



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1337

Introduced 2/8/2011, by Sen. John M. Sullivan

#### SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.30	from Ch. 61, par. 2.30
520 ILCS 5/2.30b new	
520 ILCS 5/2.33a	from Ch. 61, par. 2.33a

Amends the Wildlife Code. Provides for the hunting and trapping of river otters. Provides that the season limit for river otter shall not exceed 5 river otters per person per season. Provides that possession limits shall be 10 per person per season limit except that this restriction shall not apply to fur buyers, tanners, manufacturers, and taxidermists. Requires that the pelts of river otters shall be tagged in accordance with federal regulations. Provides that the Department may require harvest registration and set forth procedures, fees for registration, and the process of tagging pelts in administrative rules. Sets fees for registration and tagging shall not exceed \$5 per pelt. Effective immediately.

LRB097 08082 CEL 48205 b

1 AN ACT concerning wildlife.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Wildlife Code is amended by changing  
5 Sections 2.30 and 2.33a and by adding Section 2.30b as follows:

6 (520 ILCS 5/2.30) (from Ch. 61, par. 2.30)

7 Sec. 2.30. It shall be unlawful for any person to trap or  
8 to hunt with gun, dog, dog and gun, or bow and arrow, gray fox,  
9 red fox, raccoon, weasel, mink, muskrat, badger, and opossum  
10 except during the open season which will be set annually by the  
11 Director between 12:01 a.m., November 1 to 12:00 midnight,  
12 February 15, both inclusive.

13 It is unlawful for any person to take bobcat ~~or river otter~~  
14 in this State at any time.

15 It is unlawful to pursue any fur-bearing mammal with a dog  
16 or dogs between the hours of sunset and sunrise during the 10  
17 day period preceding the opening date of the raccoon hunting  
18 season and the 10 day period following the closing date of the  
19 raccoon hunting season except that the Department may issue  
20 field trial permits in accordance with Section 2.34 of this  
21 Act. A non-resident from a state with more restrictive  
22 fur-bearer pursuit regulations for any particular species than  
23 provided for that species in this Act may not pursue that

1 species in Illinois except during the period of time that  
2 Illinois residents are allowed to pursue that species in the  
3 non-resident's state of residence. Hound running areas  
4 approved by the Department shall be exempt from the provisions  
5 of this Section.

6 It shall be unlawful to take beaver, river otter, weasel,  
7 mink or muskrat except during the open season set annually by  
8 the Director, and then, only with traps.

9 It shall be unlawful for any person to trap beaver or river  
10 otter with traps except during the open season which will be  
11 set annually by the Director between 12:01 a.m., November 1st  
12 and 12:00 midnight, March 31, both inclusive.

13 Coyote may be taken by trapping methods only during the  
14 period from September 1 to March 1, both inclusive, and by  
15 hunting methods at any time.

16 Striped skunk may be taken by trapping methods only during  
17 the period from September 1 to March 1, both inclusive, and by  
18 hunting methods at any time.

19 For the purpose of taking fur-bearing mammals, the State  
20 may be divided into management zones by administrative rule.

21 The provisions of this Section are subject to modification  
22 by administrative rule.

23 It shall be unlawful to take or possess more than the  
24 season limit or possession limit of fur-bearing mammals that  
25 shall be set annually by the Director. The season limit for  
26 river otter shall not exceed 5 river otters per person per

1 season. Possession limits shall be 10 per person per season  
2 limit except that this restriction shall not apply to fur  
3 buyers, tanners, manufacturers, and taxidermists, as defined  
4 by this Act, who possess fur-bearing mammals in accordance with  
5 laws governing such activities.

6 The provisions of this Section are subject to modification  
7 by administrative rule.

8 (Source: P.A. 95-196, eff. 1-1-08.)

9 (520 ILCS 5/2.30b new)

10 Sec. 2.30b. River otter pelts. The pelts of river otters  
11 shall be tagged in accordance with federal regulation 50 CFR  
12 23.69(e). The Department may require harvest registration and  
13 set forth procedures, fees for registration, and the process of  
14 tagging pelts in administrative rules. Fees for registration  
15 and tagging shall not exceed \$5 per pelt.

