



Rep. Frank J. Mautino

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1 AMENDMENT TO HOUSE BILL 4193

2 AMENDMENT NO. _____. Amend House Bill 4193 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 10.

5 Section 10-1. Short title. This Article may be cited as the
6 Off-highway Vehicle Registration Law, and references in this
7 Article to "this Law" mean this Article.

8 Section 10-5. Definitions. As used in this Law:

9 "Dealer" means any person who engages in the business of
10 manufacturing, selling, or dealing in, on consignment or
11 otherwise, any number of new off-highway vehicles, or 5 or more
12 used off-highway vehicles of any make during the year,
13 including any watercraft or snowmobile dealer or a person
14 licensed as a new or used vehicle dealer who also sells or
15 deals in, on consignment or otherwise, any number of

1 off-highway vehicles as defined in this Law.

2 "Department" means the Department of Natural Resources.

3 "Off-highway vehicle" means a motor-driven recreational
4 vehicle capable of cross-country travel on natural terrain
5 without benefit of a road or trail, including an all-terrain
6 vehicle and off-highway motorcycle as defined in the Illinois
7 Vehicle Code. "Off-highway vehicle" does not include a
8 snowmobile; a motorcycle; a watercraft; snow-grooming
9 equipment when used for its intended purpose; or an aircraft.

10 Section 10-10. Operation of unregistered off-highway
11 vehicles. Except as provided in this Law, a person may not
12 operate any off-highway vehicle on or after June 30, 2013
13 unless the off-highway vehicle has been issued a registration
14 under this Law and the registration is in effect at the time
15 the off-highway vehicle is operated.

16 Section 10-15. Identification number application. The
17 owner of each off-highway vehicle shall apply for registration
18 in a form prescribed by the Department. The application shall
19 be signed by the owner of the off-highway vehicle and shall be
20 accompanied by a fee of \$45. When an off-highway vehicle dealer
21 sells an off-highway vehicle, the dealer shall at the time of
22 sale require the buyer to complete an application for the
23 registration certificate, collect the required fee, and mail
24 the application and fee to the Department no later than 15 days

1 after the date of sale. Combination application-receipt forms
2 shall be provided by the Department and the dealer shall
3 furnish the buyer with the completed receipt showing that
4 application for registration has been made. This completed
5 receipt shall be in the possession of the user of the
6 off-highway vehicle until the registration certificate is
7 received. No off-highway vehicle dealer may charge an
8 additional fee to the buyer for performing this service
9 required under this subsection. However, no purchaser exempted
10 under Section 45 of this Law shall be charged any fee or be
11 subject to the other requirements of this Section. The
12 application form shall so state in clear language the
13 requirements of this Section and the penalty for violation near
14 the place on the application form provided for indicating the
15 intention to register in another jurisdiction. Each dealer
16 shall maintain, for one year, a record in a form prescribed by
17 the Department for each off-highway vehicle sold. These records
18 shall be open to inspection by the Department. Upon receipt of
19 the application in approved form, the Department shall enter
20 the application into the records of its office and issue to the
21 applicant a certificate of registration stating the number
22 awarded to the off-highway vehicle and the name and address of
23 the owner.

24 Section 10-20. Identification number display. The
25 Department shall issue to the off-highway vehicle owner 2

1 registration expiration decals with the number awarded to that
2 off-highway vehicle imprinted upon the decals. The owner shall
3 prominently display these decals on each side of the forward
4 half of the off-highway vehicle.

5 Section 10-25. Destruction, sale, transfer, or
6 abandonment. The owner of any off-highway vehicle shall within
7 15 days notify the Department if the off-highway vehicle is
8 destroyed or abandoned, or is sold or transferred either wholly
9 or in part to another person or persons. The notice shall be
10 accompanied by a surrender of the certificate of registration.
11 When the surrender of the certificate is by reason of the
12 off-highway vehicle being destroyed or abandoned, the
13 Department shall cancel the certificate and note the
14 destruction or abandonment in its records. The Department shall
15 be notified in writing of any change of address. If the owner
16 desires a new certificate of registration showing the new
17 address, the owner shall surrender his or her old certificate
18 and notify the Department of the new address, remitting \$5 to
19 cover the issuance of a new certificate of registration. If the
20 surrender is by reason of a sale or transfer either wholly or
21 in part to another person or persons, the owner surrendering
22 the certificate shall state to the Department, under oath, the
23 name of the purchaser or transferee.

24 Section 10-30. Transfer of identification number. The

1 purchaser of an off-highway vehicle shall, within 15 days after
2 acquiring the off-highway vehicle, make application to the
3 Department for the transfer to the purchaser of the
4 registration issued to the off-highway vehicle. The purchaser
5 shall provide the Department with the identification number of
6 the off-highway vehicle and the purchaser's name and address.
7 The purchaser shall apply for a transfer-renewal for a fee of
8 \$45 for approximately 3 years. All transfers will bear June 30
9 expiration dates in the calendar year of expiration. Upon
10 receipt of the application and fee, the Department shall
11 transfer the registration issued to the off-highway vehicle to
12 the new owner. If no application and fee required by this
13 section is received by the Department within 30 days of the
14 transfer of ownership of the off-highway vehicle, the
15 off-highway vehicle shall be deemed to be without registration
16 and it shall be unlawful for any person to operate the
17 off-highway vehicle until the registration is issued.

18 Section 10-35. Loss of certificate. Should a registration
19 expiration decal become lost, destroyed, or mutilated beyond
20 legibility, the owner of the off-highway vehicle shall make
21 application to the Department for the replacement of the
22 certificate or decal, giving the owner's name, address, the
23 number of the off-highway vehicle, and a fee of \$5.

24 Section 10-40. Registration.

1 (a) Every registration awarded under this Law shall
2 continue in full force and effect for approximately 3 years,
3 unless sooner terminated or discontinued in accordance with
4 this Law. All new registrations issued will bear March 31
5 expiration dates in the calendar year 3 years after the issuing
6 date. The Department may, for purposes of implementing this
7 Section, adopt rules for phasing in the issuance of new
8 certificates and provide for one-year, 2-year, or 3-year
9 expiration dates and pro-rated payments or charges for each
10 registration.

11 (b) All certificates shall be renewed for 3 years from the
12 nearest March 31 for a fee of \$45. All certificates will be
13 considered invalid after April 15 of the year of expiration.
14 The Department shall issue "registration expiration decals"
15 with all new registrations, all registrations transferred and
16 renewed, and all registrations renewed. The decals issued for
17 each year shall be of a different and distinct color from the
18 decals of each year currently displayed. The owner shall
19 prominently display these decals on each side of the forward
20 half of such off-highway vehicle. The Department shall fix a
21 day and month of the year on which registrations due to expire
22 shall lapse and no longer be of any force and effect unless
23 renewed under this Law.

24 (c) No number or registration expiration decal, except a
25 sticker or number which may be required by a political
26 subdivision, municipality, or state, other than the

1 registration expiration decal issued to an off-highway vehicle
2 or granted reciprocity under this Law, shall be painted,
3 attached, or otherwise displayed on either side of such
4 off-highway vehicle.

5 (d) A dealer engaged in the manufacture, sale, or leasing
6 of off-highway vehicles required to be numbered under this Law,
7 upon application to the Department upon forms prescribed by it,
8 may obtain registrations for use in the testing or
9 demonstrating of off-highway vehicles upon payment of \$45 for
10 each registration. Registrations issued under this Section may
11 be used by the applicant in the testing or demonstrating of
12 off-highway vehicles by temporary placement of the
13 registration expiration decals assigned by the certificates on
14 the off-highway vehicle tested or demonstrated.

15 (e) The Department shall deposit \$10 from each registration
16 into the Conservation Police Operations Assistance Fund.

17 Section 10-45. Exception from registration. An
18 off-highway vehicle is not required to be registered under this
19 Law if it is:

20 (1) owned and used by the United States, another state, or
21 a political subdivision thereof, but such off-highway vehicles
22 shall prominently display the name of the owner on the
23 off-highway vehicle;

24 (2) covered by a valid registration or license of another
25 state, province, or country which is the domicile of the owner

1 of the off-highway vehicle and is not operated within this
2 State on more than 30 consecutive days in any calendar year;

3 (3) operated on lands where the owner permanently resides,
4 except this exception does not apply to clubs, associations, or
5 to off-highway vehicles being used by outfitters as defined in
6 the Illinois Wildlife Code as part of their outfitting
7 business;

8 (4) used only on international or national competition
9 circuits in events for which written permission has been
10 obtained by the sponsoring or sanctioning body from the
11 governmental unit having jurisdiction over the location of any
12 event held in this State; or

13 (5) being used for activities associated with farming or
14 livestock production operations.

15 Section 10-50. Falsification. A person may not at any time
16 loan, transfer, falsely alter, or change in any manner the
17 certificate of registration issued under this Law or falsify
18 any record required by this Law or counterfeit any form of
19 license provided for by this Law. Any person found guilty of
20 this Section shall be guilty of a Class A misdemeanor.

21 Section 10-55. Penalties. Except as provided in Section 50
22 of this Law, any person who violates any of the provisions of
23 this Law, including administrative rules, shall be guilty of a
24 petty offense.

1 ARTICLE 90.

2 Section 90-5. The Department of Natural Resources Act is
3 amended by adding Section 20-15 as follows:

4 (20 ILCS 801/20-15 new)

5 Sec. 20-15. Entrance fee. The Department may set by
6 administrative rule an entrance fee for visitors to the
7 Illinois State Museum. The fee assessed by this Section shall
8 be deposited into the Illinois State Museum Fund for the
9 Department to use to support the Illinois State Museum.

10 Section 90-10. The Department of Natural Resources
11 (Conservation) Law of the Civil Administrative Code of Illinois
12 is amended by changing Sections 805-70, 805-335, 805-420, and
13 805-435 and by adding Sections 805-555 and 805-560 as follows:

14 (20 ILCS 805/805-70) (was 20 ILCS 805/63b2.9)

15 Sec. 805-70. Grants and contracts.

16 (a) The Department has the power to accept, receive,
17 expend, and administer, including by grant, agreement, or
18 contract, those funds that are made available to the Department
19 from the federal government and other public and private
20 sources in the exercise of its statutory powers and duties.

21 (b) The Department may make grants to other State agencies,

1 universities, not-for-profit organizations, and local
2 governments, pursuant to an appropriation in the exercise of
3 its statutory powers and duties.

4 (c) With the exception of Open Space Lands Acquisition and
5 Development and Land and Water Conservation Fund grants, the
6 Department may assess review and processing fees for grant
7 program applications under the jurisdiction of the Department.
8 The Department may, by rule, regulate the fees, methods, and
9 programs to be charged. The income collected shall be deposited
10 into the Park and Conservation Fund for the furtherance of the
11 Department grant programs or for use by the Department for the
12 ordinary and contingent expenses of the Department.

13 Except as otherwise provided, all revenue collected from
14 the application fee for the State Migratory Waterfowl Stamp
15 Fund shall be deposited into the State Migratory Waterfowl
16 Stamp Fund.

17 Except as otherwise provided, all revenue collected from
18 the application fee for the State Pheasant Fund shall be
19 deposited into the State Pheasant Fund.

20 Except as otherwise provided, all revenue collected from
21 the application fee for the Illinois Habitat Fund shall be
22 deposited into the Illinois Habitat Fund.

23 Except as otherwise provided, all revenue collected from
24 the application fee for the State Furbearer Fund shall be
25 deposited into the State Furbearer Fund.

26 (Source: P.A. 90-490, eff. 8-17-97; 91-239, eff. 1-1-00.)

1 (20 ILCS 805/805-335)

2 Sec. 805-335. Fees. The Department has the power to assess
3 appropriate and reasonable fees for the use of concession type
4 facilities as well as other facilities and sites under the
5 jurisdiction of the Department, including, but not limited to,
6 beaches, bike trails, equestrian trails, and other types of
7 trails. The Department may regulate, by rule, the fees to be
8 charged. The income collected shall be deposited into the State
9 Parks Fund or Wildlife and Fish Fund depending on the
10 classification of the State managed facility involved.

11 (Source P.A.: 90-655, eff. 7-30-98; 91-239, eff. 1-1-00.)

12 (20 ILCS 805/805-420) (was 20 ILCS 805/63a36)

13 Sec. 805-420. Appropriations from Park and Conservation
14 Fund. The Department has the power to expend monies
15 appropriated to the Department from the Park and Conservation
16 Fund in the State treasury for conservation and park purposes.

17 All revenue derived from fees paid for certificates of
18 title, duplicate certificates of title and corrected
19 certificates of title and deposited in the Park and
20 Conservation Fund, as provided for in Section 2-119 of the
21 Illinois Vehicle Code, shall be expended solely by the
22 Department pursuant to an appropriation for acquisition,
23 development, and maintenance of bike paths, including grants
24 for the acquisition and development of bike paths and for the

1 operations of the Division of Fisheries within the Department.

2 Revenue derived from fees paid for the registration of
3 motor vehicles of the first division and deposited in the Park
4 and Conservation Fund, as provided for in Section 3-806 of the
5 Illinois Vehicle Code, shall be expended by the Department for
6 the following purposes:

7 (A) Fifty percent of funds derived from the vehicle
8 registration fee shall be used by the Department for normal
9 operations.

10 (B) Fifty percent of funds derived from the vehicle
11 registration fee shall be used by the Department for
12 construction and maintenance of State owned, leased, and
13 managed sites.

14 (Source: P.A. 91-239, eff. 1-1-00.)

