



Sen. William R. Haine

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LRB099 03327 MGM 33323 a

1 AMENDMENT TO SENATE BILL 645

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 645 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing  
5 Section 2.26 as follows:

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 Sec. 2.26. Deer hunting permits. In this Section, "bona  
8 fide equity shareholder" means an individual who (1) purchased,  
9 for market price, publicly sold stock shares in a corporation,  
10 purchased shares of a privately-held corporation for a value  
11 equal to the percentage of the appraised value of the corporate  
12 assets represented by the ownership in the corporation, or is a  
13 member of a closely-held family-owned corporation and has  
14 purchased or been gifted with shares of stock in the  
15 corporation accurately reflecting his or her percentage of  
16 ownership and (2) intends to retain the ownership of the shares

1 of stock for at least 5 years.

2 In this Section, "bona fide equity member" means an  
3 individual who (1) (i) became a member upon the formation of  
4 the limited liability company or (ii) has purchased a  
5 distributional interest in a limited liability company for a  
6 value equal to the percentage of the appraised value of the LLC  
7 assets represented by the distributional interest in the LLC  
8 and subsequently becomes a member of the company pursuant to  
9 Article 30 of the Limited Liability Company Act and who (2)  
10 intends to retain the membership for at least 5 years.

11 In this Section, "bona fide equity partner" means an  
12 individual who (1) (i) became a partner, either general or  
13 limited, upon the formation of a partnership or limited  
14 partnership, or (ii) has purchased, acquired, or been gifted a  
15 partnership interest accurately representing his or her  
16 percentage distributional interest in the profits, losses, and  
17 assets of a partnership or limited partnership, (2) intends to  
18 retain ownership of the partnership interest for at least 5  
19 years, and (3) is a resident of Illinois.

20 Any person attempting to take deer shall first obtain a  
21 "Deer Hunting Permit" issued by the Department in accordance  
22 with its administrative rules. Those rules must provide for the  
23 issuance of the following types of resident deer archery  
24 permits: (i) a combination permit, consisting of one either-sex  
25 permit and one antlerless-only permit, (ii) a single  
26 antlerless-only permit, and (iii) a single either-sex permit.

1 The fee for a Deer Hunting Permit to take deer with either bow  
2 and arrow or gun shall not exceed \$25.00 for residents of the  
3 State. The Department may by administrative rule provide for  
4 non-resident deer hunting permits for which the fee will not  
5 exceed \$300 in 2005, \$350 in 2006, and \$400 in 2007 and  
6 thereafter except as provided below for non-resident  
7 landowners and non-resident archery hunters. The Department  
8 may by administrative rule provide for a non-resident archery  
9 deer permit consisting of not more than 2 harvest tags at a  
10 total cost not to exceed \$325 in 2005, \$375 in 2006, and \$425  
11 in 2007 and thereafter. Permits shall be issued without charge  
12 to:

13 (a) Illinois landowners residing in Illinois who own at  
14 least 40 acres of Illinois land and wish to hunt their land  
15 only,

16 (b) resident tenants of at least 40 acres of commercial  
17 agricultural land where they will hunt, and

18 (c) Bona fide equity shareholders of a corporation,  
19 bona fide equity members of a limited liability company, or  
20 bona fide equity partners of a general or limited  
21 partnership which owns at least 40 acres of land in a  
22 county in Illinois who wish to hunt on the corporation's,  
23 company's, or partnership's land only. One permit shall be  
24 issued without charge to one bona fide equity shareholder,  
25 one bona fide equity member, or one bona fide equity  
26 partner for each 40 acres of land owned by the corporation,

1           company, or partnership in a county; however, the number of  
2           permits issued without charge to bona fide equity  
3           shareholders of any corporation or bona fide equity members  
4           of a limited liability company in any county shall not  
5           exceed 15, and shall not exceed 3 in the case of bona fide  
6           equity partners of a partnership.

7           Bona fide landowners or tenants who do not wish to hunt  
8           only on the land they own, rent, or lease or bona fide equity  
9           shareholders, bona fide equity members, or bona fide equity  
10          partners who do not wish to hunt only on the land owned by the  
11          corporation, limited liability company, or partnership shall  
12          be charged the same fee as the applicant who is not a  
13          landowner, tenant, bona fide equity shareholder, bona fide  
14          equity member, or bona fide equity partner. Nonresidents of  
15          Illinois who own at least 40 acres of land and wish to hunt on  
16          their land only shall be charged a fee set by administrative  
17          rule. The method for obtaining these permits shall be  
18          prescribed by administrative rule.

