

1 AMENDMENT TO HOUSE BILL 417

2 AMENDMENT NO. _____. Amend House Bill 417 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing
5 Sections 2.25 and 2.26 as follows:

6 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

7 Sec. 2.25. It shall be unlawful for any person to take
8 deer except (i) with a shotgun or muzzleloading rifle or (ii)
9 as provided by administrative rule, with a bow and arrow, or
10 crossbow device for handicapped persons as defined in Section
11 2.33, during the open season ~~that~~ ~~of not more than 14 days~~
12 ~~which~~ will be set annually by the Director ~~between the dates~~
13 ~~of November 1st and December 31st, both inclusive.~~

14 It shall be unlawful for any person to take deer except
15 with a bow and arrow, or crossbow device for handicapped
16 persons (as defined in Section 2.33), during the open season
17 for bow and arrow set annually by the Director ~~between the~~
18 ~~dates of September 1st and January 31st, both inclusive.~~

19 It shall be unlawful for any person to take deer except
20 with (i) a muzzleloading rifle, or (ii) bow and arrow, or
21 crossbow device for handicapped persons as defined in Section
22 2.33, during the open season for muzzleloading rifles set

1 annually by the Director.

2 The Director shall cause an administrative rule setting
3 forth the prescribed rules and regulations, including bag and
4 possession limits and those counties of the State where open
5 seasons are established, to be published in accordance with
6 Sections 1.3 and 1.13 of this Act.

7 The Department is authorized to establish a separate
8 harvest period at specific sites within the State for the
9 purpose of harvesting surplus deer that cannot be taken
10 during the regular season provided for the taking of deer.
11 This season shall be restricted to gun or bow and arrow
12 hunting only and shall be established during the period of
13 September 1st to February 15th, both inclusive. The
14 Department shall publish suitable prescribed rules and
15 regulations established by administrative rule pertaining to
16 management restrictions applicable to this special harvest
17 program.

18 (Source: P.A. 86-1188; 87-126; 87-234; 87-895; 87-1015;
19 87-1243; 87-1268.)

20 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

21 Sec. 2.26. Any person attempting to take deer shall
22 first obtain a "Deer Hunting Permit" in accordance with
23 prescribed regulations set forth in an Administrative Rule.
24 Deer Hunting Permits shall be issued by the Department. The
25 fee for a Deer Hunting Permit to take deer with either bow
26 and arrow or gun shall not exceed \$15.00 for residents of the
27 State. The Department may by administrative rule provide for
28 non-resident deer hunting permits for which the fee will not
29 exceed \$100 except as provided below for non-resident
30 landowners. Permits shall be issued without charge to:

31 (a) Illinois landowners residing in Illinois who
32 own at least 40 acres of Illinois land and wish to hunt
33 their land only,

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

3 (c) shareholders of a corporation which owns at
4 least 40 acres of land in a county in Illinois who wish
5 to hunt on the corporation's land only. One permit shall
6 be issued without charge to one shareholder for each 40
7 acres of land owned by the corporation in a county;
8 however, the number of permits issued without charge to
9 shareholders of any corporation in any county shall not
10 exceed 15.

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

20 The deer hunting permit issued without fee shall be valid
21 on all farm lands which the person to whom it is issued owns,
22 leases or rents, except that in the case of a permit issued
23 to a shareholder, the permit shall be valid on all lands
24 owned by the corporation in the county.

25 The Department may set aside, in accordance with the
26 prescribed regulations set forth in an administrative rule of
27 the Department, a limited number of Deer Hunting Permits to
28 be available to persons providing evidence of a contractual
29 arrangement to hunt on properties controlled by a bona fide
30 Illinois outfitter. The number of available permits shall be
31 based on a percentage of unfilled permits remaining after the
32 previous year's lottery. Eligible outfitters shall be those
33 having membership in, and accreditation conferred by, a
34 professional association of outfitters approved by the

1 Department. The association shall be responsible for setting
2 professional standards and codes of conduct for its
3 membership, subject to Departmental approval. In addition to
4 the fee normally charged for resident and nonresident
5 permits, a reservation fee not to exceed \$200 shall be
6 charged to the outfitter for each permit set aside in
7 accordance with this Act. The reservation fee shall be
8 deposited into the Wildlife and Fish Fund.

9 The standards and specifications for use of guns and bow
10 and arrow for deer hunting shall be established by
11 administrative rule.

12 No person may have in his possession while hunting deer
13 any type of gun firearm not authorized by the appropriate
14 administrative rule regulating that deer hunting activity.
15 ~~for-a-specific-hunting-season-when-taking-deer-~~

16 Persons having a firearm deer hunting permit shall be
17 permitted to take deer only during the period from 1/2 hour
18 before sunrise to sunset, and only during those days for
19 which an open season is established for the taking of deer by
20 use of shotgun or muzzle loading rifle.

21 Persons having an archery 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
24 those days for which an open season is established for the
25 taking of deer by use of bow and arrow.

26 It shall be unlawful for any person to take deer by use
27 of dogs, horses, automobiles, aircraft or other vehicles, or
28 by the use of salt or bait of any kind. An area is
29 considered as baited during the presence of and for 10
30 consecutive days following the removal of bait.

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

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

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

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

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

12 It shall be legal for handicapped persons, as defined in
13 Section 2.33, to utilize a crossbow device, as defined in
14 Department rules, to take deer.

15 Any person who violates any of the provisions of this
16 Section, including administrative rules, shall be guilty of a
17 Class B misdemeanor.

18 (Source: P.A. 89-715, eff. 2-21-97; 90-225, eff. 7-25-97;
19 90-490, eff. 8-17-97; 90-655, eff. 7-30-98.)".