



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5894

by Rep. Jim Durkin

#### SYNOPSIS AS INTRODUCED:

520 ILCS 5/1.19

from Ch. 61, par. 1.19

Amends the Wildlife Code. Provides that all authorized employees of the Department of Natural Resources are empowered to enter all public lands and waters (was previously all lands and waters) to enforce the provisions of the Act. Provides that authorized employees are empowered to examine all buildings used by commercial entities as private or public clubs (except dwellings), fish markets, cold storage houses, locker plants, camps, vessels, cars (except sealed railroad cars or other sealed common carrier), conveyances, vehicles, watercraft or other means of transportation or shipping whatsoever, tents, game bags, game coats or other receptacles, and to open and examine any box, barrel, package, or other receptacle in the possession of a common carrier, which they have reason to believe contains wild birds or any part thereof (their nests or eggs), or wild mammals or any part thereof, taken, destroyed, bought, sold or bartered, shipped, or held in possession contrary to any of the provisions of the Act. Provides that no employee of the Department shall enter any private land, question an individual, or make any examinations without probable cause, a valid warrant, or permission. Effective immediately.

LRB098 19043 MGM 54193 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 Section  
5 1.19 as follows:

6 (520 ILCS 5/1.19) (from Ch. 61, par. 1.19)

7 Sec. 1.19. All authorized employees of the Department are  
8 empowered, pursuant to law, to enter all public lands and  
9 waters to enforce the provisions of this Act. Authorized  
10 employees are further empowered to examine all buildings used  
11 by commercial entities as~~7~~ private or public clubs (except  
12 dwellings), fish markets, cold storage houses, locker plants,  
13 camps, vessels, cars (except sealed railroad cars or other  
14 sealed common carrier), conveyances, vehicles, watercraft or  
15 other means of transportation or shipping whatsoever, tents,  
16 game bags, game coats or other receptacles, and to open and  
17 examine any box, barrel, package, or other receptacle in the  
18 possession of a common carrier, which they have reason to  
19 believe contains wild birds or any part thereof (their nests or  
20 eggs), or wild mammals or any part thereof, taken, destroyed,  
21 bought, sold or bartered, shipped~~4~~ or held in possession  
22 contrary to any of the provisions of this Act, including  
23 administrative rules, or that the receptacle containing the

1 same is falsely labeled.

2 All authorized employees of the Department shall be given  
3 free access to and shall not be hindered or interfered with in  
4 making such examination, and any license issued by the  
5 Department held by the person preventing such free access or  
6 interfering with or hindering such authorized employee shall be  
7 subject to confiscation by the Department; and no license or  
8 permit of any kind whatsoever shall be issued to such person  
9 for the period of one year thereafter.

10 Authorized law enforcement employees of the Department are  
11 empowered to conduct examination of equipment and devices in  
12 the field, pursuant to law, to ensure compliance with the  
13 provisions of this Act.

14 However, no employee of the Department shall enter any  
15 private land, question an individual, or make any examinations  
16 without probable cause, a valid warrant, or permission.

17 (Source: P.A. 85-152.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.