15 (20 ILCS 805/805-435) (was 20 ILCS 805/63b2.5)

16 Sec. 805-435. Office of Conservation Resource Marketing.
17 The Department shall maintain an Office of Conservation
18 Resource Marketing. The Office shall conduct a program for
19 marketing and promoting the use of conservation resources in
20 Illinois with emphasis on recreation and tourism facilities.
21 The Office shall coordinate its tourism promotion efforts with
22 local community events and shall include a field staff which
23 shall work with the Department of Commerce and Economic
24 Opportunity and local officials to coordinate State and local
25 activities for the purpose of expanding tourism and local

1 economies. The Office shall develop, review, and coordinate
2 brochures and information pamphlets for promoting the use of
3 conservation resources. The Office may charge shipping fees on
4 the distribution of all items from the Department's
5 Clearinghouse. The Office shall conduct marketing research to
6 identify organizations and target populations that can be
7 encouraged to use Illinois recreation facilities for group
8 events and the many tourist sites.

9 The Director shall submit an annual report to the Governor
10 and the General Assembly summarizing the Office's activities
11 and including its recommendations for improving the
12 Department's tourism promotion and marketing programs for
13 conservation resources.

14 (Source: P.A. 94-793, eff. 5-19-06.)

15 (20 ILCS 805/805-555 new)

16 Sec. 805-555. Consultation fees.

17 (a) For the purposes of this Section, "agency" shall have
18 the meaning assigned in Section 1-20 of the Illinois
19 Administrative Procedure Act.

20 (b) The Department shall assess a \$500 fee for
21 consultations conducted under subsection (b) of Section 11 of
22 the Illinois Endangered Species Protection Act and Section 17
23 of the Illinois Natural Areas Preservation Act. The Department
24 shall not assess any fee for consultations requested by a State
25 agency or federal agency. Any fee assessed under this Section

1 shall be deposited into the Illinois Wildlife Preservation
2 Fund.

3 (c) The Department may adopt rules to implement this
4 Section.

5 (20 ILCS 805/805-560 new)

6 Sec. 805-560. Entrance fees for site visitors from other
7 states.

8 (a) The General Assembly finds that a dedicated funding
9 stream shall be established for the operation and maintenance
10 of sites owned, managed, or leased by the Department to help
11 ensure that these State treasures will be properly maintained
12 and remain accessible to the public for generations to come.

13 (b) The Department may charge an annual vehicle access fee
14 for access by site visitors from other states to properties
15 owned, managed, or leased by the Department.

16 (c) The Department may charge a daily vehicle access fee to
17 site visitors from other states who have not paid the current
18 annual vehicle access fee.

19 (d) The Department may establish a fine for site visitors
20 from other states who enter a site in a vehicle without paying
21 the annual vehicle access fee or daily vehicle access fee.

22 (e) Revenue generated by the fees and fine assessed
23 pursuant to this Section shall be deposited into the State
24 Parks Fund or the Wildlife and Fish Fund, special funds in the
25 State treasury.

1 (f) The Department shall adopt any and all rules necessary
2 to implement this Section.

3 Section 90-15. The Recreational Trails of Illinois Act is
4 amended by changing Section 15 as follows:

5 (20 ILCS 862/15)

6 Sec. 15. Off-Highway Vehicle Trails Fund.

7 (a) The Off-Highway Vehicle Trails Fund is created as a
8 special fund in the State treasury. Money from federal, State,
9 and private sources may be deposited into the Fund. Fines
10 assessed by the Department of Natural Resources for citations
11 issued to off-highway vehicle operators shall be deposited into
12 the Fund. All interest accrued on the Fund shall be deposited
13 into the Fund.

14 (b) All money in the Fund shall be used, subject to
15 appropriation, by the Department for the following purposes:

16 (1) Grants for construction of off-highway vehicle
17 recreational trails on county, municipal, other units of
18 local government, or private lands where a recreational
19 need for the construction is shown.

20 (2) Grants for maintenance and construction of
21 off-highway vehicle recreational trails on federal lands,
22 where permitted by law.

23 (3) Grants for development of off-highway vehicle
24 trail-side facilities in accordance with criteria approved

1 by the National Recreational Trails Advisory Committee.

2 (4) Grants for acquisition of property from willing
3 sellers for off-highway vehicle recreational trails when
4 the objective of a trail cannot be accomplished by other
5 means.

6 (5) Grants for development of urban off-highway
7 vehicle trail linkages near homes and workplaces.

8 (6) Grants for maintenance of existing off-highway
9 vehicle recreational trails, including the grooming and
10 maintenance of trails across snow.

11 (7) Grants for restoration of areas damaged by usage of
12 off-highway vehicle recreational trails and back country
13 terrain.

14 (8) Grants for provision of features that facilitate
15 the access and use of off-highway vehicle trails by persons
16 with disabilities.

17 (9) Grants for acquisition of easements for
18 off-highway vehicle trails or for trail corridors.

19 (10) Grants for a rider education and safety program.

20 (11) Administration, enforcement, planning, and
21 implementation of this Act and all Sections ~~Section 11-1427~~
22 of the Illinois Vehicle Code which regulate the operation
23 of off-highway vehicles as defined in this Act.

24 ~~Of the money used from the Fund for the purposes set forth~~
25 ~~in this subsection, at least 92% shall be allocated for~~
26 ~~motorized recreation and not more than 8% shall be used by the~~

1 ~~Department for administration, enforcement, planning, and~~
2 ~~implementation of this Act or diverted from the Fund,~~
3 ~~notwithstanding any other law to the contrary adopted after the~~
4 ~~effective date of this amendatory Act of the 95th General~~
5 ~~Assembly. The Department shall establish, by rule, measures to~~
6 ~~verify that recipients of money from the Fund comply with the~~
7 ~~specified conditions for the use of the money.~~

8 (c) The Department may not use the money from the Fund for
9 the following purposes:

10 (1) Condemnation of any kind of interest in property.

11 (2) Construction of any recreational trail on National
12 Forest System land for motorized uses unless those lands
13 have been allocated for uses other than wilderness by an
14 approved forest land and resource management plan or have
15 been released to uses other than wilderness by an Act of
16 Congress, and the construction is otherwise consistent
17 with the management direction in the approved land and
18 resource management plan.

19 (3) Construction of motorized recreational trails on
20 Department owned or managed land.

21 (d) The Department shall establish a program to administer
22 grants from the Fund to units of local government,
23 not-for-profit organizations, and other groups to operate,
24 maintain, and acquire land for off-highway vehicle parks that
25 are open and accessible to the public.

26 (Source: P.A. 95-670, eff. 10-11-07; 96-279, eff. 1-1-10.)

1 Section 90-20. The State Finance Act is amended by changing
2 Section 6z-36 and by adding Section 5.811 as follows:

3 (30 ILCS 105/5.811 new)

4 Sec. 5.811. The Illinois State Museum Fund.

5 (30 ILCS 105/6z-36)

6 Sec. 6z-36. Coal Mining Regulatory Fund; uses. All moneys
7 collected as fees and civil penalties under the Surface Coal
8 Mining Land Conservation and Reclamation Act, collected as fees
9 under the Coal Mining Act, and collected as fees submitted to
10 the Department of Natural Resources' analytical laboratory
11 shall be deposited into the Coal Mining Regulatory Fund, a
12 special fund in the State Treasury that is hereby created. All
13 earnings on moneys in the Fund shall be deposited into the
14 Fund. Moneys in the Fund shall be annually appropriated to the
15 Department of Natural Resources for the enforcement of coal
16 mining regulatory laws and rules adopted by the Department
17 under those laws.

18 (Source: P.A. 88-599; 89-445, eff. 2-7-96.)

19 Section 90-25. The Illinois Non-Game Wildlife Protection
20 Act is amended by changing Section 4 as follows:

21 (30 ILCS 155/4) (from Ch. 61, par. 404)

1 Sec. 4. (a) There is created the Illinois Wildlife
2 Preservation Fund, a special fund in the State Treasury. The
3 Department of Revenue shall determine annually the total amount
4 contributed to such fund pursuant to this Act and shall notify
5 the State Comptroller and the State Treasurer of such amount to
6 be transferred to the Illinois Wildlife Preservation Fund, and
7 upon receipt of such notification the State Comptroller shall
8 transfer such amount.

9 (b) The Department of Natural Resources shall deposit any
10 donations including federal reimbursements received for the
11 purposes in the Illinois Wildlife Preservation Fund.

12 (c) The General Assembly may appropriate annually from the
13 Illinois Wildlife Preservation Fund such monies credited to
14 such fund from the check-off contribution system provided in
15 this Act and from other funds received for the purposes of this
16 Act, to the Department of Natural Resources to be used for the
17 purposes of preserving, protecting, perpetuating and enhancing
18 non-game wildlife in this State. Beginning with fiscal year
19 2006, 5% of the Illinois Wildlife Preservation Fund must be
20 committed to or expended on grants by the Department of Natural
21 Resources for the maintenance of wildlife rehabilitation
22 facilities that take care of threatened or endangered species.
23 For purposes of calculating the 5%, the amount in the Fund is
24 exclusive of any federal funds deposited in or credited to the
25 Fund or any amount deposited in the Fund under subsection (b)
26 of Section 805-555 of the Department of Natural Resources

1 (Conservation) Law. The Department shall establish criteria
2 for the grants by rules adopted in accordance with the Illinois
3 Administrative Procedure Act before January 1, 2006. However,
4 no amount appropriated from the Illinois Wildlife Preservation
5 Fund may be used by the Department of Natural Resources to
6 exercise its power of eminent domain.

7 (Source: P.A. 94-516, eff. 8-10-05.)

8 Section 90-30. The Property Tax Code is amended by changing
9 the heading of Article 10 Div. 16 and Sections 10-400, 10-405,
10 10-415, and 10-430 and by adding Section 10-418 as follows:

11 (35 ILCS 200/Art. 10 Div. 16 heading)

12 DIVISION 16. CONSERVATION STEWARDSHIP PROGRAM LAW

13 (Source: P.A. 95-633, eff. 10-1-07.)

14 (35 ILCS 200/10-400)

15 Sec. 10-400. Short title; findings and policy.

16 (a) This Division may be cited as the Conservation
17 Stewardship Program Law.

18 (b) The General Assembly finds that it is in the best
19 interest of this State to maintain, preserve, conserve, and
20 manage unimproved land to assure the protection of these
21 limited and unique environmental resources for the economic and
22 social well-being of the State and its citizens.

23 The General Assembly further finds that, to maximize

1 voluntary taxpayer participation in conservation programs,
2 conservation should be recognized as a legitimate land use and
3 taxpayers should have a full range of incentive programs from
4 which to choose.

5 Therefore, the General Assembly declares that it is in the
6 public interest to prevent the forced conversion of unimproved
7 land to more intensive uses as a result of economic pressures
8 caused by the property tax system at values incompatible with
9 their preservation and management as unimproved land, and that
10 a program should be designed to permit the continued
11 availability of this land for these purposes.

12 The General Assembly further declares that the following
13 provisions are intended to allow for the conservation,
14 management, and assessment of unimproved land generally
15 suitable for the perpetual growth and preservation of such land
16 in this State.

17 (Source: P.A. 95-633, eff. 10-1-07.)

18 (35 ILCS 200/10-405)

19 Sec. 10-405. Definitions. As used in this Division:

20 "Unimproved land" means woodlands, prairie, wetlands, or
21 other vacant and undeveloped land that is not used for any
22 residential or commercial purpose that materially disturbs the
23 land.

24 "Conservation management plan" means a plan approved by the
25 Department of Natural Resources that specifies conservation

1 and management practices, including uses that will be conducted
2 to preserve and restore unimproved land.

3 "Managed land" means unimproved land of 5 contiguous acres
4 or more that is subject to a conservation management plan.

5 "Contiguous" means not separated by anything other than
6 rivers, streams, roads, or right-of-way easements.

7 (Source: P.A. 95-633, eff. 10-1-07.)

8 (35 ILCS 200/10-415)

9 Sec. 10-415. Plan submission and review; approval.

10 (a) A taxpayer requesting special valuation of unimproved
11 land under this Division must first submit a conservation
12 management plan for that land to the Department of Natural
13 Resources for review. The Department of Natural Resources shall
14 review each submitted plan for compliance with the standards
15 and criteria set forth in its rules.

16 (b) Upon approval, the Department of Natural Resources
17 shall issue to the taxpayer a written declaration that the land
18 is subject to a conservation management plan approved by the
19 Department of Natural Resources.

20 (c) (Blank). ~~The Department of Natural Resources shall~~
21 ~~reapprove the plan every 10 years and revise it when necessary~~
22 ~~or appropriate.~~

23 (d) If a plan is not approved, then the Department of
24 Natural Resources shall state the reasons for the denial and
25 provide the taxpayer an opportunity to amend the plan to

1 conform to the requirements of this Division. If the
2 application is denied a second time, the taxpayer may appeal
3 the decision to an independent 3-member panel to be established
4 within the Department of Natural Resources.

5 (e) (Blank). ~~The submission of an application for a~~
6 ~~conservation management plan under this Section or of a~~
7 ~~forestry management plan under Section 10-150 shall be treated~~
8 ~~as compliance with the requirements of that plan until the~~
9 ~~Department of Natural Resources can review the application. The~~
10 ~~Department of Natural Resources shall certify, to the~~
11 ~~Department, these applications as being approved plans for the~~
12 ~~purpose of this Division.~~

13 (Source: P.A. 95-633, eff. 10-1-07.)

14 (35 ILCS 200/10-418 new)

15 Sec. 10-418. Application fee. In addition to the submission
16 of an application for a conservation management plan, a
17 taxpayer applicant must remit an application fee payment to the
18 Department of Natural Resources according to the following
19 schedule of fees for each application:

20 (1) for managed lands of 5 contiguous acres or more but
21 less than 39.5 acres a non-refundable base fee of \$250
22 shall be assessed plus an additional non-refundable fee
23 payment of \$10 for each acre subject to a conservation
24 management plan; or

25 (2) for managed lands of 39.5 contiguous acres or more

1 a non-refundable base fee of \$500 shall be assessed plus an
2 additional non-refundable fee payment of \$10 per acre for
3 each acre subject to a conservation management plan. All
4 fees collected under this Section shall be deposited into
5 the Natural Areas Acquisition Fund.

