-5)

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

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

21 (b) A courtesy non-resident sport fishing license or stamp
22 may be issued at the discretion of the Director, without fee,
23 to (i) any individual officially employed in the wildlife and
24 fish or conservation department of another state or of the
25 United States who is within the State to assist or consult or
26 cooperate with the Director or (ii) the officials of other

1 states, the United States, foreign countries, or officers or
2 representatives of conservation organizations or publications
3 while in the State as guests of the Governor or Director.

4 (c) The Director may issue special fishing permits without
5 cost to groups of hospital patients or to individuals with
6 disabilities for use on specified dates in connection with
7 supervised fishing for therapy.

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

17 (e) Each year the Director may designate a period, not to
18 exceed 4 days in duration, when sport fishermen may fish
19 waters wholly or in part within the jurisdiction of the State,
20 including that part of Lake Michigan under the jurisdiction of
21 the State, and not be required to obtain the license or stamps
22 ~~stamp~~ required by subsection (a) of this Section, Section
23 20-10, Section 20-11, or Section 20-12 ~~or subsection (a) of~~
24 ~~Section 20-55~~. The term of any such period shall be
25 established by administrative rule. This subsection shall not
26 apply to commercial fishing.

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

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

6 (515 ILCS 5/20-12 new)

7 Sec. 20-12. Aquatic conservation stamp.

8 (a) Any individual 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 of the
11 State, in addition to any other license required by this Code,
12 must first obtain an aquatic conservation stamp authorized by
13 the Department. Individuals not required to obtain a license
14 are not required to obtain an aquatic conservation stamp.

15 (b) The aquatic conservation stamp does not exempt the
16 licensee from any salmon or inland trout stamp requirement.

17 (c) An aquatic conservation stamp may be issued at the
18 discretion of the Director without fee.

19 (515 ILCS 5/20-20) (from Ch. 56, par. 20-20)

20 Sec. 20-20. Non-resident licenses. Any individuals 16
21 years of age or older not residents of the State of Illinois
22 shall, before taking or attempting to take any fish, including
23 minnows for commercial purposes, turtles, mussels, crayfish,
24 or frogs ~~aquatic life protected by this Code~~ by any means

1 whatever in the State of Illinois, obtain a non-resident
2 license to do so. Any individual required to obtain a license
3 under this Section shall also obtain an aquatic conservation
4 stamp prior to any take or attempted take. In addition, before
5 taking or attempting to take salmon from Lake Michigan, a
6 non-resident 16 years of age or older shall obtain a salmon
7 stamp authorized by the Department, and before taking or
8 attempting to take trout from all waters except Lake Michigan,
9 a non-resident 16 years of age or older shall obtain an inland
10 trout stamp authorized by the Department.

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

12 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

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

15 (a) Except as otherwise provided in this Section, for
16 sport fishing devices as defined in Section 10-95 or
17 spearing devices as defined in Section 10-110, the fee is
18 \$14.50 for individuals 16 to 64 years old, one-half of the
19 current fishing license fee for individuals age 65 or
20 older, and, commencing with the 2012 license year,
21 one-half of the current fishing license fee for resident
22 veterans of the United States Armed Forces after returning
23 from service abroad or mobilization by the President of
24 the United States. Veterans must provide, to the
25 Department at one of the Department's 5 regional offices,

1 verification of their service. The Department shall
2 establish what constitutes suitable verification of
3 service for the purpose of issuing fishing licenses to
4 resident veterans at a reduced fee.

5 (a-5) The fee for all sport fishing licenses shall be
6 \$1 for residents over 75 years of age.

7 (b) All residents before using any commercial fishing
8 device shall obtain a commercial fishing license, the fee
9 for which shall be \$60 and a resident fishing license, the
10 fee for which is \$14.50. Each and every commercial device
11 used shall be licensed by a resident commercial fisherman
12 as follows:

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

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

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

26 (4) For each 100 lineal yards, or fraction

1 thereof, of gill net or trammel net the fee is \$18.

2 (c) Residents of the State of Illinois may obtain a
3 sportsmen's combination license that shall entitle the
4 holder to the same non-commercial fishing privileges as
5 residents holding a license as described in subsection (a)
6 of this Section and to the same hunting privileges as
7 residents holding a license to hunt all species as
8 described in Section 3.1 of the Wildlife Code. No
9 sportsmen's combination license shall be issued to any
10 individual who would be ineligible for either the fishing
11 or hunting license separately. The sportsmen's combination
12 license fee shall be \$25.50. For residents age 65 or
13 older, the fee is one-half of the fee charged for a
14 sportsmen's combination license. For resident veterans of
15 the United States Armed Forces after returning from
16 service abroad or mobilization by the President of the
17 United States, the fee, commencing with the 2012 license
18 year, is one-half of the fee charged for a sportsmen's
19 combination license. Veterans must provide to the
20 Department, at one of the Department's 5 regional offices,
21 verification of their service. The Department shall
22 establish what constitutes suitable verification of
23 service for the purpose of issuing sportsmen's combination
24 licenses to resident veterans at a reduced fee.

25 (d) For 24 hours of fishing by sport fishing devices
26 as defined in Section 10-95 or by spearing devices as

1 defined in Section 10-110 the fee is \$5. This license does
2 not exempt the licensee from the requirement for a salmon,
3 ~~or~~ inland trout, or aquatic conservation stamp. The
4 licenses provided for by this subsection are not required
5 for residents of the State of Illinois who have obtained
6 the license provided for in subsection (a) of this
7 Section.

