



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2690

Introduced 2/24/2009, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-305
515 ILCS 5/20-47
520 ILCS 5/3.1
520 ILCS 5/3.1-4

was 20 ILCS 805/63a23
from Ch. 61, par. 3.1

Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois, the Fish and Aquatic Life Code, and the Wildlife Code. Provides that veterans seeking certain fee and license waivers may apply for those waivers either at the Department's office in Springfield or through the Department's website (now, only at the Department's office in Springfield). In the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois, inserts a provision requiring a service member who is applying for a waiver of certain camping fees to do so within 2 years after returning from active duty (now, similar provisions exist in the Fish and Aquatic Life Code as well as the Wildlife Code). In the Wildlife Code, provides that any person on active duty with the Armed Forces of the United States who is now and who was at the time of entering the Armed Forces a resident of Illinois and who entered the Armed Forces from this State (now, and who is also presently on ordinary leave from the Armed Forces) may hunt without procuring a license. Effective immediately.

LRB096 09801 JDS 19964 b

FISCAL NOTE ACT
MAY APPLY

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 Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 805-305 as follows:

7 (20 ILCS 805/805-305) (was 20 ILCS 805/63a23)

8 Sec. 805-305. Campsites and housing facilities. The
9 Department has the power to provide facilities for overnight
10 tent and trailer camp sites and to provide suitable housing
11 facilities for student and juvenile overnight camping groups.
12 The Department of Natural Resources may regulate, by
13 administrative order, the fees to be charged for tent and
14 trailer camping units at individual park areas based upon the
15 facilities available. However, for campsites with access to
16 showers or electricity, any Illinois resident who is age 62 or
17 older or has a Class 2 disability as defined in Section 4A of
18 the Illinois Identification Card Act shall be charged only
19 one-half of the camping fee charged to the general public
20 during the period Monday through Thursday of any week and shall
21 be charged the same camping fee as the general public on all
22 other days. For campsites without access to showers or
23 electricity, no camping fee authorized by this Section shall be

1 charged to any resident of Illinois who has a Class 2
2 disability as defined in Section 4A of the Illinois
3 Identification Card Act. For campsites without access to
4 showers or electricity, no camping fee authorized by this
5 Section shall be charged to any resident of Illinois who is age
6 62 or older for the use of a camp site unit during the period
7 Monday through Thursday of any week. No camping fee authorized
8 by this Section shall be charged to any resident of Illinois
9 who is a disabled veteran or a former prisoner of war, as
10 defined in Section 5 of the Department of Veterans Affairs Act.
11 No camping fee authorized by this Section shall be charged to
12 any resident of Illinois after returning from service abroad or
13 mobilization by the President of the United States as an active
14 duty member of the United States Armed Forces, the Illinois
15 National Guard, or the Reserves of the United States Armed
16 Forces for the amount of time that the active duty member spent
17 in service abroad or mobilized if the person, within 2 years
18 after returning, applies for a pass either at the Department
19 office in Springfield or through the Department's website
20 ~~within 2 years of returning~~ and provides verification of
21 service or mobilization to the Department; any portion of a
22 year that the active duty member spent in service abroad or
23 mobilized shall count as a full year. Nonresidents shall be
24 charged the same fees as are authorized for the general public
25 regardless of age. The Department shall provide by regulation
26 for suitable proof of age, or either a valid driver's license

1 or a "Golden Age Passport" issued by the federal government
2 shall be acceptable as proof of age. The Department shall
3 further provide by regulation that notice of these reduced
4 admission fees be posted in a conspicuous place and manner.

5 Reduced fees authorized in this Section shall not apply to
6 any charge for utility service.

7 (Source: P.A. 94-313, eff. 7-25-05.)