6 (35 ILCS 200/10-430)

7 Sec. 10-430. Withdrawal from special valuation.

8 (a) If any of the following events occur, then the
9 Department of Natural Resources shall withdraw all or a portion
10 of the land from special valuation:

11 (1) the Department of Natural Resources determines,
12 based on field inspections or from any other reasonable
13 evidence, that the land no longer meets the criteria under
14 this Division or that the applicant submitted a false or
15 fraudulent application for a conservation management plan;
16 or

17 (2) the failure of the taxpayer to respond to a request
18 from the Department of Natural Resources or the chief
19 county assessment officer of each county in which the
20 property is located for data regarding the use of the land
21 or other similar information pertinent to the continued
22 special valuation of the land.

23 (b) A determination by the Department of Natural Resources
24 to withdraw land from the special valuation under this Act is
25 effective on the following January 1 of the assessment year in

1 which the withdrawal occurred.

2 (c) The Department of Natural Resources shall notify the
3 chief county assessment officer and the Department in writing
4 of any land withdrawn from special valuation. Upon withdrawal,
5 additional taxes must be calculated as provided in Section
6 10-445.

7 (Source: P.A. 95-633, eff. 10-1-07.)

8 Section 90-35. The Coal Mining Act is amended by changing
9 Sections 3.02, 3.04, and 8.07 and by adding Sections 2.16 and
10 3.08 as follows:

11 (225 ILCS 705/2.16 new)

12 Sec. 2.16. Rules; Illinois Administrative Procedure Act.
13 The Mining Board may adopt rules necessary for or incidental to
14 the performance of duties or execution of powers conferred
15 under this Act in accordance with provisions of the Illinois
16 Administrative Procedure Act.

17 (225 ILCS 705/3.02) (from Ch. 96 1/2, par. 352)

18 Sec. 3.02. The Mining Board shall make a record of the
19 names and addresses of all persons to whom certificates
20 provided for in this Act ~~Article 2~~ are issued, except those
21 issued as provided in Article 8 of this Act.

22 (Source: Laws 1957, p. 1558.)

1 (225 ILCS 705/3.04) (from Ch. 96 1/2, par. 354)

2 Sec. 3.04. An applicant for any certificate provided for in
3 this Act Article 2, except those issued as provided in Article
4 8, before being examined, shall register his or her name with
5 the Mining Board and file with the Board the credentials
6 required by this Act, to-wit: an affidavit as to all matters of
7 fact establishing his or her right to receive the examination,
8 and a certificate of good character and temperate habits signed
9 by at least 10 residents of the community in which he or she
10 resides. Each applicant shall also submit a reasonable fee as
11 prescribed by rule, with such fee being deposited into the Coal
12 Mining Regulatory Fund.

13 (Source: Laws 1953, p. 701.)

14 (225 ILCS 705/3.08 new)

15 Sec. 3.08. Fees for renewal. The Mining Board may establish
16 by rule a fee for the renewal of certificates with such fee
17 being deposited into the Coal Mining Regulatory Fund.

18 (225 ILCS 705/8.07) (from Ch. 96 1/2, par. 807)

19 Sec. 8.07. Each applicant who satisfies the requirements
20 set forth in this Article shall receive his or her certificate
21 of competency upon satisfactorily passing the examination and
22 submitting a fee as prescribed by rule. All fees collected
23 shall be deposited into the Coal Mining Regulatory Fund 7
24 ~~without the payment of fees, except that a fee of \$2 shall be~~

1 ~~paid to the Department for additional copies of certificates.~~

2 (Source: P.A. 85-1333.)

3 Section 90-40. The Surface-Mined Land Conservation and
4 Reclamation Act is amended by changing Sections 5 and 10 as
5 follows:

6 (225 ILCS 715/5) (from Ch. 96 1/2, par. 4506)

7 Sec. 5. Application for permit; bond; fee; permit.

8 (a) Application for a permit shall be made upon a form
9 furnished by the Department, which form shall contain a
10 description of the tract or tracts of land and the estimated
11 number of acres thereof to be affected by surface mining by the
12 applicant to the tenth succeeding June 30, which description
13 shall include the section, township, range, and county in which
14 the land is located and shall otherwise describe the land with
15 sufficient certainty so that it may be located and
16 distinguished from other lands, and a statement that the
17 applicant has the right and power by legal estate owned to mine
18 by surface mining and to reclaim the land so described. Such
19 application shall be accompanied by: (i) a bond or security
20 meeting the requirements of Section 8 of this Act; and (ii) a
21 fee of \$200 ~~\$100~~ for every acre and fraction of an acre of land
22 to be permitted.

23 (b) An operator desiring to have a permit amended to cover
24 additional land may file an amended application with the

1 Department with such additional fee and bond or security as may
2 be required under the provisions of this Act. Such amendment
3 shall comply with all requirements of this Act.

4 (c) An operator may withdraw any land covered by a permit,
5 excepting affected land, by notifying the Department thereof,
6 in which case the penalty of the bond or security filed by such
7 operator pursuant to the provisions of this Act shall be
8 reduced proportionately.

9 (d) (Blank).

10 (e) Every application, and every amendment to an
11 application, submitted under this Act shall contain the
12 following, except that the Director may waive the requirements
13 of this subsection (e) for amendments if the affected acreage
14 is similar in nature to the acreage stated in the permit to be
15 amended:

16 1. a statement of the ownership of the land and of the
17 minerals to be mined;

18 2. the minerals to be mined;

19 3. the character and composition of the vegetation and
20 wildlife on lands to be affected;

21 4. the current and past uses to which the lands to be
22 affected have been put;

23 5. the current assessed valuation of the lands to be
24 affected and the assessed valuation shown by the two
25 quadrennial assessments next preceding the currently
26 effective assessment;

1 6. the nature, depth and proposed disposition of the
2 overburden;

3 7. the estimated depth to which the mineral deposit
4 will be mined;

5 8. the location of existing roads, and anticipated
6 access and haulage roads planned to be used or constructed
7 in conducting surface mining;

8 9. the technique to be used in surface mining;

9 10. the location and names of all streams, creeks,
10 bodies of water and underground water resources within
11 lands to be affected;

12 11. drainage on and away from the lands to be affected
13 including directional flow of water, natural and
14 artificial drainways and waterways, and streams or
15 tributaries receiving the discharge;

16 12. the location of buildings and utility lines within
17 lands to be affected;

18 13. the results of core drillings of consolidated
19 materials in the overburden when required by the
20 Department, provided that the Department may not require
21 core drillings at the applicant's expense in excess of one
22 core drill for every 25 acres of land to be affected;

23 14. a conservation and reclamation plan and map
24 acceptable to the Department. The operator shall designate
25 which parts of the lands to be affected are proposed to be
26 reclaimed for forest, pasture, crop, horticultural,

1 homesite, recreational, industrial or other uses including
2 food, shelter and ground cover for wildlife and shall show
3 the same by appropriate designation on a reclamation map.
4 The plan shall:

5 (i) provide for timely compliance with all
6 operator duties set forth in Section 6 of this Act by
7 feasible and available means; and

8 (ii) provide for storage of all overburden and
9 refuse.

10 Information respecting the minerals to be mined required by
11 subparagraph (e)2 of this Section, respecting the estimated
12 depth to which the mineral deposit will be mined required by
13 subparagraph (e)7 of this Section, and respecting the results
14 of core drillings required by subparagraph (e)13 of this
15 Section shall be held confidential by the Department upon
16 written request of the applicant.

17 (f) All information required in subsection (e) of this
18 Section, with the exception of that information which is to be
19 held in confidentiality by the Department shall be made
20 available by the operator for public inspection at the county
21 seat of each county containing land to be affected. The county
22 board of each county containing lands to be affected may
23 propose the use for which such lands within its county are to
24 be reclaimed and such proposal shall be considered by the
25 Department, provided that any such proposal must be consistent
26 with all requirements of this Act.

1 Such plan shall be deposited with the county board no less
2 than 60 days prior to any action on the plan by the Department.
3 All actions by the county board pursuant to this Section must
4 be taken within 45 days of receiving the plan.

5 If requested by a county board of a county to be affected
6 under a proposed permit, a public hearing to be conducted by
7 the Department shall be held in such county on the permit
8 applicant's proposed reclamation plan. By rules and
9 regulations the Department shall establish hearing dates which
10 provide county boards reasonable time in which to have reviewed
11 the proposed plans and the procedural rules for the calling and
12 conducting of the public hearing. Such procedural rules shall
13 include provisions for reasonable notice to all parties,
14 including the applicant, and reasonable opportunity for all
15 parties to respond by oral or written testimony, or both, to
16 statements and objections made at the public hearing. County
17 boards and the public shall present their recommendations at
18 these hearings. A complete record of the hearings and all
19 testimony shall be made by the Department and recorded
20 stenographically.

21 (g) The Department shall approve a conservation and
22 reclamation plan if the plan complies with this Act and
23 completion of the plan will in fact achieve every duty of the
24 operator required by this Act. The Department's approval of a
25 plan shall be based upon the advice of technically trained
26 foresters, agronomists, economists, engineers, planners and

1 other relevant experts having experience in reclaiming
2 surface-mined lands, and having scientific or technical
3 knowledge based upon research into reclaiming and utilizing
4 surface-mined lands. The Department shall consider all
5 testimony presented at the public hearings as provided in
6 subsection (f) of this Section. In cases where no public
7 hearing is held on a proposed plan, the Department shall
8 consider written testimony from county boards when submitted no
9 later than 45 days following filing of the proposed plan with
10 the county board. The Department shall immediately serve copies
11 of such written testimony on the applicant and give the
12 applicant a reasonable opportunity to respond by written
13 testimony. The Department shall consider the short and long
14 term impact of the proposed mining on vegetation, wildlife,
15 fish, land use, land values, local tax base, the economy of the
16 region and the State, employment opportunities, air pollution,
17 water pollution, soil contamination, noise pollution and
18 drainage. The Department may consider feasible alternative
19 uses for which reclamation might prepare the land to be
20 affected and may analyze the relative costs and effects of such
21 alternatives. Whenever the Department does not approve the
22 operator's plan, and whenever the plan approved by the
23 Department does not conform to the views of the county board
24 expressed in accordance with subsection (f) of this Section,
25 the Department shall issue a statement of its reasons for its
26 determination and shall make such statement public. The

1 approved plan shall be filed by the applicant with the clerk of
2 each county containing lands to be affected and such plan shall
3 be available for public inspection at the office of the clerk
4 until reclamation is completed and the bond is released in
5 accordance with the provisions of the Act.

6 (h) Upon receipt of a bond or security, all fees due from
7 the operator, and approval of the conservation and reclamation
8 plan by the Department, the Department shall issue a permit to
9 the applicant which shall entitle him to engage thereafter in
10 surface mining on the land therein described until the tenth
11 succeeding June 30, the period for which such permits are
12 issued being hereafter referred to as the "permit period".

13 (i) The operator may transfer any existing permit to a
14 second operator, after first notifying the Department of the
15 intent to transfer said permit. The Department shall transfer
16 any existing permit to a second party upon written notification
17 from both parties and the posting of an adequate performance
18 bond by the new permittee.

19 (Source: P.A. 91-357, eff. 7-29-99; 91-938, eff. 1-11-01.)

20 (225 ILCS 715/10) (from Ch. 96 1/2, par. 4511)

21 Sec. 10. Administration.

22 (a) In addition to the duties and powers of the Department
23 prescribed by the Civil Administrative Code of Illinois, it
24 shall have full power and authority to carry out and administer
25 the provisions of this Act. These powers shall include, but are

1 not limited to, the imposition of the following fees to enable
2 the Department to carry out the requirements of this Act:

3 (1) A registration fee of \$475 ~~\$300~~ assessed on July 1
4 of each calendar year that is due from each operator
5 engaged in and controlling a permitted or unpermitted
6 surface mining operation. The registration fee shall be
7 accompanied by a registration form, provided by the
8 Department, which shall indicate the mailing address and
9 telephone number of the operator, the location of all
10 mining operations controlled by the operator, the minerals
11 being mined, and other information deemed necessary by the
12 Department. A \$475 ~~\$300~~ registration fee is the maximum
13 registration fee due from a single operator each calendar
14 year regardless of the number of sites under the operator's
15 control.

16 (2) An additional fee of \$175 ~~\$100~~ assessed on July 1
17 of each calendar year for each site that was actively being
18 surfaced mined during the preceding 12 months that is due
19 from the operator engaged in and controlling the permitted
20 or unpermitted surface mining operations.

21 (3) An additional fee of \$375 ~~\$250~~ assessed on July 1
22 of each calendar year that is due from each operator
23 engaged in and controlling a permitted or unpermitted
24 surface mining operation where blasting operations
25 occurred during the preceding 12 months.

26 (b) Fees shall be assessed by the Department commencing

1 July 1, 1995 for every surface mine operator, active mining
2 site, and active aggregate blasting operation of record as of
3 that date and on July 1 of each year thereafter. The fees
4 assessed under this Section are in addition to any other fees
5 required by law.

6 (c) All fees assessed under this Section shall be submitted
7 to the Department no later than 30 days from the date listed on
8 the Department's annual fee assessment letter sent to the
9 surface mine operator. If the operator is delinquent in the
10 payment of the fees assessed under this Section, no further
11 permits or certifications shall be issued to the operator until
12 the delinquent fees have been paid. Moreover, if the operator
13 is delinquent for more than 60 days in the payment of fees
14 assessed under this Section, the Department shall take the
15 action, in accordance with Section 13 of this Act, necessary to
16 enjoin further surface mining and aggregate blasting
17 operations until all delinquent fees are paid.

