



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB0352

by Rep. Patrick J. Verschoore

#### SYNOPSIS AS INTRODUCED:

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

Amends the Wildlife Code. Removes the prohibition on taking bobcats in the State. Provides that it shall be unlawful for any person to trap or to hunt bobcats with gun, dog, dog and gun, or bow and arrow, except during the open season which will be set annually by the Director of Natural Resources between 12:01 a.m., November 1 to 12:00 midnight, February 15, both inclusive. Provides that the season limit for bobcat shall not exceed one bobcat per permit. Provides that the pelts of bobcats shall be tagged in accordance with federal regulations and the Department of Natural Resources may require harvest registration and set forth procedures, fees for registration, and the process of tagging pelts in administrative rules. Provides that bobcats may be taken during the open season by use of a small light which is worn on the body or hand-held by a person on foot and not in any vehicle.

LRB099 05662 RJF 25702 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, 2.30b, 2.33, and 2.33a 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, bobcat, and  
10 opossum except during the open season which will be set  
11 annually by the Director between 12:01 a.m., November 1 to  
12 12:00 midnight, February 15, both inclusive.

13 ~~It is unlawful for any person to take bobcat in this State~~  
14 ~~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, except that a firearm,  
9 pistol, or airgun of a caliber not larger than a .22 long rifle  
10 may be used to remove the animal from the trap.

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

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

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

21 Muskrat may be taken by trapping methods during an open  
22 season set annually by the Director.

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

25 It shall be unlawful to take or possess more than the  
26 season limit or possession limit of fur-bearing mammals that

1 shall be set annually by the Director. The season limit for  
2 river otter shall not exceed 5 river otters per person per  
3 season. The season limit for bobcat shall not exceed one bobcat  
4 per permit. Possession limits shall not apply to fur buyers,  
5 tanners, manufacturers, and taxidermists, as defined by this  
6 Act, who possess fur-bearing mammals in accordance with laws  
7 governing such activities.

8 Nothing in this Section shall prohibit the taking or  
9 possessing of fur-bearing mammals found dead or  
10 unintentionally killed by a vehicle along a roadway during the  
11 open season provided the person who possesses such fur-bearing  
12 mammals has all appropriate licenses, stamps, or permits; the  
13 season for which the species possessed is open; and that such  
14 possession and disposal of such fur-bearing mammals is  
15 otherwise subject to the provisions of this Section.

16 The provisions of this Section are subject to modification  
17 by administrative rule.

18 (Source: P.A. 97-19, eff. 6-28-11; 97-31, eff. 6-28-11; 97-628,  
19 eff. 11-10-11; 98-463, eff. 8-16-13; 98-924, eff. 8-15-14.)

20 (520 ILCS 5/2.30b)

21 Sec. 2.30b. River otter and bobcat pelts. The pelts of  
22 river otters and bobcats shall be tagged in accordance with  
23 federal regulation 50 CFR 23.69(e). The Department may require  
24 harvest registration and set forth procedures, fees for  
25 registration, and the process of tagging pelts in

1 administrative rules. Fees for registration and tagging shall  
2 not exceed \$5 per pelt.

3 (Source: P.A. 97-31, eff. 6-28-11.)

4 (520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

5 Sec. 2.33. Prohibitions.

6 (a) It is unlawful to carry or possess any gun in any State  
7 refuge unless otherwise permitted by administrative rule.

8 (b) It is unlawful to use or possess any snare or  
9 snare-like device, deadfall, net, or pit trap to take any  
10 species, except that snares not powered by springs or other  
11 mechanical devices may be used to trap fur-bearing mammals, in  
12 water sets only, if at least one-half of the snare noose is  
13 located underwater at all times.

14 (c) It is unlawful for any person at any time to take a  
15 wild mammal protected by this Act from its den by means of any  
16 mechanical device, spade, or digging device or to use smoke or  
17 other gases to dislodge or remove such mammal except as  
18 provided in Section 2.37.