19          The deer hunting permit issued without fee shall be valid  
20          on all farm lands which the person to whom it is issued owns,  
21          leases or rents, except that in the case of a permit issued to  
22          a bona fide equity shareholder, bona fide equity member, or  
23          bona fide equity partner, the permit shall be valid on all  
24          lands owned by the corporation, limited liability company, or  
25          partnership in the county.

26          The standards and specifications for use of guns and bow

1 and arrow for deer hunting shall be established by  
2 administrative rule. The Department shall authorize by rule the  
3 use of rifles for deer hunting limited to single-shot, bolt  
4 action, pump action, or lever action rifles that take a  
5 straight-walled cartridge that is .24 caliber or greater and  
6 generates 500 foot pounds of energy or more at the muzzle.

7 No person may have in his possession any firearm not  
8 authorized by administrative rule for a specific hunting season  
9 when taking deer.

10 Persons having a firearm deer hunting permit shall be  
11 permitted to take deer only during the period from 1/2 hour  
12 before sunrise to 1/2 hour after sunset, and only during those  
13 days for which an open season is established for the taking of  
14 deer by use of shotgun, handgun, or muzzle loading rifle.

15 Persons having an archery deer hunting permit shall be  
16 permitted to take deer only during the period from 1/2 hour  
17 before sunrise to 1/2 hour after sunset, and only during those  
18 days for which an open season is established for the taking of  
19 deer by use of bow and arrow.

20 It shall be unlawful for any person to take deer by use of  
21 dogs, horses, automobiles, aircraft or other vehicles, or by  
22 the use or aid of bait or baiting of any kind. For the purposes  
23 of this Section, "bait" means any material, whether liquid or  
24 solid, including food, salt, minerals, and other products,  
25 except pure water, that can be ingested, placed, or scattered  
26 in such a manner as to attract or lure white-tailed deer.

1 "Baiting" means the placement or scattering of bait to attract  
2 deer. An area is considered as baited during the presence of  
3 and for 10 consecutive days following the removal of bait.  
4 Nothing in this Section shall prohibit the use of a dog to  
5 track wounded deer. Any person using a dog for tracking wounded  
6 deer must maintain physical control of the dog at all times by  
7 means of a maximum 50 foot lead attached to the dog's collar or  
8 harness. Tracking wounded deer is permissible at night, but at  
9 no time outside of legal deer hunting hours or seasons shall  
10 any person handling or accompanying a dog being used for  
11 tracking wounded deer be in possession of any firearm or  
12 archery device. Persons tracking wounded deer with a dog during  
13 the firearm deer seasons shall wear blaze orange as required.  
14 Dog handlers tracking wounded deer with a dog are exempt from  
15 hunting license and deer permit requirements so long as they  
16 are accompanied by the licensed deer hunter who wounded the  
17 deer.

18 It shall be unlawful to possess or transport any wild deer  
19 which has been injured or killed in any manner upon a public  
20 highway or public right-of-way of this State unless exempted by  
21 administrative rule.

22 Persons hunting deer must have gun unloaded and no bow and  
23 arrow device shall be carried with the arrow in the nocked  
24 position during hours when deer hunting is unlawful.

25 It shall be unlawful for any person, having taken the legal  
26 limit of deer by gun, to further participate with gun in any

1 deer hunting party.

2 It shall be unlawful for any person, having taken the legal  
3 limit of deer by bow and arrow, to further participate with bow  
4 and arrow in any deer hunting party.

5 The Department may prohibit upland game hunting during the  
6 gun deer season by administrative rule.

7 The Department shall not limit the number of non-resident,  
8 either-sex ~~either-sex~~ archery deer hunting permits to less than  
9 20,000.

10 Any person who violates any of the provisions of this  
11 Section, including administrative rules, shall be guilty of a  
12 Class B misdemeanor.

13 For the purposes of calculating acreage under this Section,  
14 the Department shall, after determining the total acreage of  
15 the applicable tract or tracts of land, round remaining  
16 fractional portions of an acre greater than or equal to half of  
17 an acre up to the next whole acre.

18 For the purposes of taking white-tailed deer, nothing in  
19 this Section shall be construed to prevent the manipulation,  
20 including mowing or cutting, of standing crops as a normal  
21 agricultural or soil stabilization practice, food plots, or  
22 normal agricultural practices, including planting, harvesting,  
23 and maintenance such as cultivating or the use of products  
24 designed for scent only and not capable of ingestion, solid or  
25 liquid, placed or scattered, in such a manner as to attract or  
26 lure deer. Such manipulation for the purpose of taking

1 white-tailed deer may be further modified by administrative  
2 rule.

3 (Source: P.A. 97-564, eff. 8-25-11; 97-907, eff. 8-7-12;  
4 98-180, eff. 8-5-13.)".