18 (Source: P.A. 89-26, eff. 6-23-95.)

19 Section 90-45. The Illinois Oil and Gas Act is amended by
20 changing Sections 14, 19.7, 21.1, 22.2, and 23.3 as follows:

21 (225 ILCS 725/14) (from Ch. 96 1/2, par. 5420)

22 Sec. 14. Each application for permit to drill, deepen,
23 convert, or amend shall be accompanied by the required fee, not
24 to exceed \$300 ~~\$100~~, which the Department shall establish by

1 rule. A fee of \$50 ~~\$15~~ per well shall be paid by the new owner
2 for each transfer of well ownership, ~~except when multiple wells~~
3 ~~are acquired and transferred as a part of the same transaction,~~
4 ~~the fee shall be calculated at the rate of \$15 per well for the~~
5 ~~first 50 wells, and \$10 for each additional well in excess of~~
6 ~~50.~~ Except for the assessments required to be deposited in the
7 Plugging and Restoration Fund under Section 19.7 of this Act,
8 all fees assessed and collected under this Act shall be
9 deposited in the Underground Resources Conservation
10 Enforcement Fund.

11 (Source: P.A. 89-243, eff. 8-4-95.)

12 (225 ILCS 725/19.7) (from Ch. 96 1/2, par. 5430.2)

13 Sec. 19.7. The Department shall assess and collect annual
14 well fees from each permittee in the amount of \$75 per well for
15 which a permit is required under this Act. ~~as follows:~~

16 ~~(a) Permittees of permits for one well shall pay an annual~~
17 ~~fee of \$150.~~

18 ~~(b) Permittees of permits for 2 through 5 wells shall pay~~
19 ~~an annual fee of \$300.~~

20 ~~(c) Permittees of permits for 6 through 25 wells shall pay~~
21 ~~an annual fee of \$750.~~

22 ~~(d) Permittees of permits for 26 through 100 wells shall~~
23 ~~pay an annual fee of \$1,500.~~

24 ~~(e) Permittees of permits for over 100 wells shall pay an~~
25 ~~annual fee of \$1,500 plus an additional \$12.50 for each well in~~

1 ~~excess of 100.~~

2 Fees shall be assessed for each calendar year commencing in
3 1991 for all wells of record as of July 1, 1991 and July 1 of
4 each year thereafter. The fees assessed by the Department under
5 this Section are in addition to any other fees required by law.
6 All fees assessed under this Section shall be submitted to the
7 Department no later than 30 days from the date listed on the
8 annual fee assessment letter sent to the permittee. Of the fees
9 assessed and collected by the Department each year under this
10 Section, 50% shall be deposited into the Underground Resources
11 Conservation Enforcement Fund, and 50% shall be deposited into
12 the Plugging and Restoration Fund unless, total fees assessed
13 and collected for any calendar year exceed \$1,500,000; then,
14 \$750,000 shall be deposited into the Underground Resources
15 Conservation Enforcement Fund and the balance of the fees
16 assessed and collected shall be deposited into the Plugging and
17 Restoration Fund. Upon request of the Department to the
18 Comptroller and Treasurer, the Comptroller and Treasurer shall
19 make any interfund transfers necessary to effect the
20 allocations required by this Section.

21 (Source: P.A. 87-744.)

22 (225 ILCS 725/21.1) (from Ch. 96 1/2, par. 5433)

23 Sec. 21.1. (a) The Department is authorized to issue
24 permits for the drilling of wells and to regulate the spacing
25 of wells for oil and gas purposes. For the prevention of waste,

1 to protect and enforce the correlative rights of owners in the
2 pool, and to prevent the drilling of unnecessary wells, the
3 Department shall, upon application of any interested person and
4 after notice and hearing, establish a drilling unit or units
5 for the production of oil and gas or either of them for each
6 pool, provided that no spacing regulation shall be adopted nor
7 drilling unit established which requires the allocation of more
8 than 40 acres of surface area nor less than 10 acres of surface
9 area to an individual well for production of oil from a pool
10 the top of which lies less than 4,000 feet beneath the surface
11 (as determined by the original or discovery well in the pool),
12 provided, however, that the Department may permit the
13 allocation of greater acreage to an individual well than that
14 above specified, and provided further that the spacing of wells
15 in any pool the top of which lies less than 4,000 feet beneath
16 the surface (as determined by the original or discovery well in
17 the pool) shall not include the fixing of a pattern except with
18 respect to the 2 nearest external boundary lines of each
19 drilling unit, and provided further that no acreage allocation
20 shall be required for input or injection wells nor for
21 producing wells lying within a secondary recovery unit as now
22 or hereafter established.

23 (b) Drilling units shall be of approximately uniform size
24 and shape for each entire pool, except that where circumstances
25 reasonably require, the Department may grant exceptions to the
26 size or shape of any drilling unit or units. Each order

1 establishing drilling units shall specify the size and shape of
2 the unit, which shall be such as will result in the efficient
3 and economical development of the pool as a whole, and subject
4 to the provisions of subsection (a) hereof the size of no
5 drilling unit shall be smaller than the maximum area that can
6 be efficiently and economically drained by one well. Each order
7 establishing drilling units for a pool shall cover all lands
8 determined or believed to be underlaid by such pool, and may be
9 modified by the Department from time to time to include
10 additional lands determined to be underlaid by such pool. Each
11 order establishing drilling units may be modified by the
12 Department to change the size thereof, or to permit the
13 drilling of additional wells.

14 (b-2) Any petition requesting a drilling unit exception
15 shall be accompanied by a non-refundable application fee in the
16 amount of \$1,500 for a Modified Drilling unit or Special
17 Drilling Unit or a non-refundable application fee in the amount
18 of \$2,500 for a Pool-Wide Drilling Unit.

19 (c) Each order establishing drilling units shall prohibit
20 the drilling of more than one well on any drilling unit for the
21 production of oil or gas from the particular pool with respect
22 to which the drilling unit is established and subject to the
23 provisions of subsection (a) hereof shall specify the location
24 for the drilling of such well thereon, in accordance with a
25 reasonably uniform spacing pattern, with necessary exceptions
26 for wells drilled or drilling at the time of the application.

1 If the Department finds, after notice and hearing, that surface
2 conditions would substantially add to the burden or hazard of
3 drilling such well at the specified location, or for some other
4 reason it would be inequitable or unreasonable to require a
5 well to be drilled at the specified location, the Department
6 may issue an order permitting the well to be drilled at a
7 location other than that specified in the order establishing
8 drilling units.

9 (d) After the date of the notice for a hearing called to
10 establish drilling units, no additional well shall be commenced
11 for production from the pool until the order establishing
12 drilling units has been issued, unless the commencement of the
13 well is authorized by order of the Department.

14 (e) After an order establishing a drilling unit or units
15 has been issued by the Department, the commencement of drilling
16 of any well or wells into the pool with regard to which such
17 unit was established for the purpose of producing oil or gas
18 therefrom, at a location other than that authorized by the
19 order, or by order granting exception to the original spacing
20 order, is hereby prohibited. The operation of any well drilled
21 in violation of an order establishing drilling units is hereby
22 prohibited.

23 (Source: P.A. 85-1334.)

24 (225 ILCS 725/22.2) (from Ch. 96 1/2, par. 5436)

25 Sec. 22.2. Integration of interests in drilling unit.

1 (a) As used in this Section, "owner" means any person
2 having an interest in the right to drill into and produce oil
3 or gas from any pool, and to appropriate the production for
4 such owner or others.

5 (b) Except as provided in subsection (b-5), when 2 or more
6 separately owned tracts of land are embraced within an
7 established drilling unit, or when there are separately owned
8 interests in all or a part of such units, the owners of all oil
9 and gas interests therein may validly agree to integrate their
10 interests and to develop their lands as a drilling unit. Where,
11 however, such owners have not agreed to integrate their
12 interests and where no action has been commenced seeking
13 permission to drill pursuant to the provisions of "An Act in
14 relation to oil and gas interests in land", approved July 1,
15 1939, and where at least one of the owners has drilled or has
16 proposed to drill a well on an established drilling unit the
17 Department on the application of an owner shall, for the
18 prevention of waste or to avoid the drilling of unnecessary
19 wells, require such owners to do so and to develop their lands
20 as a drilling unit. The Department, as a part of the order
21 integrating interests, may prescribe the terms and conditions
22 upon which the royalty interests in the unit or units shall, in
23 the absence of voluntary agreement, be determined to be
24 integrated without the necessity of a subsequent separate order
25 integrating the royalty interests. Each such integration order
26 shall be upon terms and conditions that are just and

1 reasonable.

2 (b-5) When 2 or more separately owned tracts of land are
3 embraced within an established drilling unit, or when there are
4 separately owned interests in all or a part of the unit, and
5 one of the owners is the Department of Natural Resources,
6 integration of the separate tracts shall be allowed only if,
7 following a comprehensive environmental impact review
8 performed by the Department, the Department determines that no
9 substantial or irreversible detrimental harm will occur on
10 Department lands as a result of any proposed activities
11 relating to mineral extraction. The environmental impact
12 review shall include but shall not be limited to an assessment
13 of the potential destruction or depletion of flora and fauna,
14 wildlife and its supporting habitat, surface and subsurface
15 water supplies, aquatic life, and recreational activities
16 located on the land proposed to be integrated. The Department
17 shall adopt rules necessary to implement this subsection.

18 (b-6) All proceeds, bonuses, rentals, royalties, and other
19 inducements and considerations received from the integration
20 of Department of Natural Resources lands that have not been
21 purchased by the Department of Natural Resources with moneys
22 appropriated from the Wildlife and Fish Fund shall be deposited
23 as follows: at least 50% of the amounts received shall be
24 deposited into the State Parks Fund and not more than 50% shall
25 be deposited into the Plugging and Restoration Fund.

26 (c) All orders requiring such integration shall be made

1 after notice and hearing and shall be upon terms and conditions
2 that are just and reasonable and will afford to the owners of
3 all oil and gas interests in each tract in the drilling unit
4 the opportunity to recover or receive their just and equitable
5 share of oil or gas from the drilling unit without unreasonable
6 expense and will prevent or minimize reasonably avoidable
7 drainage from each integrated drilling unit which is not
8 equalized by counter drainage, but the Department may not limit
9 the production from any well under this provision. The request
10 shall be made by petition accompanied by a non-refundable
11 application fee of \$1,500. The fee shall be deposited into the
12 Underground Resources Conservation Enforcement Fund.

13 (d) All operations, including, but not limited to, the
14 commencement, drilling, or operation of a well upon any portion
15 of a drilling unit shall be deemed for all purposes the conduct
16 of such operations upon each separately owned tract in the
17 drilling unit by the several owners thereof. That portion of
18 the production allocated to a separately owned tract included
19 in a drilling unit shall, when produced, be deemed, for all
20 purposes, to have been actually produced from such tract by a
21 well drilled thereon.

22 (e) In making the determination of integrating separately
23 owned interests, and determining to whom the permit should be
24 issued, the Department may consider:

25 (1) the reasons requiring the integration of separate
26 interests;

1 (2) the respective interests of the parties in the
2 drilling unit sought to be established, and the pool or
3 pools in the field where the proposed drilling unit is
4 located;

5 (3) any parties' prior or present compliance with the
6 Act and the Department's rules; and

7 (4) any other information relevant to protect the
8 correlative rights of the parties sought to be affected by
9 the integration order.

10 (f) Each such integration order shall authorize the
11 drilling, testing, completing, equipping, and operation of a
12 well on the drilling unit; provide who may drill and operate
13 the well; prescribe the time and manner in which all the owners
14 in the drilling unit may elect to participate therein; and make
15 provision for the payment by all those who elect to participate
16 therein of the reasonable actual cost thereof, plus a
17 reasonable charge for supervision and interest. Should an owner
18 not elect to voluntarily participate in the risk and costs of
19 the drilling, testing, completing and operation of a well as
20 determined by the Department, the integration order shall
21 provide either that:

22 (1) the nonparticipating owner shall surrender a
23 leasehold interest to the participating owners on a basis
24 and for such terms and consideration the Department finds
25 fair and reasonable; or

26 (2) the nonparticipating owner shall share in a

1 proportionate part of the production of oil and gas from
2 the drilling unit determined by the Department, and pay a
3 proportionate part of operation cost after the
4 participating owners have recovered from the production of
5 oil or gas from a well all actual costs in the drilling,
6 testing, completing and operation of the well plus a
7 penalty to be determined by the Department of not less than
8 100% nor more than 300% of such actual costs.

9 (g) For the purpose of this Section, the owner or owners of
10 oil and gas rights in and under an unleased tract of land shall
11 be regarded as a lessee to the extent of a 7/8 interest in and
12 to said rights and a lessor to the extent of the remaining 1/8
13 interest therein.

14 (h) In the event of any dispute relative to costs and
15 expenses of drilling, testing, equipping, completing and
16 operating a well, the Department shall determine the proper
17 costs after due notice to interested parties and a hearing
18 thereon. The operator of such unit, in addition to any other
19 right provided by the integration order of the Department,
20 shall have a lien on the mineral leasehold estate or rights
21 owned by the other owners therein and upon their shares of the
22 production from such unit to the extent that costs incurred in
23 the development and operation upon said unit are a charge
24 against such interest by order of the Department or by
25 operation of law. Such liens shall be separable as to each
26 separate owner within such unit, and shall remain liens until

1 the owner or owners drilling or operating the well have been
2 paid the amount due under the terms of the integration order.
3 The Department is specifically authorized to provide that the
4 owner or owners drilling, or paying for the drilling, or for
5 the operation of a well for the benefit of all shall be
6 entitled to production from such well which would be received
7 by the owner or owners for whose benefit the well was drilled
8 or operated, after payment of royalty, until the owner or
9 owners drilling or operating the well have been paid the amount
10 due under the terms of the integration order settling such
11 dispute.

