

SB3407



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3407

Introduced 2/8/2024, by Sen. Patrick J. Joyce

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.36

from Ch. 61, par. 2.36

Amends the Wildlife Code. Deletes provisions that require a meat processor to be a member of the Illinois Sportsmen Against Hunger program in order for the meat processor to donate deer meat that the meat processor has processed. Provides that if a properly tagged deer is processed at a licensed meat processing facility and if the owner of the deer (i) fails to claim the processed deer within a reasonable time or (ii) notifies the licensed meat processing facility that the owner no longer wants the processed deer or wishes to donate the deer, then the deer meat may be given away by the licensed meat processor to another person or donated to a charitable organization or community food bank that receives wild game meat. Requires meat processors who donate deer meat to a charitable organization or community food bank that receives wild game meat to keep written records of all deer received.

LRB103 39364 JAG 69527 b

A BILL FOR

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 2.36 as follows:

6 (520 ILCS 5/2.36) (from Ch. 61, par. 2.36)

7 Sec. 2.36. It shall be unlawful to buy, sell, or barter, or
8 offer to buy, sell, or barter, and for a commercial
9 institution, other than a regularly operated refrigerated
10 storage establishment, to have in its possession any of the
11 wild birds, or any part thereof (and their eggs), or wild
12 mammals or any parts thereof, protected by this Act unless
13 done as hereinafter provided:

14 Game birds or any parts thereof (and their eggs), may be
15 held, possessed, raised and sold, or otherwise dealt with, as
16 provided in Section 3.23 of this Act or when legally produced
17 under similar special permit in another state or country and
18 legally transported into the State of Illinois; provided that
19 such imported game birds or any parts thereof, shall be marked
20 with permanent irremovable tags, or similar devices, to
21 establish and retain their origin and identity;

22 Rabbits may be legally taken and possessed as provided in
23 Sections 3.23, 3.24, and 3.26 of this Act;

1 Deer, or any parts thereof, may be held, possessed, sold
2 or otherwise dealt with as provided in this Section and
3 Sections 3.23 and 3.24 of this Act;

4 If a properly tagged deer is processed at a licensed meat
5 processing facility, ~~the meat processor at the facility is an~~
6 ~~active member of the Illinois Sportsmen Against Hunger~~
7 ~~program,~~ and if the owner of the deer (i) fails to claim the
8 processed deer within a reasonable time or (ii) notifies the
9 licensed meat processing facility that the owner no longer
10 wants the processed deer or wishes to donate the deer, then the
11 deer meat may be given away by the licensed meat processor to
12 another person or donated to a ~~any other~~ charitable
13 organization or community food bank that receives wild game
14 meat. The licensed meat processing facility may charge the
15 person receiving the deer meat a reasonable and customary
16 processing fee;

17 Meat processors who donate deer meat to a charitable
18 organization or community food bank that receives wild game
19 meat ~~are active members of the Illinois Sportsmen Against~~
20 ~~Hunger program~~ shall keep written records of all deer
21 received. Records shall include the following information:

- 22 (1) the date the deer was received;
- 23 (2) the name, address, and telephone number of the
24 person from whom the deer was received;
- 25 (3) whether the deer was received as a whole carcass
26 or as deboned meat; if the deer was brought to the meat

1 processor as deboned meat, the processor shall include the
2 weight of the meat;

3 (4) the number and state of issuance of the permit of
4 the person from whom the deer was received; in the absence
5 of a permit number, the meat processor may rely on the
6 written certification of the person from whom the deer was
7 received that the deer was legally taken or obtained; and

8 (5) if the person who originally delivered the deer to
9 the meat processor fails to collect or make arrangements
10 for the packaged deer meat to be collected or wishes to
11 donate the meat and if the meat processor gives all or part
12 of the unclaimed deer meat to another person or charitable
13 organization or community food bank that receives wild
14 game meat, the meat processor shall maintain a record of
15 the exchange; the meat processor's records shall include
16 the customer's name, physical address, telephone number,
17 as well as the quantity and type of deer meat given to the
18 customer. The meat processor shall also include the amount
19 of compensation received for the deer meat in his or her
20 records.

21 Meat processor records for unclaimed and donated deer meat
22 shall be open for inspection by any peace officer at any
23 reasonable hour. Meat processors shall maintain records for a
24 period of 2 years after the date of receipt of the wild game or
25 for as long as the specimen or meat remains in the meat
26 processors possession, whichever is longer;

1 No meat processor shall have in his or her possession any
2 deer that is not listed in his or her written records and
3 properly tagged or labeled;

4 All licensed meat processors who ship any deer or parts of
5 deer that have been held, possessed, or otherwise dealt with
6 shall tag or label the shipment, and the tag or label shall
7 state the name of the meat processor;

8 Nothing in this Section removes meat processors from
9 responsibility for the observance of any State or federal
10 laws, rules, or regulations that may apply to the meat
11 processing business;

12 Fur-bearing mammals, or any parts thereof, may be held,
13 possessed, sold or otherwise dealt with as provided in
14 Sections 3.16, 3.24, and 3.26 of this Act or when legally taken
15 and possessed in Illinois or legally taken and possessed in
16 and transported from other states or countries;

17 It is unlawful for any person to act as a nuisance wildlife
18 control operator for fee or compensation without a permit as
19 provided in ~~subsection~~ subsection (b) of Section 2.37 of this
20 Act unless such trapping is in compliance with Section 2.30.

21 The inedible parts of game mammals may be held, possessed,
22 sold, or otherwise dealt with when legally taken, in Illinois
23 or legally taken and possessed in and transported from other
24 states or countries.

25 Failure to establish proof of the legality of possession
26 in another state or country and importation into the State of

1 Illinois, shall be prima facie evidence that such game birds
2 or any parts thereof, and their eggs, game mammals and
3 fur-bearing mammals, or any parts thereof, were taken within
4 the State of Illinois.

5 (Source: P.A. 103-37, eff. 6-9-23; revised 9-20-23.)