

1 AMENDMENT TO HOUSE BILL 1135

2 AMENDMENT NO. _____. Amend House Bill 1135 by replacing
3 everything after the enacting clause with the following:

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

1 annually by the Director.

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

7 The Department is authorized to establish a separate
8 harvest period at specific sites within the State for the
9 purpose of harvesting surplus deer that cannot be taken
10 during the regular season provided for the taking of deer.
11 This season shall be restricted to gun or bow and arrow
12 hunting only ~~and--shall-be-established-during-the-period-of~~
13 ~~September--1st--to--February--15th,---both---inclusive.~~ The
14 Department shall publish suitable prescribed rules and
15 regulations established by administrative rule pertaining to
16 management restrictions applicable to this special harvest
17 program.

18 (Source: P.A. 86-1188; 87-126; 87-234; 87-895; 87-1015;
19 87-1243; 87-1268.)

20 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

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

32 In this Section, "bona fide equity member" means an
33 individual who (1) (i) became a member upon the formation of

1 the limited liability company or (ii) has purchased a
2 distributional interest in a limited liability company for a
3 value equal to the percentage of the appraised value of the
4 LLC assets represented by the distributional interest in the
5 LLC and subsequently becomes a member of the company pursuant
6 to Article 30 of the Limited Liability Company Act and who
7 (2) intends to retain the membership for at least 5 years.

8 Any person attempting to take deer shall first obtain a
9 "Deer Hunting Permit" in accordance with prescribed
10 regulations set forth in an Administrative Rule. Deer
11 Hunting Permits shall be issued by the Department. The fee
12 for a Deer Hunting Permit to take deer with either bow and
13 arrow or gun shall not exceed \$15.00 for residents of the
14 State. The Department may by administrative rule provide for
15 non-resident deer hunting permits for which the fee will not
16 exceed \$200 except as provided below for non-resident
17 landowners and non-resident archery hunters. The Department
18 may by administrative rule provide for a non-resident archery
19 deer permit consisting of not more than 2 harvest tags at a
20 total cost not to exceed \$225. Permits shall be issued
21 without charge to:

22 (a) Illinois landowners residing in Illinois who
23 own at least 40 acres of Illinois land and wish to hunt
24 their land only,

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

27 (c) Bona fide equity shareholders of a corporation
28 or bona fide equity members of a limited liability
29 company which owns at least 40 acres of land in a county
30 in Illinois who wish to hunt on the corporation's or
31 company's land only. One permit shall be issued without
32 charge to one bona fide equity shareholder or one bona
33 fide equity member for each 40 acres of land owned by the
34 corporation or company in a county; however, the number

1 of permits issued without charge to bona fide equity
2 shareholders of any corporation or bona fide equity
3 members of a limited liability company in any county
4 shall not exceed 15.

5 Bona fide landowners or tenants who do not wish to hunt
6 only on the land they own, rent or lease or bona fide equity
7 shareholders or bona fide equity members who do not wish to
8 hunt only on the land owned by the corporation or limited
9 liability company shall be charged the same fee as the
10 applicant who is not a landowner, tenant, bona fide equity
11 shareholder, or bona fide equity member. Nonresidents of
12 Illinois who own at least 40 acres of land and wish to hunt
13 on their land only shall be charged a fee set by
14 administrative rule. The method for obtaining these permits
15 shall be prescribed by administrative rule.

16 The deer hunting permit issued without fee shall be valid
17 on all farm lands which the person to whom it is issued owns,
18 leases or rents, except that in the case of a permit issued
19 to a bona fide equity shareholder or bona fide equity member,
20 the permit shall be valid on all lands owned by the
21 corporation or limited liability company in the county.

22 The standards and specifications for use of guns and bow
23 and arrow for deer hunting shall be established by
24 administrative rule.

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

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

34 Persons having an archery deer hunting permit shall be

1 permitted to take deer only during the period from 1/2 hour
2 before sunrise to 1/2 hour after sunset, and only during
3 those days for which an open season is established for the
4 taking of deer by use of bow and arrow.

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

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

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

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

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

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

25 It shall be legal for handicapped persons, as defined in
26 Section 2.33, to utilize a crossbow device, as defined in
27 Department rules, to take deer.

28 Any person who violates any of the provisions of this
29 Section, including administrative rules, shall be guilty of a
30 Class B misdemeanor.

31 (Source: P.A. 92-177, eff. 7-27-01; 92-261, eff. 8-7-01;
32 92-651, eff. 7-11-02.)".