

SB1817



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1817

Introduced 2/26/2021, by Sen. Rachelle Crowe

SYNOPSIS AS INTRODUCED:

515 ILCS 5/20-120

from Ch. 56, par. 20-120

Amends the Fish and Aquatic Life Code. Increases the fee that may be added to certain license fees from \$.75 to \$1.50 in the case of a Sportsmen's Combination License or nonresident hunting license, and from \$.50 to \$1.00 in the case of all other licenses, permits, and stamps.

LRB102 16388 KMF 21777 b

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 Section 20-120 as follows:

6 (515 ILCS 5/20-120) (from Ch. 56, par. 20-120)

7 Sec. 20-120. Designation of agents; liability; bond. The
8 Department of Natural Resources has the authority to designate
9 agents to sell licenses, stamps, and permits on behalf of the
10 Department. Any person receiving licenses from the Department
11 for sale as provided in this Section (i) shall execute and
12 deliver receipts for the licenses; (ii) shall, on dates
13 specified by the Department, report in writing to the
14 Department the number and kinds of licenses sold; and (iii)
15 shall, with the report, make remittance to the Department
16 covering the amounts due it from the sales. Failure on the part
17 of any clerk or agent to fully comply with the provisions of
18 this Code, including administrative rules, shall be
19 justification for the Department to cancel or withdraw the
20 issuance of licenses through that clerk or agent. A salmon
21 stamp shall be deemed a license for the purposes of this
22 Section.

23 (a) Any person appointed or designated by the Department

1 including any county, city, village, township, or incorporated
2 town clerk issuing licenses provided for in this Code may add
3 the fees provided in paragraph (b) as the fee for issuing the
4 licenses. These clerks, however, shall remit to the treasurer
5 of the political subdivision of which he or she is an officer
6 or employee, the added fees or any portion of the added fees he
7 or she collects provided in paragraph (b). Issuing fees may be
8 divided between the clerks and their appointed subagents other
9 than employees of the clerk's office, but in no case may any
10 clerk or subagent charge an issuing fee or fees totaling more
11 than the issuing fee set out in this Section.

12 (b) Any person authorized to issue licenses under
13 subsection (a) may add to the license fee a fee of \$1.50 ~~\$.75~~
14 in the case of Sportsmen's Combination Licenses or nonresident
15 hunting licenses, and \$1.00 ~~\$.50~~ in the case of all other
16 licenses, permits, and stamps.

17 (c) No person or subagent of any county, city, village,
18 township, or incorporated town clerk may charge a service fee
19 for issuing licenses provided for in this Code, and the
20 charging of fees for issuing licenses in excess of the fees
21 authorized is a petty offense. Any person authorized to issue
22 licenses by telephone and electronic transmission or incurring
23 costs for customer convenience may charge in addition to the
24 "issuing fee" authorized by this Section a fee not to exceed an
25 amount set by the Department, by administrative rule, to cover
26 the transaction cost.

1 (d) All fees, less issuing fees, collected from the sale
2 of licenses and permits and not remitted to the Department as
3 provided in this Section shall be deemed to have been
4 embezzled and the person or officer responsible for the
5 remittance is subject to prosecution. No person handling or
6 selling licenses is required to remit for any license now or
7 hereafter stolen, by means of forcible entry, or destroyed by
8 a fire in the premises where the licenses are kept, if he or
9 she submits an affidavit to the Department describing the
10 circumstances of the theft or cause of the destruction and
11 listing in the affidavit the type and numbers of the licenses
12 so stolen or destroyed.

13 (e) Within 30 days after the expiration of the time in
14 which any class of license is usable, payment for licenses
15 sold shall be made in full to the Department and persons
16 possessing unused license forms shall return them to the
17 Department prepaid.

18 (f) No person is permitted to make deductions from
19 remittances sent to the Department for postage or for the cost
20 of, or fees for, drafts or money orders.

21 (g) Any county, city, village, township, or incorporated
22 town clerk handling or selling licenses as provided in this
23 Section is liable to the State personally. All other persons
24 designated or appointed by the Department to handle or sell
25 licenses as provided in this Section shall, before receiving
26 any licenses for sale, file with the Department a bond in an

1 amount specified by the Department on a form to be approved by
2 and with a surety or sureties satisfactory to the Department
3 conditioned upon the person or persons paying to the State of
4 Illinois all monies becoming due by reason of the sale of the
5 licenses.

6 (h) No person shall falsify, alter, or change in any
7 manner, or loan or transfer to another, any license, permit,
8 or tag issued under this Section or falsify any records
9 required by this Code or counterfeit or duplicate any form of
10 license, permit, or tag provided for by this Code. Any person
11 who violates this subsection shall be subject to the penalty
12 provisions of Section 20-35 of this Code.

13 (Source: P.A. 89-445, eff. 2-7-96; 90-225, eff. 7-25-97;
14 90-743, eff. 1-1-99.)