



Sen. Rachelle Crowe

Filed: 3/16/2021

10200SB1817sam001

LRB102 16388 KMF 23665 a

1 AMENDMENT TO SENATE BILL 1817

2 AMENDMENT NO. _____. Amend Senate Bill 1817 by replacing
3 everything after the enacting clause with the following:

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

1 of any clerk or agent to fully comply with the provisions of
2 this Code, including administrative rules, shall be
3 justification for the Department to cancel or withdraw the
4 issuance of licenses through that clerk or agent. A salmon
5 stamp shall be deemed a license for the purposes of this
6 Section.

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

19 (b) Any person authorized to issue licenses under
20 subsection (a) may add to the license fee a fee of \$.75 in the
21 case of Sportsmen's Combination Licenses or nonresident
22 hunting licenses, and \$.50 in the case of all other licenses,
23 permits, and stamps.

24 (c) No person or subagent of any county, city, village,
25 township, or incorporated town clerk may charge a service fee
26 for issuing licenses provided for in this Code, and the

1 charging of fees for issuing licenses in excess of the fees
2 authorized is a petty offense. Any person authorized to issue
3 licenses by telephone and electronic transmission or incurring
4 costs for customer convenience may charge in addition to the
5 "issuing fee" authorized by this Section a fee not to exceed an
6 amount set by the Department, by administrative rule, to cover
7 the transaction cost.

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

20 (d-5) Any person authorized to issue licenses under
21 subsection (a) who operates a business with only one location
22 in the state may withhold the following amounts from the fees
23 to be remitted to the Department: \$0.75 in the case of
24 Sportsmen's Combination Licenses or nonresident hunting
25 licenses, and \$0.50 in the case of all other licenses,
26 permits, and stamps.

1 (e) Within 30 days after the expiration of the time in
2 which any class of license is usable, payment for licenses
3 sold shall be made in full to the Department and persons
4 possessing unused license forms shall return them to the
5 Department prepaid.

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

9 (g) Any county, city, village, township, or incorporated
10 town clerk handling or selling licenses as provided in this
11 Section is liable to the State personally. All other persons
12 designated or appointed by the Department to handle or sell
13 licenses as provided in this Section shall, before receiving
14 any licenses for sale, file with the Department a bond in an
15 amount specified by the Department on a form to be approved by
16 and with a surety or sureties satisfactory to the Department
17 conditioned upon the person or persons paying to the State of
18 Illinois all monies becoming due by reason of the sale of the
19 licenses.

20 (h) No person shall falsify, alter, or change in any
21 manner, or loan or transfer to another, any license, permit,
22 or tag issued under this Section or falsify any records
23 required by this Code or counterfeit or duplicate any form of
24 license, permit, or tag provided for by this Code. Any person
25 who violates this subsection shall be subject to the penalty
26 provisions of Section 20-35 of this Code.

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