12 (Source: P.A. 90-490, eff. 8-17-97.)

13 (225 ILCS 725/23.3) (from Ch. 96 1/2, par. 5440)

14 Sec. 23.3. The Department, upon the petition of any
15 interested person, shall hold a public hearing to consider the
16 need for operating a pool, pools, or any portion thereof, as a
17 unit to enable, authorize and require operations which will
18 increase the ultimate recovery of oil and gas, prevent the
19 waste of oil and gas, and protect correlative rights of the
20 owners of the oil and gas.

21 (1) Such petition shall contain the following:

22 (a) A description of the land and pool, pools, or parts
23 thereof, within the proposed unit area.

24 (b) The names of all persons owning or having an
25 interest in the oil and gas rights in the proposed unit

1 area as of the date of filing the petition, as disclosed by
2 the records in the office of the recorder for the county or
3 counties in which the unit area is situated, and their
4 addresses, if known. If the address of any person is
5 unknown, the petition shall so indicate.

6 (c) A statement of the type of operations contemplated
7 for the unit area.

8 (d) A copy of a proposed plan of unitization signed by
9 persons owning not less than 51% of the working interest
10 underlying the surface within the area proposed to be
11 unitized, which the petitioner considers fair, reasonable
12 and equitable; said plan of unitization shall include (or
13 provide in a separate unit operating agreement, if there be
14 more than one working interest owner, a copy of which shall
15 accompany the petition) the following:

16 (i) A plan for allocating to each separately owned
17 tract in the unit area its share of the oil and gas
18 produced from the unit area and not required or
19 consumed in the conduct of the operation of the unit
20 area or unavoidably lost.

21 (ii) A provision indicating how unit expense shall
22 be determined and charged to the several owners,
23 including a provision for carrying or otherwise
24 financing any working interest owner who has not
25 executed the proposed plan of unitization and who
26 elects to be carried or otherwise financed, and

1 allowing the unit operator, for the benefit of those
2 working interest owners who have paid the development
3 and operating costs, the recovery of not more than 150%
4 of such person's actual share of development costs of
5 the unit plus operating costs, with interest. Recovery
6 of the money advanced to owners wishing to be financed,
7 for development and operating costs of the unit,
8 together with such other sums provided for herein,
9 shall only be recoverable from such owner's share of
10 unit production from the unit area.

11 (iii) A procedure and basis upon which wells,
12 equipment, and other properties of the several working
13 interest owners within the unit area are to be taken
14 over and used for unit operations, including the method
15 of arriving at the compensation therefor.

16 (iv) A plan for maintaining effective supervision
17 and conduct of unit operations, in respect to which
18 each working interest owner shall have a vote with a
19 value corresponding to the percentage of unit expense
20 chargeable against the interest of such owner.

21 (e) A non-refundable application fee in the amount of
22 \$2,500.

23 (2) Concurrently with the filing of the petition with the
24 Department, the petitioner may file or cause to be filed, in
25 the office of the recorder for the county or counties in which
26 the affected lands sought to be unitized are located, a notice

1 setting forth:

2 (a) The type of proceedings before the Department and a
3 general statement of the purpose of such proceedings.

4 (b) A legal description of the lands, oil and gas lease
5 or leases, and other oil and gas property interests, which
6 may be affected by the proposed unitization.

7 (3) Upon the filing of such notice:

8 (a) All transfers of title to oil and gas rights shall
9 thereafter be subject to the final order of the Department
10 in such proceedings, and

11 (b) Such notice shall be constructive notification to
12 every person subsequently acquiring an interest in or a
13 lien on any of the property affected thereby, and every
14 person whose interest or lien is not shown of record at the
15 time of filing such notice shall, for the purpose of this
16 Act, be deemed a subsequent purchaser and shall be bound by
17 the proceedings before the Department to the same extent
18 and in the same manner as if he were a party thereto.

19 (Source: P.A. 89-243, eff. 8-4-95.)

20 Section 90-50. The Fish and Aquatic Life Code is amended by
21 changing Sections 20-45 and 20-55 as follows:

22 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

23 (Text of Section before amendment by P.A. 97-498)

24 Sec. 20-45. License fees for residents. Fees for licenses

1 for residents of the State of Illinois shall be as follows:

2 (a) Except as otherwise provided in this Section, for
3 sport fishing devices as defined in Section 10-95 or
4 spearing devices as defined in Section 10-110 the fee is
5 \$14.50 for individuals 16 to 64 years old, and one-half of
6 the current fishing license fee for individuals age 65 or
7 older, commencing with the 1994 license year.

8 (b) All residents before using any commercial fishing
9 device shall obtain a commercial fishing license, the fee
10 for which shall be \$60 and a resident fishing license, the
11 fee for which is \$14.50 ~~\$35~~. Each and every commercial
12 device used shall be licensed by a resident commercial
13 fisherman as follows:

14 (1) For each 100 lineal yards, or fraction thereof,
15 of seine the fee is \$18. For each minnow seine, minnow
16 trap, or net for commercial purposes the fee is \$20.

17 (2) For each device to fish with a 100 hook trot
18 line device, basket trap, hoop net, or dip net the fee
19 is \$3.

20 (3) When used in the waters of Lake Michigan, for
21 the first 2000 lineal feet, or fraction thereof, of
22 gill net the fee is \$10; and for each 1000 additional
23 lineal feet, or fraction thereof, the fee is \$10. These
24 fees shall apply to all gill nets in use in the water
25 or on drying reels on the shore.

26 (4) For each 100 lineal yards, or fraction thereof,

1 of gill net or trammel net the fee is \$18.

2 (c) Residents of the State of Illinois may obtain a
3 sportsmen's combination license that shall entitle the
4 holder to the same non-commercial fishing privileges as
5 residents holding a license as described in subsection (a)
6 of this Section and to the same hunting privileges as
7 residents holding a license to hunt all species as
8 described in Section 3.1 of the Wildlife Code. No
9 sportsmen's combination license shall be issued to any
10 individual who would be ineligible for either the fishing
11 or hunting license separately. The sportsmen's combination
12 license fee shall be \$25.50. For residents age 65 or older,
13 the fee is one-half of the fee charged for a sportsmen's
14 combination license.

15 (d) For 24 hours of fishing by sport fishing devices as
16 defined in Section 10-95 or by spearing devices as defined
17 in Section 10-110 the fee is \$5. This license exempts the
18 licensee from the requirement for a salmon or inland trout
19 stamp. The licenses provided for by this subsection are not
20 required for residents of the State of Illinois who have
21 obtained the license provided for in subsection (a) of this
22 Section.

23 (e) All residents before using any commercial mussel
24 device shall obtain a commercial mussel license, the fee
25 for which shall be \$50.

26 (f) Residents of this State, upon establishing

1 residency as required by the Department, may obtain a
2 lifetime hunting or fishing license or lifetime
3 sportsmen's combination license which shall entitle the
4 holder to the same non-commercial fishing privileges as
5 residents holding a license as described in paragraph (a)
6 of this Section and to the same hunting privileges as
7 residents holding a license to hunt all species as
8 described in Section 3.1 of the Wildlife Code. No lifetime
9 sportsmen's combination license shall be issued to or
10 retained by any individual who would be ineligible for
11 either the fishing or hunting license separately, either
12 upon issuance, or in any year a violation would subject an
13 individual to have either or both fishing or hunting
14 privileges rescinded. The lifetime hunting and fishing
15 license fees shall be as follows:

16 (1) Lifetime fishing: 30 x the current fishing
17 license fee.

18 (2) Lifetime hunting: 30 x the current hunting
19 license fee.

20 (3) Lifetime sportsmen's combination license: 30 x
21 the current sportsmen's combination license fee.

22 Lifetime licenses shall not be refundable. A \$10 fee shall
23 be charged for reissuing any lifetime license. The Department
24 may establish rules and regulations for the issuance and use of
25 lifetime licenses and may suspend or revoke any lifetime
26 license issued under this Section for violations of those rules

1 or regulations or other provisions under this Code or the
2 Wildlife Code. Individuals under 16 years of age who possess a
3 lifetime hunting or sportsmen's combination license shall have
4 in their possession, while in the field, a certificate of
5 competency as required under Section 3.2 of the Wildlife Code.
6 Any lifetime license issued under this Section shall not exempt
7 individuals from obtaining additional stamps or permits
8 required under the provisions of this Code or the Wildlife
9 Code. Individuals required to purchase additional stamps shall
10 sign the stamps and have them in their possession while fishing
11 or hunting with a lifetime license. All fees received from the
12 issuance of lifetime licenses shall be deposited in the Fish
13 and Wildlife Endowment Fund.

14 Except for licenses issued under subsection (e) of this
15 Section, all licenses provided for in this Section shall expire
16 on March 31 of each year, except that the license provided for
17 in subsection (d) of this Section shall expire 24 hours after
18 the effective date and time listed on the face of the license.

19 All individuals required to have and failing to have the
20 license provided for in subsection (a) or (d) of this Section
21 shall be fined according to the provisions of Section 20-35 of
22 this Code.

23 All individuals required to have and failing to have the
24 licenses provided for in subsections (b) and (e) of this
25 Section shall be guilty of a Class B misdemeanor.

26 (Source: P.A. 96-831, eff. 1-1-10.)

1 (Text of Section after amendment by P.A. 97-498)

2 Sec. 20-45. License fees for residents. Fees for licenses
3 for residents of the State of Illinois shall be as follows:

4 (a) Except as otherwise provided in this Section, for
5 sport fishing devices as defined in Section 10-95 or
6 spearing devices as defined in Section 10-110, the fee is
7 \$14.50 for individuals 16 to 64 years old, one-half of the
8 current fishing license fee for individuals age 65 or
9 older, and, commencing with the 2012 license year, one-half
10 of the current fishing license fee for resident veterans of
11 the United States Armed Forces after returning from service
12 abroad or mobilization by the President of the United
13 States. Veterans must provide, to the Department at one of
14 the Department's 5 regional offices, verification of their
15 service. The Department shall establish what constitutes
16 suitable verification of service for the purpose of issuing
17 fishing licenses to resident veterans at a reduced fee.

18 (b) All residents before using any commercial fishing
19 device shall obtain a commercial fishing license, the fee
20 for which shall be \$60 and a resident fishing license, the
21 fee for which is \$14.50 ~~\$35~~. Each and every commercial
22 device used shall be licensed by a resident commercial
23 fisherman as follows:

24 (1) For each 100 lineal yards, or fraction thereof,
25 of seine the fee is \$18. For each minnow seine, minnow

1 trap, or net for commercial purposes the fee is \$20.

2 (2) For each device to fish with a 100 hook trot
3 line device, basket trap, hoop net, or dip net the fee
4 is \$3.

5 (3) When used in the waters of Lake Michigan, for
6 the first 2000 lineal feet, or fraction thereof, of
7 gill net the fee is \$10; and for each 1000 additional
8 lineal feet, or fraction thereof, the fee is \$10. These
9 fees shall apply to all gill nets in use in the water
10 or on drying reels on the shore.

11 (4) For each 100 lineal yards, or fraction thereof,
12 of gill net or trammel net the fee is \$18.

13 (c) Residents of the State of Illinois may obtain a
14 sportsmen's combination license that shall entitle the
15 holder to the same non-commercial fishing privileges as
16 residents holding a license as described in subsection (a)
17 of this Section and to the same hunting privileges as
18 residents holding a license to hunt all species as
19 described in Section 3.1 of the Wildlife Code. No
20 sportsmen's combination license shall be issued to any
21 individual who would be ineligible for either the fishing
22 or hunting license separately. The sportsmen's combination
23 license fee shall be \$25.50. For residents age 65 or older,
24 the fee is one-half of the fee charged for a sportsmen's
25 combination license. For resident veterans of the United
26 States Armed Forces after returning from service abroad or

1 mobilization by the President of the United States, the
2 fee, commencing with the 2012 license year, is one-half of
3 the fee charged for a sportsmen's combination license.
4 Veterans must provide to the Department, at one of the
5 Department's 5 regional offices, verification of their
6 service. The Department shall establish what constitutes
7 suitable verification of service for the purpose of issuing
8 sportsmen's combination licenses to resident veterans at a
9 reduced fee.

10 (d) For 24 hours of fishing by sport fishing devices as
11 defined in Section 10-95 or by spearing devices as defined
12 in Section 10-110 the fee is \$5. This license does not
13 exempt ~~exempts~~ the licensee from the requirement for a
14 salmon or inland trout stamp. The licenses provided for by
15 this subsection are not required for residents of the State
16 of Illinois who have obtained the license provided for in
17 subsection (a) of this Section.

18 (e) All residents before using any commercial mussel
19 device shall obtain a commercial mussel license, the fee
20 for which shall be \$50.

21 (f) Residents of this State, upon establishing
22 residency as required by the Department, may obtain a
23 lifetime hunting or fishing license or lifetime
24 sportsmen's combination license which shall entitle the
25 holder to the same non-commercial fishing privileges as
26 residents holding a license as described in paragraph (a)

1 of this Section and to the same hunting privileges as
2 residents holding a license to hunt all species as
3 described in Section 3.1 of the Wildlife Code. No lifetime
4 sportsmen's combination license shall be issued to or
5 retained by any individual who would be ineligible for
6 either the fishing or hunting license separately, either
7 upon issuance, or in any year a violation would subject an
8 individual to have either or both fishing or hunting
9 privileges rescinded. The lifetime hunting and fishing
10 license fees shall be as follows:

11 (1) Lifetime fishing: 30 x the current fishing
12 license fee.

13 (2) Lifetime hunting: 30 x the current hunting
14 license fee.

15 (3) Lifetime sportsmen's combination license: 30 x
16 the current sportsmen's combination license fee.

