

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 Section 2.37 as follows:

6 (520 ILCS 5/2.37) (from Ch. 61, par. 2.37)

7 Sec. 2.37. Authority to kill wildlife responsible for  
8 damage. Subject to federal regulations and Section 3 of the  
9 Illinois Endangered Species Act, the Department may authorize  
10 owners and tenants of lands or their agents to remove or  
11 destroy any wild bird or wild mammal when the wild bird or wild  
12 mammal is known to be destroying property or causing a risk to  
13 human health or safety upon his or her land.

14 Upon receipt by the Department of information from the  
15 owner, tenant, or sharecropper that any one or more species of  
16 wildlife is damaging dams, levees, ditches, cattle pastures,  
17 or other property on the land on which he resides or controls,  
18 together with a statement regarding location of the property  
19 damages, the nature and extent of the damage, and the  
20 particular species of wildlife committing the damage, the  
21 Department shall make an investigation.

22 If, after investigation, the Department finds that damage  
23 does exist and can be abated only by removing or destroying

1 that wildlife, a permit shall be issued by the Department to  
2 remove or destroy the species responsible for causing the  
3 damage.

4 A permit to control the damage shall be for a period of up  
5 to 90 days, shall specify the means and methods by which and  
6 the person or persons by whom the wildlife may be removed or  
7 destroyed, and shall set forth the disposition procedure to be  
8 made of all wildlife taken and other restrictions the Director  
9 considers necessary and appropriate in the circumstances of  
10 the particular case. Whenever possible, the specimens  
11 destroyed shall be given to a bona-fide public or State  
12 scientific, educational, or zoological institution.

13 The permittee shall advise the Department in writing,  
14 within 10 days after the expiration date of the permit, of the  
15 number of individual species of wildlife taken, disposition  
16 made of them, and any other information which the Department  
17 may consider necessary.

18 Subject to federal regulations and Section 3 of the  
19 Illinois Endangered Species Act, the Department may grant to  
20 an individual, corporation, association or a governmental body  
21 the authority to control species protected by this Code  
22 pursuant to the issuance of a Nuisance Wildlife Control  
23 Permit. The Department shall set forth applicable regulations  
24 in an Administrative Order and may require periodic reports  
25 listing species taken, numbers of each species taken, dates  
26 when taken, and other pertinent information.

1       ~~Drainage Districts shall have the authority to control~~  
2 ~~beaver provided that they must notify the Department in~~  
3 ~~writing that a problem exists and of their intention to trap~~  
4 ~~the animals at least 7 days before the trapping begins. The~~  
5 ~~District must identify traps used in beaver control outside~~  
6 ~~the dates of the furbearer trapping season with metal tags~~  
7 ~~with the district's name legibly inscribed upon them. During~~  
8 ~~the furtrapping season, traps must be identified as prescribed~~  
9 ~~by law. Conibear traps at least size 330 shall be used except~~  
10 ~~during the statewide furbearer trapping season. During that~~  
11 ~~time trappers may use any device that is legal according to the~~  
12 ~~Wildlife Code. Except during the statewide furbearer trapping~~  
13 ~~season, beaver traps must be set in water at least 10 inches~~  
14 ~~deep. Except during the statewide furbearer trapping season,~~  
15 ~~traps must be set within 10 feet of an inhabited bank burrow or~~  
16 ~~house and within 10 feet of a dam maintained by a beaver. No~~  
17 ~~beaver or other furbearer taken outside of the dates for the~~  
18 ~~furbearer trapping season may be sold. All animals must be~~  
19 ~~given to the nearest conservation officer or other Department~~  
20 ~~of Natural Resources representative within 48 hours after they~~  
21 ~~are caught. Furbearers taken during the fur trapping season~~  
22 ~~may be sold provided that they are taken by persons who have~~  
23 ~~valid trapping licenses in their possession and are lawfully~~  
24 ~~taken. The District must submit an annual report showing the~~  
25 ~~species and numbers of animals caught. The report must~~  
26 ~~indicate all species which were taken.~~

1           The location of traps or snares authorized under this  
2 Section, either by the Department or any other governmental  
3 body with the authority to control species protected by this  
4 Code, shall be exempt from the provisions of the Freedom of  
5 Information Act.

6           A drainage district or road district or the designee of a  
7 drainage district or road district shall be exempt from the  
8 requirement to obtain a permit to control nuisance muskrats or  
9 beavers if all applicable provisions for licenses are complied  
10 with and any trap types and sizes used are in compliance with  
11 this Act, including marking or identification. The designee of  
12 a drainage district or road district must have a signed and  
13 dated written authorization from the drainage district or road  
14 district in possession at all times when conducting activities  
15 under this Section. This exemption from obtaining a permit  
16 shall be valid only upon property owned, leased, or controlled  
17 by the drainage district or road district. For the purposes of  
18 this Section, "road district" includes a township road  
19 district.

20           (Source: P.A. 102-524, eff. 8-20-21.)

21           Section 99. Effective date. This Act takes effect upon  
22 becoming law.