

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 Sections 2.25 and 2.26 as follows:

6 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

7 Sec. 2.25. It shall be unlawful for any person to take
8 deer except (i) with a shotgun or muzzleloading rifle or (ii)
9 as provided by administrative rule, with a bow and arrow, or
10 crossbow device for handicapped persons as defined in Section
11 2.33, during the open season ~~that~~ ~~of not more than 14 days~~
12 ~~which~~ will be set annually by the Director ~~between the--dates~~
13 ~~of November 1st and December 31st, both inclusive.~~

14 It shall be unlawful for any person to take deer except
15 with a bow and arrow, or crossbow device for handicapped
16 persons (as defined in Section 2.33), during the open season
17 for bow and arrow set annually by the Director ~~between--the~~
18 ~~dates of September 1st and January 31st, both inclusive.~~

19 It shall be unlawful for any person to take deer except
20 with (i) a muzzleloading rifle, or (ii) bow and arrow, or
21 crossbow device for handicapped persons as defined in Section
22 2.33, during the open season for muzzleloading rifles set
23 annually by the Director.

24 The Director shall cause an administrative rule setting
25 forth the prescribed rules and regulations, including bag and
26 possession limits and those counties of the State where open
27 seasons are established, to be published in accordance with
28 Sections 1.3 and 1.13 of this Act.

29 The Department is authorized to establish a separate
30 harvest period at specific sites within the State for the
31 purpose of harvesting surplus deer that cannot be taken

1 during the regular season provided for the taking of deer.
 2 This season shall be restricted to gun or bow and arrow
 3 hunting only ~~and shall be established during the period of~~
 4 ~~September 1st to February 15th, both inclusive.~~ The
 5 Department shall publish suitable prescribed rules and
 6 regulations established by administrative rule pertaining to
 7 management restrictions applicable to this special harvest
 8 program.

9 (Source: P.A. 86-1188; 87-126; 87-234; 87-895; 87-1015;
 10 87-1243; 87-1268.)

11 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

12 Sec. 2.26. Deer hunting permits. In this Section, "bona
 13 fide equity shareholder" means an individual who (1)
 14 purchased, for market price, publicly sold stock shares in a
 15 corporation, purchased shares of a privately-held corporation
 16 for a value equal to the percentage of the appraised value of
 17 the corporate assets represented by the ownership in the
 18 corporation, or is a member of a closely-held family-owned
 19 corporation and has purchased or been gifted with shares of
 20 stock in the corporation accurately reflecting his or her
 21 percentage of ownership and (2) intends to retain the
 22 ownership of the shares of stock for at least 5 years.

23 In this Section, "bona fide equity member" means an
 24 individual who (1) (i) became a member upon the formation of
 25 the limited liability company or (ii) has purchased a
 26 distributional interest in a limited liability company for a
 27 value equal to the percentage of the appraised value of the
 28 LLC assets represented by the distributional interest in the
 29 LLC and subsequently becomes a member of the company pursuant
 30 to Article 30 of the Limited Liability Company Act and who
 31 (2) intends to retain the membership for at least 5 years.

32 Any person attempting to take deer shall first obtain a
 33 "Deer Hunting Permit" in accordance with prescribed

1 regulations set forth in an Administrative Rule. Deer
2 Hunting Permits shall be issued by the Department. The fee
3 for a Deer Hunting Permit to take deer with either bow and
4 arrow or gun shall not exceed \$15.00 for residents of the
5 State. The Department may by administrative rule provide for
6 non-resident deer hunting permits for which the fee will not
7 exceed \$200 except as provided below for non-resident
8 landowners and non-resident archery hunters. The Department
9 may by administrative rule provide for a non-resident archery
10 deer permit consisting of not more than 2 harvest tags at a
11 total cost not to exceed \$225. Permits shall be issued
12 without charge to:

13 (a) Illinois landowners residing in Illinois who
14 own at least 40 acres of Illinois land and wish to hunt
15 their land only,

16 (b) resident tenants of at least 40 acres of
17 commercial agricultural land where they will hunt, and

18 (c) Bona fide equity shareholders of a corporation
19 or bona fide equity members of a limited liability
20 company which owns at least 40 acres of land in a county
21 in Illinois who wish to hunt on the corporation's or
22 company's land only. One permit shall be issued without
23 charge to one bona fide equity shareholder or one bona
24 fide equity member for each 40 acres of land owned by the
25 corporation or company in a county; however, the number
26 of permits issued without charge to bona fide equity
27 shareholders of any corporation or bona fide equity
28 members of a limited liability company in any county
29 shall not exceed 15.

30 Bona fide landowners or tenants who do not wish to hunt
31 only on the land they own, rent or lease or bona fide equity
32 shareholders or bona fide equity members who do not wish to
33 hunt only on the land owned by the corporation or limited
34 liability company shall be charged the same fee as the

1 applicant who is not a landowner, tenant, bona fide equity
2 shareholder, or bona fide equity member. Nonresidents of
3 Illinois who own at least 40 acres of land and wish to hunt
4 on their land only shall be charged a fee set by
5 administrative rule. The method for obtaining these permits
6 shall be prescribed by administrative rule.

7 The deer hunting permit issued without fee shall be valid
8 on all farm lands which the person to whom it is issued owns,
9 leases or rents, except that in the case of a permit issued
10 to a bona fide equity shareholder or bona fide equity member,
11 the permit shall be valid on all lands owned by the
12 corporation or limited liability company in the county.

13 The standards and specifications for use of guns and bow
14 and arrow for deer hunting shall be established by
15 administrative rule.

16 No person may have in his possession while hunting deer
17 any type of gun firearm not authorized by the appropriate
18 administrative rule regulating that deer hunting activity for
19 a-specific-hunting-season-when-taking-deer.

20 Persons having a firearm deer hunting permit shall be
21 permitted to take deer only during the period from 1/2 hour
22 before sunrise to sunset, and only during those days for
23 which an open season is established for the taking of deer by
24 use of shotgun or muzzle loading rifle.

25 Persons having an archery deer hunting permit shall be
26 permitted to take deer only during the period from 1/2 hour
27 before sunrise to 1/2 hour after sunset, and only during
28 those days for which an open season is established for the
29 taking of deer by use of bow and arrow.

30 It shall be unlawful for any person to take deer by use
31 of dogs, horses, automobiles, aircraft or other vehicles, or
32 by the use of salt or bait of any kind. An area is
33 considered as baited during the presence of and for 10
34 consecutive days following the removal of bait.

1 It shall be unlawful to possess or transport any wild
2 deer which has been injured or killed in any manner upon a
3 public highway or public right-of-way of this State unless
4 exempted by administrative rule.

5 Persons hunting deer must have gun unloaded and no bow
6 and arrow device shall be carried with the arrow in the
7 nocked position during hours when deer hunting is unlawful.

8 It shall be unlawful for any person, having taken the
9 legal limit of deer by gun, to further participate with gun
10 in any deer hunting party.

11 It shall be unlawful for any person, having taken the
12 legal limit of deer by bow and arrow, to further participate
13 with bow and arrow in any deer hunting party.

14 The Department may prohibit upland game hunting during
15 the gun deer season by administrative rule.

16 It shall be legal for handicapped persons, as defined in
17 Section 2.33, to utilize a crossbow device, as defined in
18 Department rules, to take deer.

19 Any person who violates any of the provisions of this
20 Section, including administrative rules, shall be guilty of a
21 Class B misdemeanor.

22 (Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01;
23 92-651, eff. 7-11-02.)