

**SB1668**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB1668**

Introduced 2/20/2015, by Sen. Chapin Rose

**SYNOPSIS AS INTRODUCED:**

520 ILCS 5/2.5  
520 ILCS 5/2.26

from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that a person that is 16 years old or younger and is hunting during a regular bow hunting season may use a crossbow. Provides that a youth hunting with a crossbow under a specified provision may be granted one deer either sex permit and one antlerless-only permit.

LRB099 10122 MGM 30345 b

**A BILL FOR**

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 2.5 and 2.26 as follows:

6 (520 ILCS 5/2.5)

7 Sec. 2.5. Crossbow conditions. A person may use a crossbow  
8 if one or more of the following conditions are met:

9 (1) the user is a person age 62 and older;

10 (2) the user is a handicapped person to whom the  
11 Director has issued a permit to use a crossbow, as provided  
12 by administrative rule; ~~or~~

13 (3) the date of using the crossbow is during the period  
14 of the second Monday following the Thanksgiving holiday  
15 through the last day of the archery deer hunting season  
16 (both inclusive) set annually by the Director; or ~~-~~

17 (4) the user is 16 years old or younger and is hunting  
18 during a regular bow hunting season.

19 As used in this Section, "handicapped person" means a  
20 person who has a physical impairment due to injury or disease,  
21 congenital or acquired, which renders the person ~~them~~ so  
22 severely disabled as to be unable to use a longbow, recurve  
23 bow, or compound bow. Permits must be issued only after the

1 receipt of a physician's statement confirming the applicant is  
2 handicapped as defined above.

3 (Source: P.A. 97-907, eff. 8-7-12; revised 12-10-14.)

4 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

5 Sec. 2.26. Deer hunting permits. In this Section, "bona  
6 fide equity shareholder" means an individual who (1) purchased,  
7 for market price, publicly sold stock shares in a corporation,  
8 purchased shares of a privately-held corporation for a value  
9 equal to the percentage of the appraised value of the corporate  
10 assets represented by the ownership in the corporation, or is a  
11 member of a closely-held family-owned corporation and has  
12 purchased or been gifted with shares of stock in the  
13 corporation accurately reflecting his or her percentage of  
14 ownership and (2) intends to retain the ownership of the shares  
15 of stock for at least 5 years.

16 In this Section, "bona fide equity member" means an  
17 individual who (1) (i) became a member upon the formation of  
18 the limited liability company or (ii) has purchased a  
19 distributional interest in a limited liability company for a  
20 value equal to the percentage of the appraised value of the LLC  
21 assets represented by the distributional interest in the LLC  
22 and subsequently becomes a member of the company pursuant to  
23 Article 30 of the Limited Liability Company Act and who (2)  
24 intends to retain the membership for at least 5 years.

25 In this Section, "bona fide equity partner" means an

1 individual who (1) (i) became a partner, either general or  
2 limited, upon the formation of a partnership or limited  
3 partnership, or (ii) has purchased, acquired, or been gifted a  
4 partnership interest accurately representing his or her  
5 percentage distributional interest in the profits, losses, and  
6 assets of a partnership or limited partnership, (2) intends to  
7 retain ownership of the partnership interest for at least 5  
8 years, and (3) is a resident of Illinois.

9 Any person attempting to take deer shall first obtain a  
10 "Deer Hunting Permit" issued by the Department in accordance  
11 with its administrative rules. Those rules must provide for the  
12 issuance of the following types of resident deer archery  
13 permits: (i) a combination permit, consisting of one either-sex  
14 permit and one antlerless-only permit, (ii) a single  
15 antlerless-only permit, and (iii) a single either-sex permit.  
16 The fee for a Deer Hunting Permit to take deer with either bow  
17 and arrow or gun shall not exceed \$25.00 for residents of the  
18 State. The Department may by administrative rule provide for  
19 non-resident deer hunting permits for which the fee will not  
20 exceed \$300 in 2005, \$350 in 2006, and \$400 in 2007 and  
21 thereafter except as provided below for non-resident  
22 landowners and non-resident archery hunters. The Department  
23 may by administrative rule provide for a non-resident archery  
24 deer permit consisting of not more than 2 harvest tags at a  
25 total cost not to exceed \$325 in 2005, \$375 in 2006, and \$425  
26 in 2007 and thereafter. Permits shall be issued without charge

1 to:

2 (a) Illinois landowners residing in Illinois who own at  
3 least 40 acres of Illinois land and wish to hunt their land  
4 only,

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

7 (c) Bona fide equity shareholders of a corporation,  
8 bona fide equity members of a limited liability company, or  
9 bona fide equity partners of a general or limited  
10 partnership which owns at least 40 acres of land in a  
11 county in Illinois who wish to hunt on the corporation's,  
12 company's, or partnership's land only. One permit shall be  
13 issued without charge to one bona fide equity shareholder,  
14 one bona fide equity member, or one bona fide equity  
15 partner for each 40 acres of land owned by the corporation,  
16 company, or partnership in a county; however, the number of  
17 permits issued without charge to bona fide equity  
18 shareholders of any corporation or bona fide equity members  
19 of a limited liability company in any county shall not  
20 exceed 15, and shall not exceed 3 in the case of bona fide  
21 equity partners of a partnership.