16 (520 ILCS 5/2.33a) (from Ch. 61, par. 2.33a)

17 Sec. 2.33a. (a) It is unlawful to fail to visit and remove  
18 all animals from traps staked out, set, used, tended, placed or  
19 maintained at least once each calendar day.

20 (b) It is unlawful for any person to place, set, use, or  
21 maintain a leghold trap or one of similar construction on land,  
22 that has a jaw spread of larger than 6 1/2 inches (16.6 CM), or  
23 a body-gripping trap or one of similar construction having a  
24 jaw spread larger than 7 inches (17.8 CM) on a side if square

1 and 8 inches (20.4 CM) if round;

2 (c) It is unlawful for any person to place, set, use, or  
3 maintain a leghold trap or one of similar construction in  
4 water, that has a jaw spread of larger than 7 1/2 inches (19.1  
5 CM), or a body-gripping trap or one of similar construction  
6 having a jaw spread larger than 10 inches (25.4 CM) on a side  
7 if square and 12 inches (30.5 CM) if round;

8 (d) It is unlawful to use any trap with saw-toothed,  
9 spiked, or toothed jaws;

10 (e) It is unlawful to destroy, disturb or in any manner  
11 interfere with dams, lodges, burrows or feed beds of beaver  
12 while trapping for beaver or to set a trap inside a muskrat  
13 house or beaver lodge, except that this shall not apply to  
14 Drainage Districts who are acting pursuant to the provisions of  
15 Section 2.37;

16 (f) It is unlawful to trap beaver or river otter with: (1)  
17 a leghold trap or one of similar construction having a jaw  
18 spread of less than 5 1/2 inches (13.9 CM) or more than 7 1/2  
19 inches (19.1 CM), or (2) a body-gripping trap or one of similar  
20 construction having a jaw spread of less than 7 inches (17.7  
21 CM) or more than 10 inches (25.4 CM) on a side if square and 12  
22 inches (30.5 CM) if round, except that these restrictions shall  
23 not apply during the open season for trapping muskrats;

24 (g) It is unlawful to set traps closer than 10 feet (3.05  
25 M) from any hole or den which may be occupied by a game mammal  
26 or fur-bearing mammal except that this restriction shall not

1 apply to water sets.

2 (h) It is unlawful to trap or attempt to trap any  
3 fur-bearing mammal with any colony, cage, box, or stove-pipe  
4 trap designed to take more than one mammal at a single setting.

5 (i) It is unlawful for any person to set or place any trap  
6 designed to take any fur-bearing mammal protected by this Act  
7 during the closed trapping season. Proof that any trap was  
8 placed during the closed trapping season shall be deemed prima  
9 facie evidence of a violation of this provision.

10 (j) It is unlawful to place, set, or maintain any leghold  
11 trap or one of similar construction within thirty (30) feet  
12 (9.14 m) of bait placed in such a manner or position that it is  
13 not completely covered and concealed from sight, except that  
14 this shall not apply to underwater sets. Bait shall mean and  
15 include any bait composed of mammal, bird, or fish flesh, fur,  
16 hide, entrails or feathers.

17 (k) It shall be unlawful for hunters or trappers to have  
18 the green hides of fur-bearing mammals, protected by this Act,  
19 in their possession except during the open season and for an  
20 additional period of 10 days succeeding such open season.

21 (l) It is unlawful for any person to place, set, use or  
22 maintain a snare trap or one of similar construction in water,  
23 that has a loop diameter exceeding 15 inches (38.1 CM) or a  
24 cable or wire diameter of more than 1/8 inch (3.2 MM) or less  
25 than 5/64 inch (2.0 MM), that is constructed of stainless steel  
26 metal cable or wire, and that does not have a mechanical lock,

1 anchor swivel and stop device to prevent the mechanical lock  
2 from closing the noose loop to a diameter of less than 2 1/2  
3 inches (6.4 CM).

4 (Source: P.A. 85-152; 86-1354.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.