



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3118

by Rep. Kelly Burke

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.33c new

Amends the Wildlife Code. Creates a provision that states that no person may (i) take an animal that is tied, staked out, caged, or otherwise intentionally confined in an enclosure, regardless of the enclosure's size or (ii) confine or release from confinement any native animal for the purposes of taking. Defines "confinement". Provides that any person or business that engages in taking a native animal at a facility that has confined native animals for the purpose of hunting for a minimum of one year prior to the effective date is exempt from compliance. Provides that the provision does not apply to the (i) lawful taking, hunting, or trapping of an animal that is not confined; (ii) taking of furbearing mammals in the State; or (iii) slaughter of captive native animal held under a game breeder's permit by the permit holder or an employee of the permit holder for human consumption. Creates exemptions to the provision.

LRB098 08811 CEL 38937 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 adding Section
5 2.33c as follows:

6 (520 ILCS 5/2.33c new)

7 Sec. 2.33c. Canned hunting.

8 (a) For the purposes of this Section, "confinement" means
9 any structure or other means intended to keep an animal within
10 bounds, restrict its movement, or prevent an animal from
11 leaving a particular environment.

12 (b) Notwithstanding any other provision of law, except as
13 provided for in subsection (c) of this Section, no person may:

14 (1) take with a firearm, bow and arrow, or any other
15 weapon that could be used to kill or injure any animal that
16 is tied, staked out, caged, or otherwise intentionally
17 confined in an enclosure, regardless of the enclosure's
18 size; or

19 (2) confine or release from confinement any native
20 animal for the purposes of taking.

21 (c) Any person or business that engages in the activities
22 at a facility that has confined native animals for the purpose
23 of hunting described in subsection (b) of this Section for a

1 minimum of one year prior to the effective date of this
2 amendatory Act of the 98th General Assembly is exempt from
3 compliance.

4 (d) Nothing contained in this Section shall be deemed to
5 prohibit the lawful taking, hunting, or trapping of an animal
6 that is not confined, as provided for in any law or rule in the
7 State.

8 (e) Nothing in this Section shall apply to the taking of
9 furbearing mammals in the State.

10 (f) Nothing in this Section shall apply to the slaughter of
11 captive native animals held under a game breeder's permit by
12 the permit holder or an employee of the permit holder for human
13 consumption.

14 (g) This Section shall not apply to:

15 (1) the slaughter of domestic livestock;

16 (2) the killing of animals for bona fide scientific
17 research or public safety concerns;

18 (3) the killing of captive-reared game animals and
19 furbearing mammals for meat, leather, or fur production by
20 licensed game breeders as authorized in Sections 3.23 and
21 3.25 of this Act; allowable methods for killing captive
22 deer by licensed game breeders shall be only by the use of
23 penetrating captive bolt or suitable firearm by the
24 license-holder or an employee of the license-holder; if a
25 firearm is used animals shall be confined in a holding pen
26 or holding facility of 200 square feet or less when

1 dispatched;

2 (4) animals trapped in compliance with trapping laws;

3 (5) employees or agents of the Department in the
4 performance of their duties; or

5 (6) wild game breeders authorized prior to January 1,
6 2003 by the Department to allow the activities prohibited
7 in subsections (b), (c), (d), and (e) of this Section for
8 white-tailed deer at their wild game breeding facilities;
9 this exemption only applies if all the following conditions
10 are met:

11 (A) the wild game breeder was the individual
12 specifically authorized prior to January 1, 2003;

13 (B) the site at which the killing takes place is
14 the original fenced property and the area has not been
15 modified that was inspected and approved by the
16 Department at the time of authorization; and

17 (C) the authorized game breeding facility has
18 remained continuously licensed and operational since
19 the initial authorization.