19 (d) It is unlawful to use a ferret or any other small  
20 mammal which is used in the same or similar manner for which  
21 ferrets are used for the purpose of frightening or driving any  
22 mammals from their dens or hiding places.

23 (e) (Blank).

24 (f) It is unlawful to use spears, gigs, hooks or any like  
25 device to take any species protected by this Act.

1 (g) It is unlawful to use poisons, chemicals or explosives  
2 for the purpose of taking any species protected by this Act.

3 (h) It is unlawful to hunt adjacent to or near any peat,  
4 grass, brush or other inflammable substance when it is burning.

5 (i) It is unlawful to take, pursue or intentionally harass  
6 or disturb in any manner any wild birds or mammals by use or  
7 aid of any vehicle or conveyance, except as permitted by the  
8 Code of Federal Regulations for the taking of waterfowl. It is  
9 also unlawful to use the lights of any vehicle or conveyance or  
10 any light from or any light connected to the vehicle or  
11 conveyance in any area where wildlife may be found except in  
12 accordance with Section 2.37 of this Act; however, nothing in  
13 this Section shall prohibit the normal use of headlamps for the  
14 purpose of driving upon a roadway. Striped skunk, opossum, red  
15 fox, gray fox, raccoon, bobcat, and coyote may be taken during  
16 the open season by use of a small light which is worn on the  
17 body or hand-held by a person on foot and not in any vehicle.

18 (j) It is unlawful to use any shotgun larger than 10 gauge  
19 while taking or attempting to take any of the species protected  
20 by this Act.

21 (k) It is unlawful to use or possess in the field any  
22 shotgun shell loaded with a shot size larger than lead BB or  
23 steel T (.20 diameter) when taking or attempting to take any  
24 species of wild game mammals (excluding white-tailed deer),  
25 wild game birds, migratory waterfowl or migratory game birds  
26 protected by this Act, except white-tailed deer as provided for

1 in Section 2.26 and other species as provided for by subsection  
2 (l) or administrative rule.

3 (l) It is unlawful to take any species of wild game, except  
4 white-tailed deer and fur-bearing mammals, with a shotgun  
5 loaded with slugs unless otherwise provided for by  
6 administrative rule.

7 (m) It is unlawful to use any shotgun capable of holding  
8 more than 3 shells in the magazine or chamber combined, except  
9 on game breeding and hunting preserve areas licensed under  
10 Section 3.27 and except as permitted by the Code of Federal  
11 Regulations for the taking of waterfowl. If the shotgun is  
12 capable of holding more than 3 shells, it shall, while being  
13 used on an area other than a game breeding and shooting  
14 preserve area licensed pursuant to Section 3.27, be fitted with  
15 a one piece plug that is irremovable without dismantling the  
16 shotgun or otherwise altered to render it incapable of holding  
17 more than 3 shells in the magazine and chamber, combined.

18 (n) It is unlawful for any person, except persons who  
19 possess a permit to hunt from a vehicle as provided in this  
20 Section and persons otherwise permitted by law, to have or  
21 carry any gun in or on any vehicle, conveyance or aircraft,  
22 unless such gun is unloaded and enclosed in a case, except that  
23 at field trials authorized by Section 2.34 of this Act,  
24 unloaded guns or guns loaded with blank cartridges only, may be  
25 carried on horseback while not contained in a case, or to have  
26 or carry any bow or arrow device in or on any vehicle unless

1 such bow or arrow device is unstrung or enclosed in a case, or  
2 otherwise made inoperable.

3 (o) It is unlawful to use any crossbow for the purpose of  
4 taking any wild birds or mammals, except as provided for in  
5 Section 2.5.

6 (p) It is unlawful to take game birds, migratory game birds  
7 or migratory waterfowl with a rifle, pistol, revolver or  
8 airgun.

