



Rep. Chapin Rose

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09400HB2521ham001

LRB094 10696 JAM 43915 a

1 AMENDMENT TO HOUSE BILL 2521

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2521 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing  
5 Section 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

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

18 In this Section, "bona fide equity member" means an  
19 individual who (1) (i) became a member upon the formation of  
20 the limited liability company or (ii) has purchased a  
21 distributional interest in a limited liability company for a  
22 value equal to the percentage of the appraised value of the LLC  
23 assets represented by the distributional interest in the LLC  
24 and subsequently becomes a member of the company pursuant to

1 Article 30 of the Limited Liability Company Act and who (2)  
2 intends to retain the membership for at least 5 years.

3 In this Section, "bona fide equity partner" means an  
4 individual who (1) (i) became a partner, either general or  
5 limited, upon the formation of a partnership or limited  
6 partnership, or (ii) has purchased, acquired, or been gifted a  
7 partnership interest accurately representing his or her  
8 percentage distributional interest in the profits, losses, and  
9 assets of a partnership or limited partnership, (2) intends to  
10 retain ownership of the partnership interest for at least 5  
11 years, and (3) is a resident of Illinois.

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

26 (a) Illinois landowners residing in Illinois who own at  
27 least 40 acres of Illinois land and wish to hunt their land  
28 only,

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

31 (c) Bona fide equity shareholders of a corporation,  
32 bona fide equity members of a limited liability company, or  
33 bona fide equity partners of a general or limited  
34 partnership which owns at least 40 acres of land in a

1 county in Illinois who wish to hunt on the corporation's,  
2 company's, or partnership's land only. One permit shall be  
3 issued without charge to one bona fide equity shareholder,  
4 one bona fide equity member, or one bona fide equity  
5 partner for each 40 acres of land owned by the corporation,  
6 company, or partnership in a county; however, the number of  
7 permits issued without charge to bona fide equity  
8 shareholders of any corporation or bona fide equity members  
9 of a limited liability company in any county shall not  
10 exceed 15, and shall not exceed 3 in the case of bona fide  
11 equity partners of a partnership.

12 Bona fide landowners or tenants who do not wish to hunt  
13 only on the land they own, rent, or lease or bona fide equity  
14 shareholders, bona fide equity members, or bona fide equity  
15 partners who do not wish to hunt only on the land owned by the  
16 corporation, limited liability company, or partnership shall  
17 be charged the same fee as the applicant who is not a  
18 landowner, tenant, bona fide equity shareholder, bona fide  
19 equity member, or bona fide equity partner. Nonresidents of  
20 Illinois who own at least 40 acres of land and wish to hunt on  
21 their land only shall be charged a fee set by administrative  
22 rule. The method for obtaining these permits shall be  
23 prescribed by administrative rule.

24 The deer hunting permit issued without fee shall be valid  
25 on all farm lands which the person to whom it is issued owns,  
26 leases or rents, except that in the case of a permit issued to  
27 a bona fide equity shareholder, bona fide equity member, or  
28 bona fide equity partner, the permit shall be valid on all  
29 lands owned by the corporation, limited liability company, or  
30 partnership in the county.

31 A landowner described in paragraph (a) may purchase up to 4  
32 additional deer hunting permits at the appropriate resident or  
33 non-resident permit rate for hunting by his or her lineal  
34 descendants who do not reside with the landowner.

1           The standards and specifications for use of guns and bow  
2 and arrow for deer hunting shall be established by  
3 administrative rule.

4           No person may have in his possession any firearm not  
5 authorized by administrative rule for a specific hunting season  
6 when taking deer.

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

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

17           It shall be unlawful for any person to take deer by use of  
18 dogs, horses, automobiles, aircraft or other vehicles, or by  
19 the use of salt or bait of any kind. An area is considered as  
20 baited during the presence of and for 10 consecutive days  
21 following the removal of bait. Nothing in this Section shall  
22 prohibit the use of a dog to track wounded deer. Any person  
23 using a dog for tracking wounded deer must maintain physical  
24 control of the dog at all times by means of a maximum 50 foot  
25 lead attached to the dog's collar or harness. Tracking wounded  
26 deer is permissible at night, but at no time outside of legal  
27 deer hunting hours or seasons shall any person handling or  
28 accompanying a dog being used for tracking wounded deer be in  
29 possession of any firearm or archery device. Persons tracking  
30 wounded deer with a dog during the firearm deer seasons shall  
31 wear blaze orange as required. Dog handlers tracking wounded  
32 deer with a dog are exempt from hunting license and deer permit  
33 requirements so long as they are accompanied by the licensed  
34 deer hunter who wounded the deer.

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

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

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

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

14           The Department may prohibit upland game hunting during the  
15 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; 93-554, eff. 8-20-03; 93-807, eff.  
24 7-24-04; 93-823, eff. 1-1-05; revised 10-14-04.)".