8 Section 10. The Fish and Aquatic Life Code is amended by
9 changing Section 20-47 as follows:

10 (515 ILCS 5/20-47)

11 Sec. 20-47. Military members returning from mobilization
12 and service outside the United States.

13 (a) After returning from service abroad or mobilization by
14 the President of the United States as an active duty member of
15 the United States Armed Forces, the Illinois National Guard, or
16 the Reserves of the United States Armed Forces, an Illinois
17 resident may fish as permitted by this Code without paying any
18 fees required to obtain a fishing license for the time period
19 prescribed by subsection (b) of this Section if the Illinois
20 resident applies for a license within 2 years of returning from
21 service abroad or mobilization. The applicant shall provide
22 verification of service or mobilization to the Department
23 either at the Department's office in Springfield or through the
24 Department's website.

1 (b) For each year that an applicant is an active duty
2 member pursuant to subsection (a) of this Section, the
3 applicant shall receive one free fishing license. For the
4 purposes of this determination, if the period of active duty is
5 a portion of a year (for example, one year and 3 months), the
6 applicant will be credited with a full year for the portion of
7 a year served.

8 (c) The Department shall establish what constitutes
9 suitable verification of service or mobilization under
10 subsection (a) of this Section.

11 (Source: P.A. 94-313, eff. 7-25-05.)

12 Section 15. The Wildlife Code is amended by changing
13 Sections 3.1 and 3.1-4 as follows:

14 (520 ILCS 5/3.1) (from Ch. 61, par. 3.1)

15 Sec. 3.1. License and stamps required.

16 (a) Before any person shall take or attempt to take any of
17 the species protected by Section 2.2 for which an open season
18 is established under this Act, he shall first have procured and
19 possess a valid hunting license, except as provided in Section
20 3.1-5 of this Code.

21 Before any person 16 years of age or older shall take or
22 attempt to take any bird of the species defined as migratory
23 waterfowl by Section 2.2, including coots, he shall first have
24 procured a State Migratory Waterfowl Stamp.

1 Before any person 16 years of age or older takes, attempts
2 to take, or pursues any species of wildlife protected by this
3 Code, except migratory waterfowl, coots, and hand-reared birds
4 on licensed game breeding and hunting preserve areas and state
5 controlled pheasant hunting areas, he or she shall first obtain
6 a State Habitat Stamp. Disabled veterans and former prisoners
7 of war shall not be required to obtain State Habitat Stamps.
8 Any person who obtained a lifetime license before January 1,
9 1993, shall not be required to obtain State Habitat Stamps.
10 Income from the sale of State Furbearer Stamps and State
11 Pheasant Stamps received after the effective date of this
12 amendatory Act of 1992 shall be deposited into the State
13 Furbearer Fund and State Pheasant Fund, respectively.

14 Before any person 16 years of age or older shall take,
15 attempt to take, or sell the green hide of any mammal of the
16 species defined as fur-bearing mammals by Section 2.2 for which
17 an open season is established under this Act, he shall first
18 have procured a State Habitat Stamp.

19 (b) Before any person who is a non-resident of the State of
20 Illinois shall take or attempt to take any of the species
21 protected by Section 2.2 for which an open season is
22 established under this Act, he shall, unless specifically
23 exempted by law, first procure a non-resident license as
24 provided by this Act for the taking of any wild game.

25 Before a nonresident shall take or attempt to take
26 white-tailed deer, he shall first have procured a Deer Hunting

1 Permit as defined in Section 2.26 of this Code.

2 Before a nonresident shall take or attempt to take wild
3 turkeys, he shall have procured a Wild Turkey Hunting Permit as
4 defined in Section 2.11 of this Code.