9 (q) It is unlawful to fire a rifle, pistol, revolver or  
10 airgun on, over or into any waters of this State, including  
11 frozen waters.

12 (r) It is unlawful to discharge any gun or bow and arrow  
13 device along, upon, across, or from any public right-of-way or  
14 highway in this State.

15 (s) It is unlawful to use a silencer or other device to  
16 muffle or mute the sound of the explosion or report resulting  
17 from the firing of any gun.

18 (t) It is unlawful for any person to take or attempt to  
19 take any species of wildlife or parts thereof, intentionally or  
20 wantonly allow a dog to hunt, within or upon the land of  
21 another, or upon waters flowing over or standing on the land of  
22 another, or to knowingly shoot a gun or bow and arrow device at  
23 any wildlife physically on or flying over the property of  
24 another without first obtaining permission from the owner or  
25 the owner's designee. For the purposes of this Section, the  
26 owner's designee means anyone who the owner designates in a



1 written authorization and the authorization must contain (i)  
2 the legal or common description of property for such authority  
3 is given, (ii) the extent that the owner's designee is  
4 authorized to make decisions regarding who is allowed to take  
5 or attempt to take any species of wildlife or parts thereof,  
6 and (iii) the owner's notarized signature. Before enforcing  
7 this Section the law enforcement officer must have received  
8 notice from the owner or the owner's designee of a violation of  
9 this Section. Statements made to the law enforcement officer  
10 regarding this notice shall not be rendered inadmissible by the  
11 hearsay rule when offered for the purpose of showing the  
12 required notice.

13 (u) It is unlawful for any person to discharge any firearm  
14 for the purpose of taking any of the species protected by this  
15 Act, or hunt with gun or dog, or intentionally or wantonly  
16 allow a dog to hunt, within 300 yards of an inhabited dwelling  
17 without first obtaining permission from the owner or tenant,  
18 except that while trapping, hunting with bow and arrow, hunting  
19 with dog and shotgun using shot shells only, or hunting with  
20 shotgun using shot shells only, or providing outfitting  
21 services under a waterfowl outfitter permit, or on licensed  
22 game breeding and hunting preserve areas, as defined in Section  
23 3.27, on federally owned and managed lands and on Department  
24 owned, managed, leased, or controlled lands, a 100 yard  
25 restriction shall apply.

26 (v) It is unlawful for any person to remove fur-bearing

1 mammals from, or to move or disturb in any manner, the traps  
2 owned by another person without written authorization of the  
3 owner to do so.

4 (w) It is unlawful for any owner of a dog to knowingly or  
5 wantonly allow his or her dog to pursue, harass or kill deer,  
6 except that nothing in this Section shall prohibit the tracking  
7 of wounded deer with a dog in accordance with the provisions of  
8 Section 2.26 of this Code.

9 (x) It is unlawful for any person to wantonly or carelessly  
10 injure or destroy, in any manner whatsoever, any real or  
11 personal property on the land of another while engaged in  
12 hunting or trapping thereon.

13 (y) It is unlawful to hunt wild game protected by this Act  
14 between one half hour after sunset and one half hour before  
15 sunrise, except that hunting hours between one half hour after  
16 sunset and one half hour before sunrise may be established by  
17 administrative rule for fur-bearing mammals.

18 (z) It is unlawful to take any game bird (excluding wild  
19 turkeys and crippled pheasants not capable of normal flight and  
20 otherwise irretrievable) protected by this Act when not flying.  
21 Nothing in this Section shall prohibit a person from carrying  
22 an uncased, unloaded shotgun in a boat, while in pursuit of a  
23 crippled migratory waterfowl that is incapable of normal  
24 flight, for the purpose of attempting to reduce the migratory  
25 waterfowl to possession, provided that the attempt is made  
26 immediately upon downing the migratory waterfowl and is done

1 within 400 yards of the blind from which the migratory  
2 waterfowl was downed. This exception shall apply only to  
3 migratory game birds that are not capable of normal flight.  
4 Migratory waterfowl that are crippled may be taken only with a  
5 shotgun as regulated by subsection (j) of this Section using  
6 shotgun shells as regulated in subsection (k) of this Section.