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

11 (f) Residents of this State, upon establishing
12 residency as required by the Department, may obtain a
13 lifetime hunting or fishing license or lifetime
14 sportsmen's combination license which shall entitle the
15 holder to the same non-commercial fishing privileges as
16 residents holding a license as described in paragraph (a)
17 of this Section and to the same hunting privileges as
18 residents holding a license to hunt all species as
19 described in Section 3.1 of the Wildlife Code. No lifetime
20 sportsmen's combination license shall be issued to or
21 retained by any individual who would be ineligible for
22 either the fishing or hunting license separately, either
23 upon issuance, or in any year a violation would subject an
24 individual to have either or both fishing or hunting
25 privileges rescinded. The lifetime hunting and fishing
26 license fees shall be as follows:

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

3 (2) Lifetime hunting: 30 x the current hunting
4 license fee.

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

7 Lifetime licenses shall not be refundable. A \$10 fee shall
8 be charged for reissuing any lifetime license. The Department
9 may establish rules and regulations for the issuance and use
10 of lifetime licenses and may suspend or revoke any lifetime
11 license issued under this Section for violations of those
12 rules or regulations or other provisions under this Code or
13 the Wildlife Code. Individuals under 16 years of age who
14 possess a lifetime hunting or sportsmen's combination license
15 shall have in their possession, while in the field, a
16 certificate of competency as required under Section 3.2 of the
17 Wildlife Code. Any lifetime license issued under this Section
18 shall not exempt individuals from obtaining additional stamps
19 or permits required under the provisions of this Code or the
20 Wildlife Code. Individuals required to purchase additional
21 stamps shall sign the stamps and have them in their possession
22 while fishing or hunting with a lifetime license. All fees
23 received from the issuance of lifetime licenses shall be
24 deposited into ~~in~~ the Fish and Wildlife Endowment Fund.

25 Except for licenses issued under subsection (e) of this
26 Section, all licenses provided for in this Section shall

1 expire on March 31 of each year, except that the license
2 provided for in subsection (d) of this Section shall expire 24
3 hours after the effective date and time listed on the face of
4 the license.

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

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

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

14 (515 ILCS 5/20-52 new)

15 Sec. 20-52. Aquatic conservation stamp fee. The fee for an
16 aquatic conservation stamp shall be \$5 for both resident and
17 non-resident licensees. The fee for an aquatic conservation
18 stamp shall be waived for residents over 75 years of age. Every
19 person shall sign the aquatic conservation stamp or affix the
20 aquatic conservation stamp to his or her license. These stamps
21 shall expire on March 31 of each year. All individuals
22 required to have and failing to have an aquatic conservation
23 stamp as provided in Section 20-12 of this Code shall be guilty
24 of a petty offense.

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,
7 non-residents age 16 or older shall be charged \$31 for a
8 fishing license to fish. For sport fishing devices as defined
9 by Section 10-95, or spearing devices as defined in Section
10 10-110, for a period not to exceed 3 consecutive days fishing
11 in the State of 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, or aquatic
16 conservation stamp requirement.

17 (b) All non-residents before using any commercial fishing
18 device shall obtain a non-resident commercial fishing license,
19 the fee for which shall be \$300, and a non-resident fishing
20 license. This license does not exempt the licensee from the
21 salmon, inland trout, or aquatic conservation stamp
22 requirement. Each and every commercial device shall be
23 licensed by a non-resident commercial fisherman as follows:

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

26 (2) For each device to fish with a 100 hook trot line

1 device, basket trap, hoop net, or dip net the fee is \$6.

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

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

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

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

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

22 (515 ILCS 5/20-110) (from Ch. 56, par. 20-110)

23 Sec. 20-110. Possession of license, permit, or stamp.
24 Every person holding any license, salmon stamp, inland trout
25 stamp, aquatic conservation stamp, or permit issued under this

1 Code shall have it in his or her possession for immediate
2 presentation for inspection to the authorized employees of the
3 Department, or to any sheriff, deputy sheriff, or any other
4 peace officer, making a demand for it within his or her
5 jurisdiction.

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

7 (515 ILCS 5/20-115) (from Ch. 56, par. 20-115)

8 Sec. 20-115. Form of licenses, stamps, and permits.
9 Licenses, salmon stamps, inland trout stamps, aquatic
10 conservation stamps, and permits authorized to be issued under
11 this Code shall be prepared by the Department and shall be in
12 the form prescribed by the Department. In addition, at the
13 time of issuance, the information required on each license
14 shall be completed on it by the issuing agent or his or her
15 sub-agent and each license shall be signed by the licensee, or
16 initialed by the designated purchaser and then signed
17 immediately upon receipt by the licensee, ~~and counter signed~~
18 ~~by the issuing agent or his or her sub agent~~. All licenses
19 shall be supplied by the Department, subject to any rules and
20 regulations as the Department may prescribe. Any license not
21 properly prepared, obtained, and signed as required by this
22 Code shall be void.

23 (Source: P.A. 90-225, eff. 7-25-97.)

24 Section 99. Effective date. This Act takes effect January
25 1, 2023.