5 (c) The owners residing on, or bona fide tenants of, farm
6 lands and their children, parents, brothers, and sisters
7 actually permanently residing on their lands shall have the
8 right to hunt any of the species protected by Section 2.2 upon
9 their lands and waters without procuring hunting licenses; but
10 the hunting shall be done only during periods of time and with
11 devices and by methods as are permitted by this Act. Any person
12 on active duty with the Armed Forces of the United States who
13 is now and who was at the time of entering the Armed Forces a
14 resident of Illinois and who entered the Armed Forces from this
15 State, ~~and who is presently on ordinary leave from the Armed~~
16 ~~Forces,~~ and any resident of Illinois who is disabled may hunt
17 any of the species protected by Section 2.2 without procuring a
18 hunting license, but the hunting shall be done only during such
19 periods of time and with devices and by methods as are
20 permitted by this Act. For the purpose of this Section a person
21 is disabled when that person has a Type 1 or Type 4, Class 2
22 disability as defined in Section 4A of the Illinois
23 Identification Card Act. For purposes of this Section, an
24 Illinois Disabled Person Identification Card issued pursuant
25 to the Illinois Identification Card Act indicating that the
26 person named has a Type 1 or Type 4, Class 2 disability shall

1 be adequate documentation of the disability.

2 (d) A courtesy non-resident license, permit, or stamp for
3 taking game may be issued at the discretion of the Director,
4 without fee, to any person officially employed in the game and
5 fish or conservation department of another state or of the
6 United States who is within the State to assist or consult or
7 cooperate with the Director; or to the officials of other
8 states, the United States, foreign countries, or officers or
9 representatives of conservation organizations or publications
10 while in the State as guests of the Governor or Director. The
11 Director may provide to nonresident participants and official
12 gunners at field trials an exemption from licensure while
13 participating in a field trial.

14 (e) State Migratory Waterfowl Stamps shall be required for
15 those persons qualifying under subsections (c) and (d) who
16 intend to hunt migratory waterfowl, including coots, to the
17 extent that hunting licenses of the various types are
18 authorized and required by this Section for those persons.

19 (f) Registration in the U.S. Fish and Wildlife Migratory
20 Bird Harvest Information Program shall be required for those
21 persons who are required to have a hunting license before
22 taking or attempting to take any bird of the species defined as
23 migratory game birds by Section 2.2, except that this
24 subsection shall not apply to crows in this State or
25 hand-reared birds on licensed game breeding and hunting
26 preserve areas, for which an open season is established by this

1 Act. Persons registering with the Program must carry proof of
2 registration with them while migratory bird hunting.

3 The Department shall publish suitable prescribed
4 regulations pertaining to registration by the migratory bird
5 hunter in the U.S. Fish and Wildlife Service Migratory Bird
6 Harvest Information Program.

7 (Source: P.A. 94-1024, eff. 7-14-06.)

8 (520 ILCS 5/3.1-4)

9 Sec. 3.1-4. Military members returning from mobilization
10 and service outside the United States.

11 (a) After returning from service abroad or mobilization by
12 the President of the United States as an active duty member of
13 the United States Armed Forces, the Illinois National Guard, or
14 the Reserves of the United States Armed Forces, an Illinois
15 resident may hunt any of the species protected by Section 2.2
16 of this Code without paying any fees required to obtain a
17 hunting license for the time period prescribed by subsection

18 (b) of this Section if the Illinois resident applies for a
19 license within 2 years of returning from service abroad or
20 mobilization. The applicant shall provide verification of
21 service or mobilization to the Department either at the
22 Department's office in Springfield or through the Department's
23 website.

24 (b) For each year that an applicant is an active duty
25 member pursuant to subsection (a) of this Section, the

1 applicant shall receive one free hunting license, one free Deer
2 Hunting Permit as provided in Section 2.26 of this Code and
3 rules adopted pursuant to that Section, and one free State
4 Habitat Stamp. For the purposes of this determination, if the
5 period of active duty is a portion of a year (for example, one
6 year and 3 months), the applicant will be credited with a full
7 year for the portion of a year served.

8 (c) The Department shall establish what constitutes
9 suitable verification of service or mobilization under
10 subsection (a) of this Section.

11 (Source: P.A. 94-313, eff. 7-25-05.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.