17 Lifetime licenses shall not be refundable. A \$10 fee shall
18 be charged for reissuing any lifetime license. The Department
19 may establish rules and regulations for the issuance and use of
20 lifetime licenses and may suspend or revoke any lifetime
21 license issued under this Section for violations of those rules
22 or regulations or other provisions under this Code or the
23 Wildlife Code. Individuals under 16 years of age who possess a
24 lifetime hunting or sportsmen's combination license shall have
25 in their possession, while in the field, a certificate of
26 competency as required under Section 3.2 of the Wildlife Code.

1 Any lifetime license issued under this Section shall not exempt
2 individuals from obtaining additional stamps or permits
3 required under the provisions of this Code or the Wildlife
4 Code. Individuals required to purchase additional stamps shall
5 sign the stamps and have them in their possession while fishing
6 or hunting with a lifetime license. All fees received from the
7 issuance of lifetime licenses shall be deposited in the Fish
8 and Wildlife Endowment Fund.

9 Except for licenses issued under subsection (e) of this
10 Section, all licenses provided for in this Section shall expire
11 on March 31 of each year, except that the license provided for
12 in subsection (d) of this Section shall expire 24 hours after
13 the effective date and time listed on the face of the license.

14 All individuals required to have and failing to have the
15 license provided for in subsection (a) or (d) of this Section
16 shall be fined according to the provisions of Section 20-35 of
17 this Code.

18 All individuals required to have and failing to have the
19 licenses provided for in subsections (b) and (e) of this
20 Section shall be guilty of a Class B misdemeanor.

21 (Source: P.A. 96-831, eff. 1-1-10; 97-498, eff. 4-1-12.)

22 (515 ILCS 5/20-55) (from Ch. 56, par. 20-55)

23 Sec. 20-55. License fees for non-residents. Fees for
24 licenses for non-residents of the State of Illinois are as
25 follows:

1 (a) For sport fishing devices as defined by Section 10-95,
2 or spearing devices as defined in Section 10-110, non-residents
3 age 16 or older shall be charged \$31 for a fishing license to
4 fish. For sport fishing devices as defined by Section 10-95, or
5 spearing devices as defined in Section 10-110, for a period not
6 to exceed 3 ~~10~~ consecutive days fishing in the State of
7 Illinois the fee is \$15.00 ~~\$19.50~~.

8 For sport fishing devices as defined in Section 10-95, or
9 spearing devices as defined in Section 10-110, for 24 hours of
10 fishing the fee is \$10 ~~\$5~~. This license does not exempt ~~exempts~~
11 the licensee from the salmon or inland trout stamp requirement.

12 (b) All non-residents before using any commercial fishing
13 device shall obtain a non-resident commercial fishing license,
14 the fee for which shall be \$300 and a non-resident fishing
15 licensing ~~\$150~~. Each and every commercial device shall be
16 licensed by a non-resident commercial fisherman as follows:

17 (1) For each 100 lineal yards, or fraction thereof, of
18 seine (excluding minnow seines) the fee is \$36.

19 (2) For each device to fish with a 100 hook trot line
20 device, basket trap, hoop net, or dip net the fee is \$6.

21 (3) For each 100 lineal yards, or fraction thereof, of
22 trammel net the fee is \$36.

23 (4) For each 100 lineal yards, or fraction thereof, of
24 gill net the fee is \$36.

25 All persons required to have and failing to have the
26 license provided for in subsection (a) of this Section shall be

1 fined under Section 20-35 of this Code. Each person required to
2 have and failing to have the licenses required under subsection
3 (b) of this Section shall be guilty of a Class B misdemeanor.

4 All licenses provided for in this Section shall expire on
5 March 31 of each year; except that the 24-hour license for
6 sport fishing devices or spearing devices shall expire 24 hours
7 after the effective date and time listed on the face of the
8 license and licenses for sport fishing devices or spearing
9 devices for a period not to exceed 10 consecutive days fishing
10 in the State of Illinois as provided in subsection (a) of this
11 Section shall expire at midnight on the tenth day after issued,
12 not counting the day issued.

13 (Source: P.A. 96-831, eff. 1-1-10.)

14 Section 90-55. The Wildlife Code is amended by changing
15 Sections 2.4 and 3.22 as follows:

16 (520 ILCS 5/2.4) (from Ch. 61, par. 2.4)

17 Sec. 2.4. The term birds of prey shall include all species
18 of owls, falcons, hawks, kites, harriers, ospreys and eagles.
19 It shall be unlawful for any person, organization or
20 institution to take or possess a bird of prey (raptor) without
21 first obtaining a license or appropriate permit from the
22 Department. All applicants must be at least 14 years of age.
23 Regulations for the capture, use, possession and
24 transportation of birds of prey for falconry or captive

1 propagation purposes are provided by administrative rule. The
2 fee for a falconry license is \$200 ~~\$75~~ for 5 ~~3~~ years and must be
3 renewed every 5 ~~3~~ years. The fee for a captive propagation
4 permit is \$200 ~~\$75~~ for 5 ~~3~~ years and must be renewed every 5 ~~3~~
5 years. The fee for a raptor capture permit for a resident of
6 the State of Illinois is \$50 ~~\$30~~ per year. The fee for a
7 non-resident raptor capture permit is \$100 ~~\$50~~ per year. A
8 Scientific Collectors Permit, available ~~at no charge~~ to
9 qualified individuals as provided in Section 3.22 of this Act,
10 may be obtained from the Department for scientific, educational
11 or zoological purposes. No person may have in their possession
12 Bald Eagle, *Haliaeetus leucocephalus*; Osprey, *Pandion*
13 *haliaeetus*; or Barn Owl, *Tyto alba*. All captive-held birds of
14 prey must be permanently marked as provided by administrative
15 rule. The use of birds of prey for the hunting of game birds,
16 migratory birds, game mammals, and furbearing mammals shall be
17 lawful during falconry seasons, which shall be set by
18 administrative rule.

19 (Source: P.A. 86-1046; 87-298.)

20 (520 ILCS 5/3.22) (from Ch. 61, par. 3.22)

21 Sec. 3.22. Issuance of scientific and special purpose
22 permits. Scientific permits may be granted by the Department to
23 any properly accredited person at least 18 years of age,
24 permitting the capture, marking, handling, banding, or
25 collecting (including fur, hide, skin, teeth, feathers, claws,

1 nests, eggs, or young), for strictly scientific purposes, of
2 any of the fauna now protected under this Code. A special
3 purpose permit may be granted to qualified individuals for the
4 purpose of salvaging dead, sick, orphaned, or crippled wildlife
5 species protected by this Act for permanent donation to bona
6 fide public or state scientific, educational or zoological
7 institutions or, for the purpose of rehabilitation and
8 subsequent release to the wild, or other disposal as directed
9 by the Department. Private educational organizations may be
10 granted a special purpose permit to possess wildlife or parts
11 thereof for educational purposes. A special purpose permit is
12 required prior to treatment, administration, or both of any
13 wild fauna protected by this Code that is captured, handled, or
14 both in the wild or will be released to the wild with any type
15 of chemical or other compound (including but not limited to
16 vaccines, inhalants, medicinal agents requiring oral or dermal
17 application) regardless of means of delivery, except that
18 individuals and organizations removing or destroying wild
19 birds and wild mammals under Section 2.37 of this Code or
20 releasing game birds under Section 3.23 of this Code are not
21 required to obtain those special purpose permits. Treatment
22 under this special purpose permit means to effect a cure or
23 physiological change within the animal. The criteria,
24 definitions, application process, fees, and standards for a
25 scientific or special purpose permit shall be provided by
26 administrative rule. The annual fee for a scientific or special

1 purpose permit shall not exceed \$100. The Department shall set
2 forth applicable regulations in an administrative rule
3 covering qualifications and facilities needed to obtain both a
4 scientific and a special purpose permit. The application for
5 these permits shall be approved by the Department to determine
6 if a permit should be issued. Disposition of fauna taken under
7 the authority of this Section shall be specified by the
8 Department.

9 The holder of each such scientific or special purpose
10 permit shall make to the Department a report in writing upon
11 blanks furnished by the Department. Such reports shall be made
12 (i) annually if the permit is granted for a period of more than
13 one year or (ii) within 30 days after the expiration of the
14 permit if the permit is granted for a period of one year or
15 less. Such reports shall include information which the
16 Department may consider necessary.

17 (Source: P.A. 96-979, eff. 7-2-10.)

18 Section 90-57. The Illinois Natural Areas Preservation Act
19 is amended by changing Section 6.01 as follows:

20 (525 ILCS 30/6.01) (from Ch. 105, par. 706.01)

21 Sec. 6.01. To compile and maintain inventories, registers
22 and records of nature preserves, other natural areas and
23 features, and species of plants and animals and their habitats
24 and establish a fee, by rule, to be collected to recover the

1 actual cost of collecting, storing, managing, compiling, and
2 providing access to such inventories, registers, and records.
3 All fees collected under this Section shall be deposited into
4 the Natural Areas Acquisition Fund.

5 (Source: P.A. 82-445.)

6 Section 90-60. The Rivers, Lakes, and Streams Act is
7 amended by adding Section 35 as follows:

8 (615 ILCS 5/35 new)

9 Sec. 35. Permit fees. The Department of Natural Resources
10 shall collect a fee of up to \$5,000 per application for permits
11 issued under this Act. The Department of Natural Resources
12 shall set the specific fee applicable to different permits
13 issued under this Act by administrative rule, provided that no
14 fee exceeds \$5,000. All fees collected pursuant to this Section
15 shall be deposited in the State Boating Act Fund for use by the
16 Department of Natural Resources for the ordinary and contingent
17 expenses of the Department of the Natural Resources. No permit
18 application shall be processed until the application fee is
19 paid to the Department of Natural Resources.

20 Section 90-70. The Fox Waterway Agency Act is amended by
21 adding Section 7.13 as follows:

22 (615 ILCS 90/7.13 new)

1 Sec. 7.13. Collection of McHenry County Dam fees for the
2 Department of Natural Resources. The Agency shall collect
3 McHenry County Dam fees on behalf of the Department of Natural
4 Resources pursuant to the user fee system in Section 7.2 of
5 this Act. McHenry County Dam fees shall be established by the
6 Department of Natural Resources pursuant to administrative
7 rule. The Agency shall transfer collected McHenry County Dam
8 fees to the Department of Natural Resources on a monthly basis.
9 McHenry County Dam fees collected by the Agency under this
10 Section shall not be considered as part of the gross income
11 from fees collected under Section 7.2 of this Act.

12 Section 90-75. The McHenry County Dam Act is amended by
13 changing Section 4 as follows:

14 (615 ILCS 100/4) (from Ch. 19, par. 1354)

15 Sec. 4. The Department of Natural Resources shall have
16 authority:

17 (1) To prescribe reasonable rules and regulations in
18 respect to all matters connected with the navigation and use of
19 the said dam, lock and fishway, and transportation on or
20 through said lock. Whoever shall wilfully or negligently refuse
21 or neglect to comply with such rules may be fined in any sum
22 not exceeding fifty dollars (\$50) for each offense, to be
23 recovered in the name of the People of the State of Illinois,
24 before any justice of the peace in the county, and paid over to

1 the Department for credit to a fund for the operation and
2 maintenance of said lock and dam at McHenry. The Department of
3 Natural Resources may prohibit all persons who wilfully refuse
4 or neglect to comply with such rules from using said dam and
5 lock. Printed copies of such rules and of this article shall be
6 posted for public inspection at the lock. The power granted in
7 this article shall apply as well to that part of the Fox River
8 above and below the dam and lock within one thousand feet
9 thereof.

10 (2) To do all work in the Fox River north of said dam and
11 lock necessary to remove obstructions and maintain a navigable
12 depth which otherwise would necessitate a further raising of
13 the dam in order to comply with Section 2, paragraph 2, of this
14 Act.

15 (3) To establish, pursuant to administrative rule, and
16 ~~collect~~ reasonable McHenry County Dam fees ~~rates of toll~~ for
17 the passage and use of the said lock and the river and lakes
18 north of said lock, but such lock, river and lakes shall be
19 free for the transportation of any property of the United
20 States or persons in the service thereof passing through the
21 same. The McHenry County Dam Fees shall be collected on behalf
22 of the Department of Natural Resources by the Fox Waterway
23 Agency under the user fee system in the Fox Water Agency Act.
24 McHenry County Dam fees received by the Department of Natural
25 Resources from the Fox Waterway Agency shall be deposited in
26 the State Boating Act Fund for use by the Department of Natural

1 Resources for the ordinary and contingent expenses of the
2 Department.

3 (Source: P.A. 89-445, eff. 2-7-96.)

4 Section 90-80. The Illinois Vehicle Code is amended by
5 changing Sections 2-119 and 3-806 as follows:

6 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

7 Sec. 2-119. Disposition of fees and taxes.

8 (a) All moneys received from Salvage Certificates shall be
9 deposited in the Common School Fund in the State Treasury.

10 (b) Beginning January 1, 1990 and concluding December 31,
11 1994, of the money collected for each certificate of title,
12 duplicate certificate of title and corrected certificate of
13 title, \$0.50 shall be deposited into the Used Tire Management
14 Fund. Beginning January 1, 1990 and concluding December 31,
15 1994, of the money collected for each certificate of title,
16 duplicate certificate of title and corrected certificate of
17 title, \$1.50 shall be deposited in the Park and Conservation
18 Fund.

19 Beginning January 1, 1995, of the money collected for each
20 certificate of title, duplicate certificate of title and
21 corrected certificate of title, \$3.25 ~~\$2~~ shall be deposited in
22 the Park and Conservation Fund. The moneys deposited in the
23 Park and Conservation Fund pursuant to this Section shall be
24 used for the acquisition and development of bike paths as

1 provided for in Section 805-420 of the Department of Natural
2 Resources (Conservation) Law (20 ILCS 805/805-420).