7 (aa) It is unlawful to use or possess any device that may  
8 be used for tree climbing or cutting, while hunting fur-bearing  
9 mammals, excluding coyotes.

10 (bb) It is unlawful for any person, except licensed game  
11 breeders, pursuant to Section 2.29 to import, carry into, or  
12 possess alive in this State any species of wildlife taken  
13 outside of this State, without obtaining permission to do so  
14 from the Director.

15 (cc) It is unlawful for any person to have in his or her  
16 possession any freshly killed species protected by this Act  
17 during the season closed for taking.

18 (dd) It is unlawful to take any species protected by this  
19 Act and retain it alive except as provided by administrative  
20 rule.

21 (ee) It is unlawful to possess any rifle while in the field  
22 during gun deer season except as provided in Section 2.26 and  
23 administrative rules.

24 (ff) It is unlawful for any person to take any species  
25 protected by this Act, except migratory waterfowl, during the  
26 gun deer hunting season in those counties open to gun deer

1 hunting, unless he or she wears, when in the field, a cap and  
2 upper outer garment of a solid blaze orange color, with such  
3 articles of clothing displaying a minimum of 400 square inches  
4 of blaze orange material.

5 (gg) It is unlawful during the upland game season for any  
6 person to take upland game with a firearm unless he or she  
7 wears, while in the field, a cap of solid blaze orange color.  
8 For purposes of this Act, upland game is defined as Bobwhite  
9 Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern  
10 Cottontail and Swamp Rabbit.

11 (hh) It shall be unlawful to kill or cripple any species  
12 protected by this Act for which there is a bag limit without  
13 making a reasonable effort to retrieve such species and include  
14 such in the bag limit. It shall be unlawful for any person  
15 having control over harvested game mammals, game birds, or  
16 migratory game birds for which there is a bag limit to wantonly  
17 waste or destroy the usable meat of the game, except this shall  
18 not apply to wildlife taken under Sections 2.37 or 3.22 of this  
19 Code. For purposes of this subsection, "usable meat" means the  
20 breast meat of a game bird or migratory game bird and the hind  
21 ham and front shoulders of a game mammal. It shall be unlawful  
22 for any person to place, leave, dump, or abandon a wildlife  
23 carcass or parts of it along or upon a public right-of-way or  
24 highway or on public or private property, including a waterway  
25 or stream, without the permission of the owner or tenant. It  
26 shall not be unlawful to discard game meat that is determined

1 to be unfit for human consumption.

2 (ii) This Section shall apply only to those species  
3 protected by this Act taken within the State. Any species or  
4 any parts thereof, legally taken in and transported from other  
5 states or countries, may be possessed within the State, except  
6 as provided in this Section and Sections 2.35, 2.36 and 3.21.

7 (jj) (Blank).

8 (kk) Nothing contained in this Section shall prohibit the  
9 Director from issuing permits to paraplegics or to other  
10 disabled persons who meet the requirements set forth in  
11 administrative rule to shoot or hunt from a vehicle as provided  
12 by that rule, provided that such is otherwise in accord with  
13 this Act.

14 (ll) Nothing contained in this Act shall prohibit the  
15 taking of aquatic life protected by the Fish and Aquatic Life  
16 Code or birds and mammals protected by this Act, except deer  
17 and fur-bearing mammals, from a boat not camouflaged or  
18 disguised to alter its identity or to further provide a place  
19 of concealment and not propelled by sail or mechanical power.  
20 However, only shotguns not larger than 10 gauge nor smaller  
21 than .410 bore loaded with not more than 3 shells of a shot  
22 size no larger than lead BB or steel T (.20 diameter) may be  
23 used to take species protected by this Act.