22 Bona fide landowners or tenants who do not wish to hunt  
23 only on the land they own, rent, or lease or bona fide equity  
24 shareholders, bona fide equity members, or bona fide equity  
25 partners who do not wish to hunt only on the land owned by the  
26 corporation, limited liability company, or partnership shall

1 be charged the same fee as the applicant who is not a  
2 landowner, tenant, bona fide equity shareholder, bona fide  
3 equity member, or bona fide equity partner. Nonresidents of  
4 Illinois who own at least 40 acres of land and wish to hunt on  
5 their land only shall be charged a fee set by administrative  
6 rule. The method for obtaining these permits shall be  
7 prescribed by administrative rule.

8 The deer hunting permit issued without fee shall be valid  
9 on all farm lands which the person to whom it is issued owns,  
10 leases or rents, except that in the case of a permit issued to  
11 a bona fide equity shareholder, bona fide equity member, or  
12 bona fide equity partner, the permit shall be valid on all  
13 lands owned by the corporation, limited liability company, or  
14 partnership in the county.

15 The standards and specifications for use of guns and bow  
16 and arrow for deer hunting shall be established by  
17 administrative rule.

18 No person may have in his possession any firearm not  
19 authorized by administrative rule for a specific hunting season  
20 when taking deer.

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

26 Persons having an archery deer hunting permit shall be

1 permitted to take deer only during the period from 1/2 hour  
2 before sunrise to 1/2 hour after sunset, and only during those  
3 days for which an open season is established for the taking of  
4 deer by use of bow and arrow.

5 It shall be unlawful for any person to take deer by use of  
6 dogs, horses, automobiles, aircraft or other vehicles, or by  
7 the use or aid of bait or baiting of any kind. For the purposes  
8 of this Section, "bait" means any material, whether liquid or  
9 solid, including food, salt, minerals, and other products,  
10 except pure water, that can be ingested, placed, or scattered  
11 in such a manner as to attract or lure white-tailed deer.  
12 "Baiting" means the placement or scattering of bait to attract  
13 deer. An area is considered as baited during the presence of  
14 and for 10 consecutive days following the removal of bait.  
15 Nothing in this Section shall prohibit the use of a dog to  
16 track wounded deer. Any person using a dog for tracking wounded  
17 deer must maintain physical control of the dog at all times by  
18 means of a maximum 50 foot lead attached to the dog's collar or  
19 harness. Tracking wounded deer is permissible at night, but at  
20 no time outside of legal deer hunting hours or seasons shall  
21 any person handling or accompanying a dog being used for  
22 tracking wounded deer be in possession of any firearm or  
23 archery device. Persons tracking wounded deer with a dog during  
24 the firearm deer seasons shall wear blaze orange as required.  
25 Dog handlers tracking wounded deer with a dog are exempt from  
26 hunting license and deer permit requirements so long as they

1 are accompanied by the licensed deer hunter who wounded the  
2 deer.

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

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

10 It shall be unlawful for any person, having taken the legal  
11 limit of deer by gun, to further participate with gun in any  
12 deer hunting party.

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

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

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

20 For the purposes of taking deer by crossbow under paragraph  
21 (4) of Section 2.5, a youth may be granted one either sex  
22 permit and one antlerless-only permit.

23 Any person who violates any of the provisions of this  
24 Section, including administrative rules, shall be guilty of a  
25 Class B misdemeanor.

26 For the purposes of calculating acreage under this Section,



1 the Department shall, after determining the total acreage of  
2 the applicable tract or tracts of land, round remaining  
3 fractional portions of an acre greater than or equal to half of  
4 an acre up to the next whole acre.

5 For the purposes of taking white-tailed deer, nothing in  
6 this Section shall be construed to prevent the manipulation,  
7 including mowing or cutting, of standing crops as a normal  
8 agricultural or soil stabilization practice, food plots, or  
9 normal agricultural practices, including planting, harvesting,  
10 and maintenance such as cultivating or the use of products  
11 designed for scent only and not capable of ingestion, solid or  
12 liquid, placed or scattered, in such a manner as to attract or  
13 lure deer. Such manipulation for the purpose of taking  
14 white-tailed deer may be further modified by administrative  
15 rule.

16 (Source: P.A. 97-564, eff. 8-25-11; 97-907, eff. 8-7-12;  
17 98-180, eff. 8-5-13.)