3 Beginning January 1, 2000, of the moneys collected for each
4 certificate of title, duplicate certificate of title, and
5 corrected certificate of title, \$48 shall be deposited into the
6 Road Fund and \$4 shall be deposited into the Motor Vehicle
7 License Plate Fund, except that if the balance in the Motor
8 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
9 of a calendar month, then during the next calendar month the \$4
10 shall instead be deposited into the Road Fund.

11 Beginning January 1, 2005, of the moneys collected for each
12 delinquent vehicle registration renewal fee, \$20 shall be
13 deposited into the General Revenue Fund.

14 Except as otherwise provided in this Code, all remaining
15 moneys collected for certificates of title, and all moneys
16 collected for filing of security interests, shall be placed in
17 the General Revenue Fund in the State Treasury.

18 (c) All moneys collected for that portion of a driver's
19 license fee designated for driver education under Section 6-118
20 shall be placed in the Driver Education Fund in the State
21 Treasury.

22 (d) Beginning January 1, 1999, of the monies collected as a
23 registration fee for each motorcycle, motor driven cycle and
24 moped, 27% of each annual registration fee for such vehicle and
25 27% of each semiannual registration fee for such vehicle is
26 deposited in the Cycle Rider Safety Training Fund.

1 (e) Of the monies received by the Secretary of State as
2 registration fees or taxes or as payment of any other fee, as
3 provided in this Act, except fees received by the Secretary
4 under paragraph (7) of subsection (b) of Section 5-101 and
5 Section 5-109 of this Code, 37% shall be deposited into the
6 State Construction Fund.

7 (f) Of the total money collected for a CDL instruction
8 permit or original or renewal issuance of a commercial driver's
9 license (CDL) pursuant to the Uniform Commercial Driver's
10 License Act (UCDLA): (i) \$6 of the total fee for an original or
11 renewal CDL, and \$6 of the total CDL instruction permit fee
12 when such permit is issued to any person holding a valid
13 Illinois driver's license, shall be paid into the
14 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
15 Information System/American Association of Motor Vehicle
16 Administrators network Trust Fund) and shall be used for the
17 purposes provided in Section 6z-23 of the State Finance Act and
18 (ii) \$20 of the total fee for an original or renewal CDL or
19 commercial driver instruction permit shall be paid into the
20 Motor Carrier Safety Inspection Fund, which is hereby created
21 as a special fund in the State Treasury, to be used by the
22 Department of State Police, subject to appropriation, to hire
23 additional officers to conduct motor carrier safety
24 inspections pursuant to Chapter 18b of this Code.

25 (g) All remaining moneys received by the Secretary of State
26 as registration fees or taxes or as payment of any other fee,

1 as provided in this Act, except fees received by the Secretary
2 under paragraph (7) (A) of subsection (b) of Section 5-101 and
3 Section 5-109 of this Code, shall be deposited in the Road Fund
4 in the State Treasury. Moneys in the Road Fund shall be used
5 for the purposes provided in Section 8.3 of the State Finance
6 Act.

7 (h) (Blank).

8 (i) (Blank).

9 (j) (Blank).

10 (k) There is created in the State Treasury a special fund
11 to be known as the Secretary of State Special License Plate
12 Fund. Money deposited into the Fund shall, subject to
13 appropriation, be used by the Office of the Secretary of State
14 (i) to help defray plate manufacturing and plate processing
15 costs for the issuance and, when applicable, renewal of any new
16 or existing registration plates authorized under this Code and
17 (ii) for grants made by the Secretary of State to benefit
18 Illinois Veterans Home libraries.

19 On or before October 1, 1995, the Secretary of State shall
20 direct the State Comptroller and State Treasurer to transfer
21 any unexpended balance in the Special Environmental License
22 Plate Fund, the Special Korean War Veteran License Plate Fund,
23 and the Retired Congressional License Plate Fund to the
24 Secretary of State Special License Plate Fund.

25 (l) The Motor Vehicle Review Board Fund is created as a
26 special fund in the State Treasury. Moneys deposited into the

1 Fund under paragraph (7) of subsection (b) of Section 5-101 and
2 Section 5-109 shall, subject to appropriation, be used by the
3 Office of the Secretary of State to administer the Motor
4 Vehicle Review Board, including without limitation payment of
5 compensation and all necessary expenses incurred in
6 administering the Motor Vehicle Review Board under the Motor
7 Vehicle Franchise Act.

8 (m) Effective July 1, 1996, there is created in the State
9 Treasury a special fund to be known as the Family
10 Responsibility Fund. Moneys deposited into the Fund shall,
11 subject to appropriation, be used by the Office of the
12 Secretary of State for the purpose of enforcing the Family
13 Financial Responsibility Law.

14 (n) The Illinois Fire Fighters' Memorial Fund is created as
15 a special fund in the State Treasury. Moneys deposited into the
16 Fund shall, subject to appropriation, be used by the Office of
17 the State Fire Marshal for construction of the Illinois Fire
18 Fighters' Memorial to be located at the State Capitol grounds
19 in Springfield, Illinois. Upon the completion of the Memorial,
20 moneys in the Fund shall be used in accordance with Section
21 3-634.

22 (o) Of the money collected for each certificate of title
23 for all-terrain vehicles and off-highway motorcycles, \$17
24 shall be deposited into the Off-Highway Vehicle Trails Fund.

25 (p) For audits conducted on or after July 1, 2003 pursuant
26 to Section 2-124(d) of this Code, 50% of the money collected as

1 audit fees shall be deposited into the General Revenue Fund.
 2 (Source: P.A. 96-554, eff. 1-1-10.)

3 (625 ILCS 5/3-806) (from Ch. 95 1/2, par. 3-806)
 4 Sec. 3-806. Registration Fees; Motor Vehicles of the First
 5 Division. Every owner of any other motor vehicle of the first
 6 division, except as provided in Sections 3-804, 3-804.01,
 7 3-805, 3-806.3, 3-806.7, and 3-808, and every second division
 8 vehicle weighing 8,000 pounds or less, shall pay the Secretary
 9 of State an annual registration fee at the following rates:

10 SCHEDULE OF REGISTRATION FEES
 11 REQUIRED BY LAW

12 Beginning with the 2010 registration year

13 Annual
 14 Fee

15 Motor vehicles of the first
 16 division other than
 17 Motorcycles, Motor Driven
 18 Cycles and Pedalcycles
 19 Motorcycles, Motor Driven
 20 Cycles and Pedalcycles

\$98

38

21 Beginning with the 2010 registration year a \$1 surcharge
 22 shall be collected in addition to the above fees for motor
 23 vehicles of the first division, motorcycles, motor driven
 24 cycles, and pedalcycles to be deposited into the State Police

1 Vehicle Fund.

2 All of the proceeds of the additional fees imposed by
3 Public Act 96-34 shall be deposited into the Capital Projects
4 Fund.

5 Beginning with the 2014 registration year, a \$2 surcharge
6 shall be collected in addition to the above fees for motor
7 vehicles of the first division, motorcycles, motor driven
8 cycles, and pedalcycles to be deposited into the Park and
9 Conservation Fund for the Department of Natural Resources to
10 use for conservation efforts.

11 (Source: P.A. 96-34, eff. 7-13-09; 96-747, eff. 1-1-10;
12 96-1000, eff. 7-2-10; 97-412, eff. 1-1-12.)

13 Section 90-85. The Snowmobile Registration and Safety Act
14 is amended by changing Sections 1-2.02, 3-2, and 3-6 as
15 follows:

16 (625 ILCS 40/1-2.02) (from Ch. 95 1/2, par. 601-2.02)

17 Sec. 1-2.02.

18 "Dealer" means any person who engages in the business of
19 manufacturing, selling, or dealing in, on consignment or
20 otherwise, any number of new snowmobiles, or 5 or more used
21 snowmobiles of any make during the year, including any
22 watercraft or off-highway vehicle dealer or a person licensed
23 as a new or used vehicle dealer who also sells or deals in, on
24 consignment or otherwise, any number of snowmobiles as defined

1 ~~by this Act a person, partnership, or corporation engaged in~~
2 ~~the business of manufacturing, selling, or leasing snowmobiles~~
3 ~~at wholesale or retail.~~

4 (Source: P.A. 78-856.)

5 (625 ILCS 40/3-2) (from Ch. 95 1/2, par. 603-2)

6 Sec. 3-2. Identification Number Application. The owner of
7 each snowmobile requiring numbering by this State shall file an
8 application for number with the Department on forms approved by
9 it. The application shall be signed by the owner of the
10 snowmobile and shall be accompanied by a fee of \$30. When a
11 snowmobile dealer sells a snowmobile the dealer shall, at the
12 time of sale, require the buyer to complete an application for
13 the registration certificate, collect the required fee and mail
14 the application and fee to the Department no later than 15 ~~14~~
15 days after the date of sale. Combination application-receipt
16 forms shall be provided by the Department and the dealer shall
17 furnish the buyer with the completed receipt showing that
18 application for registration has been made. This completed
19 receipt shall be in the possession of the user of the
20 snowmobile until the registration certificate is received. No
21 snowmobile dealer may charge an additional fee to the buyer for
22 performing this service required under this subsection.
23 However, no purchaser exempted under Section 3-11 of this Act
24 shall be charged any fee or be subject to the other
25 requirements of this Section. The application form shall so

1 state in clear language the requirements of this Section and
2 the penalty for violation near the place on the application
3 form provided for indicating the intention to register in
4 another jurisdiction. Each dealer shall maintain, for one year,
5 a record in a form prescribed by the Department for each
6 snowmobile sold. These records shall be open to inspection by
7 the Department. Upon receipt of the application in approved
8 form the Department shall enter the same upon the records of
9 its office and issue to the applicant a certificate of number
10 stating the number awarded to the snowmobile and the name and
11 address of the owner.

12 For the registration years beginning on or after January 1,
13 2017, the application shall be signed by the owner of the
14 snowmobile and shall be accompanied by a fee of \$45.

15 (Source: P.A. 96-1291, eff. 4-1-11.)

16 (625 ILCS 40/3-6) (from Ch. 95 1/2, par. 603-6)

17 Sec. 3-6. Loss of certificate.

18 Should a certificate of number or registration expiration
19 decal become lost, destroyed, or mutilated beyond legibility,
20 the owner of the snowmobile shall make application to the
21 Department for the replacement of the certificate or decal,
22 giving his name, address, and the number of his snowmobile and
23 shall at the same time pay to the Department a fee of \$5 ~~\$1~~.

24 (Source: P.A. 77-1312.)

1 Section 90-90. The Boat Registration and Safety Act is
2 amended by changing Sections 1-2, 3-1, 3-2, 3-3, 3-4, 3-5, 3-9,
3 3-11, 3-12, and 3A-16 and by adding Sections 3-1.5 and 3-7.5 as
4 follows:

5 (625 ILCS 45/1-2) (from Ch. 95 1/2, par. 311-2)

6 Sec. 1-2. Definitions. As used in this Act, unless the
7 context clearly requires a different meaning:

8 "Vessel" or "Watercraft" means every description of
9 watercraft used or capable of being used as a means of
10 transportation on water, except a seaplane on the water,
11 ~~innertube~~, air mattress or similar device, and boats used for
12 concession rides in artificial bodies of water designed and
13 used exclusively for such concessions.

14 "Motorboat" means any vessel propelled by machinery,
15 whether or not such machinery is the principal source of
16 propulsion, but does not include a vessel which has a valid
17 marine document issued by the Bureau of Customs of the United
18 States Government or any Federal agency successor thereto.

19 "Non-powered watercraft" means any canoe, kayak,
20 kiteboard, paddleboard, float tube, or watercraft not
21 propelled by sail, canvas, or machinery of any sort.

22 "Sailboat" means any watercraft propelled by sail or
23 canvas, including sailboards. For the purposes of this Act, any
24 watercraft propelled by both sail or canvas and machinery of
25 any sort shall be deemed a motorboat when being so propelled.

1 "Airboat" means any boat (but not including airplanes or
2 hydroplanes) propelled by machinery applying force against the
3 air rather than the water as a means of propulsion.

4 "Dealer" means any person who engages in the business of
5 manufacturing, selling, or dealing in, on consignment or
6 otherwise, any number of new watercraft, or 5 or more used
7 watercraft of any make during the year, including any
8 off-highway vehicle dealer or snowmobile dealer or a person
9 licensed as a new or used vehicle dealer who also sells or
10 deals in, on consignment or otherwise, any number of watercraft
11 as defined in this Act.

12 "Lifeboat" means a small boat kept on board a larger boat
13 for use in emergency.

14 "Owner" means a person, other than lien holder, having
15 title to a motorboat. The term includes a person entitled to
16 the use or possession of a motorboat subject to an interest in
17 another person, reserved or created by agreement and securing
18 payment of performance of an obligation, but the term excludes
19 a lessee under a lease not intended as security.

20 "Waters of this State" means any water within the
21 jurisdiction of this State.

22 "Person" means an individual, partnership, firm,
23 corporation, association, or other entity.

24 "Operate" means to navigate or otherwise use a motorboat or
25 vessel.

26 "Department" means the Department of Natural Resources.

1 "Competent" means capable of assisting a skier in case of
2 injury or accident.

3 "Personal flotation device" or "PFD" means a device that is
4 approved by the Commandant, U.S. Coast Guard, under Part 160 of
5 Title 46 of the Code of Federal Regulations.

6 "Recreational boat" means any vessel manufactured or used
7 primarily for noncommercial use; or leased, rented or chartered
8 to another for noncommercial use.