24 (mm) Nothing contained in this Act shall prohibit the use  
25 of a shotgun, not larger than 10 gauge nor smaller than a 20  
26 gauge, with a rifled barrel.

1 (nn) It shall be unlawful to possess any species of  
2 wildlife or wildlife parts taken unlawfully in Illinois, any  
3 other state, or any other country, whether or not the wildlife  
4 or wildlife parts is indigenous to Illinois. For the purposes  
5 of this subsection, the statute of limitations for unlawful  
6 possession of wildlife or wildlife parts shall not cease until  
7 2 years after the possession has permanently ended.

8 (Source: P.A. 97-645, eff. 12-30-11; 97-907, eff. 8-7-12;  
9 98-119, eff. 1-1-14; 98-181, eff. 8-5-13; 98-183, eff. 1-1-14;  
10 98-290, eff. 8-9-13; 98-756, eff. 7-16-14; 98-914, eff.  
11 1-1-15.)

12 (520 ILCS 5/2.33a) (from Ch. 61, par. 2.33a)

13 Sec. 2.33a. Trapping.

14 (a) It is unlawful to fail to visit and remove all animals  
15 from traps staked out, set, used, tended, placed or maintained  
16 at least once each calendar day.

17 (b) It is unlawful for any person to place, set, use, or  
18 maintain a leghold trap or one of similar construction on land,  
19 that has a jaw spread of larger than 6 1/2 inches (16.6 CM), or  
20 a body-gripping trap or one of similar construction having a  
21 jaw spread larger than 7 inches (17.8 CM) on a side if square  
22 and 8 inches (20.4 CM) if round.

23 (c) It is unlawful for any person to place, set, use, or  
24 maintain a leghold trap or one of similar construction in  
25 water, that has a jaw spread of larger than 7 1/2 inches (19.1

1 CM), or a body-gripping trap or one of similar construction  
2 having a jaw spread larger than 10 inches (25.4 CM) on a side  
3 if square and 12 inches (30.5 CM) if round.

4 (d) It is unlawful to use any trap with saw-toothed,  
5 spiked, or toothed jaws.

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

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

20 (g) It is unlawful to set traps closer than 10 feet (3.05  
21 M) from any hole or den which may be occupied by a game mammal  
22 or fur-bearing mammal except that this restriction shall not  
23 apply to water sets.

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

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

6 (j) It is unlawful to place, set, or maintain any leghold  
7 trap or one of similar construction within thirty (30) feet  
8 (9.14 m) of bait placed in such a manner or position that it is  
9 not completely covered and concealed from sight, except that  
10 this shall not apply to underwater sets. Bait shall mean and  
11 include any bait composed of mammal, bird, or fish flesh, fur,  
12 hide, entrails or feathers.

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

18 (l) It is unlawful for any person to place, set, use or  
19 maintain a snare trap or one of similar construction in water,  
20 that has a loop diameter exceeding 15 inches (38.1 CM) or a  
21 cable or wire diameter of more than 1/8 inch (3.2 MM) or less  
22 than 5/64 inch (2.0 MM), that is constructed of stainless steel  
23 metal cable or wire, and that does not have a mechanical lock,  
24 anchor swivel and stop device to prevent the mechanical lock  
25 from closing the noose loop to a diameter of less than 2 1/2  
26 inches (6.4 CM).



1           (m) It is unlawful to trap muskrat or mink with (1) a  
2           leghold trap or one of similar construction or (2) a  
3           body-gripping trap or one of similar construction unless the  
4           body-gripping trap or similar trap is completely submerged  
5           underwater when set. These restrictions shall not apply during  
6           the open season for trapping raccoons.

7           (Source: P.A. 97-19, eff. 6-28-11; 97-31, eff. 6-28-11; 97-813,  
8           eff. 7-13-12.)