9 "Personal watercraft" means a vessel that uses an inboard
10 motor powering a water jet pump as its primary source of motor
11 power and that is designed to be operated by a person sitting,
12 standing, or kneeling on the vessel, rather than the
13 conventional manner of sitting or standing inside the vessel,
14 and includes vessels that are similar in appearance and
15 operation but are powered by an outboard or propeller drive
16 motor.

17 "Specialty prop-craft" means a vessel that is similar in
18 appearance and operation to a personal watercraft but that is
19 powered by an outboard or propeller driven motor.

20 "Underway" applies to a vessel or watercraft at all times
21 except when it is moored at a dock or anchorage area.

22 "Use" applies to all vessels on the waters of this State,
23 whether moored or underway.

24 (Source: P.A. 89-445, eff. 2-7-96.)

25 (625 ILCS 45/3-1) (from Ch. 95 1/2, par. 313-1)

1 Sec. 3-1. Unlawful operation of unnumbered watercraft.
2 Every watercraft other than non-powered watercraft ~~sailboards,~~
3 on waters within the jurisdiction of this State shall be
4 numbered. No person may operate or give permission for the
5 operation of any such watercraft on such waters unless the
6 watercraft is numbered in accordance with this Act, or in
7 accordance with applicable Federal law, or in accordance with a
8 Federally-approved numbering system of another State, and
9 unless (1) the certificate of number awarded to such watercraft
10 is in full force and effect, and (2) the identifying number set
11 forth in the certificate of number is displayed on each side of
12 the bow of such watercraft.

13 (Source: P.A. 85-149.)

14 (625 ILCS 45/3-1.5 new)

15 Sec. 3-1.5. Water usage stamp. Any person using a
16 non-powered watercraft on the waters of this State shall have a
17 valid water usage stamp affixed to an area easily visible
18 either on the exterior or interior of the device. The
19 Department shall establish rules and regulations for the
20 purchase of water usage stamps. Each water usage stamp shall
21 bear the calendar year the stamp is in effect. The fee for a
22 water usage stamp is \$6 per stamp for the first 3 stamps. Any
23 person who purchases more than 3 water usage stamps receives
24 each subsequent stamp for \$3 each.

1 (625 ILCS 45/3-2) (from Ch. 95 1/2, par. 313-2)

2 Sec. 3-2. Identification number application. The owner of
3 each watercraft requiring numbering by this State shall file an
4 application for number with the Department on forms approved by
5 it. The application shall be signed by the owner of the
6 watercraft and shall be accompanied by a fee as follows:

7 A. (Blank). ~~Class A (all canoes, kayaks, and~~
8 ~~non-motorized paddle boats)~~ ~~\$6~~

9 B. Class 1 (all watercraft less
10 than 16 feet in length, except
11 non-powered watercraft.
12 ~~canoes, kayaks, and non-motorized paddle boats)~~ .. \$18 ~~\$15~~

13 C. Class 2 (all watercraft 16
14 feet or more but less than 26 feet in length
15 except canoes, kayaks, and non-motorized paddle
16 boats) \$50 ~~\$45~~

17 D. Class 3 (all watercraft 26 feet or more
18 but less than 40 feet in length)..... \$150 ~~\$75~~

19 E. Class 4 (all watercraft 40 feet in length
20 or more) \$200 ~~\$100~~

21 Upon receipt of the application in approved form, and when
22 satisfied that no tax imposed pursuant to the "Municipal Use
23 Tax Act" or the "County Use Tax Act" is owed, or that such tax
24 has been paid, the Department shall enter the same upon the
25 records of its office and issue to the applicant a certificate
26 of number stating the number awarded to the watercraft and the

1 name and address of the owner.

2 The Department shall deposit 20% of all money collected
3 from watercraft registrations into the Conservation Police
4 Operations Assistance Fund.

5 (Source: P.A. 93-32, eff. 7-1-03; 94-45, eff. 1-1-06.)

6 (625 ILCS 45/3-3) (from Ch. 95 1/2, par. 313-3)

7 Sec. 3-3. Identification number display.

8 A. The owner shall paint on or attach to both sides of the
9 bow (front) of a watercraft the identification number, which
10 shall be of block characters at least 3 inches in height. The
11 figures shall read from left to right, be of contrasting color
12 to their background, and be maintained in a legible condition.
13 No other number shall be displayed on the bow of the boat. In
14 affixing the number to the boat, a space or a hyphen shall be
15 provided between the IL and the number and another space or
16 hyphen between the number and the letters which follow. On
17 vessels of unconventional design or constructed so that it is
18 impractical or impossible to display identification numbers in
19 a prominent position on the forward half of their hulls or
20 permanent substructures, numbers may be displayed in brackets
21 or fixtures firmly attached to the vessel. Exact positioning of
22 the numbers in brackets or protruding fixtures shall be
23 discretionary with vessel owners, providing the numbers are
24 placed on the forward half of the vessel and meet the standard
25 requirements for legibility, size, style and contrast with the

1 background.

2 B. A watercraft already covered by a number in full force
3 and effect which has been awarded to it pursuant to Federal law
4 is exempt from number display as prescribed by this Section.

5 C. All non-powered watercraft ~~canoes and kayaks~~ are exempt
6 from number display as prescribed by this Section.

7 (Source: P.A. 87-391.)

8 (625 ILCS 45/3-4) (from Ch. 95 1/2, par. 313-4)

9 Sec. 3-4. Destruction, sale, transfer or abandonment. The
10 owner of any watercraft shall within 15 days notify the
11 Department if the watercraft is destroyed or abandoned, or is
12 sold or transferred either wholly or in part to another person
13 or persons. In sale or transfer cases, the notice shall be
14 accompanied by a surrender of the certificate of number. In
15 destruction or abandonment cases, the notice shall be
16 accompanied by a surrender of the certificate of title. When
17 the surrender of the certificate is by reason of the watercraft
18 being destroyed or abandoned, the Department shall cancel the
19 certificate and enter such fact in its records. The Department
20 shall be notified in writing of any change of address. Should
21 the owner desire a new certificate of number, showing the new
22 address, he shall surrender his old certificate and notify the
23 Department of the new address, remitting \$1 to cover the
24 issuance of a new certificate of number. If the surrender is by
25 reason of a sale or transfer either wholly or in part to

1 another person or persons, the owner surrendering the
2 certificate shall state to the Department, under oath, the name
3 of the purchaser or transferee.

4 Non-powered watercraft are exempt from this Section.

5 (Source: P.A. 85-149.)

6 (625 ILCS 45/3-5) (from Ch. 95 1/2, par. 313-5)

7 Sec. 3-5. Transfer of Identification Number. The purchaser
8 of a watercraft shall, within 15 days after acquiring same,
9 make application to the Department for transfer to him of the
10 certificate of number issued to the watercraft giving his name,
11 address and the number of the boat. The purchaser shall apply
12 for a transfer-renewal for a fee as prescribed under Section
13 3-2 of this Act for approximately 3 years. All transfers will
14 bear June 30 expiration dates in the calendar year of
15 expiration. Upon receipt of the application and fee, together
16 with proof that any tax imposed under the Municipal Use Tax Act
17 or County Use Tax Act has been paid or that no such tax is owed,
18 the Department shall transfer the certificate of number issued
19 to the watercraft to the new owner.

20 Unless the application is made and fee paid, and proof of
21 payment of municipal use tax or county use tax or nonliability
22 therefor is made, within 30 days, the watercraft shall be
23 deemed to be without certificate of number and it shall be
24 unlawful for any person to operate the watercraft until the
25 certificate is issued.

1 Non-powered watercraft are exempt from this Section.

2 (Source: P.A. 87-1109.)

3 (625 ILCS 45/3-7.5 new)

4 Sec. 3-7.5. Replacement water usage sticker. If a water
5 usage sticker is lost, destroyed, or mutilated beyond
6 legibility, a new water usage sticker shall be required before
7 the non-powered watercraft is used on the waters of this State.

8 (625 ILCS 45/3-9) (from Ch. 95 1/2, par. 313-9)

9 Sec. 3-9. Certificate of Number. Every certificate of
10 number awarded pursuant to this Act shall continue in full
11 force and effect for approximately 3 years unless sooner
12 terminated or discontinued in accordance with this Act. All new
13 certificates issued will bear June 30 expiration dates in the
14 calendar year 3 years after the issuing date. Provided however,
15 that the Department may, for purposes of implementing this
16 Section, adopt rules for phasing in the issuance of new
17 certificates and provide for 1, 2 or 3 year expiration dates
18 and pro-rated payments or charges for each registration.

19 All certificates shall be renewed for 3 years from the
20 nearest June 30 for a fee as prescribed in Section 3-2 of this
21 Act. All certificates will be invalid after July 15 of the year
22 of expiration. All certificates expiring in a given year shall
23 be renewed between January 1 and June 30 of that year, in order
24 to allow sufficient time for processing.

1 The Department shall issue "registration expiration
2 decals" with all new certificates of number, all certificates
3 of number transferred and renewed and all certificates of
4 number renewed. The decals issued for each year shall be of a
5 different and distinct color from the decals of each other year
6 currently displayed. The decals shall be affixed to each side
7 of the bow of the watercraft, except for federally documented
8 vessels, in the manner prescribed by the rules and regulations
9 of the Department. Federally documented vessels shall have
10 decals affixed to the watercraft on each side of the federally
11 documented name of the vessel in the manner prescribed by the
12 rules and regulations of the Department.

13 The Department shall fix a day and month of the year on
14 which certificates of number due to expire shall lapse and no
15 longer be of any force and effect unless renewed pursuant to
16 this Act.

17 No number or registration expiration decal other than the
18 number awarded or the registration expiration decal issued to a
19 watercraft or granted reciprocity pursuant to this Act shall be
20 painted, attached, or otherwise displayed on either side of the
21 bow of such watercraft. A person engaged in the operation of a
22 licensed boat livery shall pay a fee as prescribed under
23 Section 3-2 of this Act for each watercraft used in the livery
24 operation.

25 A person engaged in the manufacture or sale of watercraft
26 of a type otherwise required to be numbered hereunder, upon

1 application to the Department upon forms prescribed by it, may
2 obtain certificates of number for use in the testing or
3 demonstrating of such watercraft upon payment of \$10 for each
4 registration. Certificates of number so issued may be used by
5 the applicant in the testing or demonstrating of watercraft by
6 temporary placement of the numbers assigned by such
7 certificates on the watercraft so tested or demonstrated.

8 Non-powered watercraft are exempt from this Section.

9 (Source: P.A. 87-798.)

10 (625 ILCS 45/3-11) (from Ch. 95 1/2, par. 313-11)

11 Sec. 3-11. Penalty. No person shall at any time falsely
12 alter or change in any manner a certificate of number or water
13 usage stamp issued under the provisions hereof, or falsify any
14 record required by this Act, or counterfeit any form of license
15 provided for by this Act.

16 (Source: P.A. 82-783.)

17 (625 ILCS 45/3-12) (from Ch. 95 1/2, par. 313-12)

18 Sec. 3-12. Exemption from numbering provisions of this Act.
19 A watercraft shall not be required to be numbered under this
20 Act if it is:

21 A. A watercraft which has a valid marine document issued by
22 the United States Coast Guard, provided the owner of any such
23 vessel used upon the waters of this State for more than 60 days
24 in any calendar year shall be required to comply with the

1 registration requirements of Section 3-9 of this Act.

2 B. Already covered by a number in full force and effect
3 which has been awarded to it pursuant to Federal law or a
4 Federally-approved numbering system of another State, if such
5 boat will not be within this State for a period in excess of 60
6 consecutive days.

7 C. A watercraft from a country other than the United States
8 temporarily using the waters of this State.

9 D. A watercraft whose owner is the United States, a State
10 or a subdivision thereof, and used solely for official purposes
11 and clearly identifiable.

12 E. A vessel used exclusively as a ship's lifeboat.

13 F. A watercraft belonging to a class of boats which has
14 been exempted from numbering by the Department after such
15 agency has found that an agency of the Federal Government has a
16 numbering system applicable to the class of watercraft to which
17 the watercraft in question belongs and would be exempt from
18 numbering if it were subject to the Federal law.

19 G. Watercraft while competing in any race approved by the
20 Department under the provisions of Section 5-15 of this Act or
21 if the watercraft is designed and intended solely for racing
22 while engaged in navigation that is incidental to preparation
23 of the watercraft for the race. Preparation of the watercraft
24 for the race may be accomplished only after obtaining the
25 written authorization of the Department.

26 H. Non-powered, owned and operated on water completely

1 impounded on land belonging to the owner of the watercraft.
2 This Section does not apply to water controlled by a club or
3 association.

4 I. A non-powered watercraft. ~~A canoe or kayak which is~~
5 ~~owned by an organization which is organized and conducted on a~~
6 ~~not for profit basis with no personal profit inuring to anyone~~
7 ~~as a result of the operation.~~

8 (Source: P.A. 88-524.)

9 (625 ILCS 45/3A-16) (from Ch. 95 1/2, par. 313A-16)

10 Sec. 3A-16. Fees. Fees shall be paid according to the
11 following schedule:

12	Certificate of title	<u>\$10</u> \$7
13	Duplicate certificate of title	<u>7</u> 5
14	Corrected certificate of title	<u>7</u> 5
15	Search	<u>7</u> 5

16 (Source: P.A. 85-149.)

17 ARTICLE 95-95.

18 Section 95-95. No acceleration or delay. Where this Act
19 makes changes in a statute that is represented in this Act by
20 text that is not yet or no longer in effect (for example, a
21 Section represented by multiple versions), the use of that text
22 does not accelerate or delay the taking effect of (i) the
23 changes made by this Act or (ii) provisions derived from any

1 other Public Act.

2 Section 95-97. Severability. The provisions of this Act are
3 severable under Section 1.31 of the Statute on Statutes.

4 ARTICLE 99.

5 Section 99-99. Effective date. This Act takes effect
6 January 1, 2013."