

AN ACT concerning fish.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Fish and Aquatic Life Code is amended by changing Sections 15-105 and 15-130 as follows:

(515 ILCS 5/15-105) (from Ch. 56, par. 15-105)

Sec. 15-105. Devices near spillways, fishways, lakes, and dams.

(a) Except as otherwise provided in subsection (b), it ~~it~~ shall be unlawful to use or operate any commercial devices within 300 yards above or below all spillways, fishways, or locks or dams of any type or in a manner that obstructs more than one-half the width of any stream or watercourse.

(b) A commercial fisherman may obstruct more than one-half the width of any stream or watercourse if: (i) the commercial fisherman is within sight of his or her gear and available to prevent boaters from contacting his or her nets; and (ii) the commercial fisherman places at least 2 fluorescent orange buoys that are at least 2 feet in diameter on the opposite side of the net from which the commercial fisherman is working to warn boaters of the presence of the commercial fisherman's nets.

(Source: P.A. 87-833.)

(515 ILCS 5/15-130) (from Ch. 56, par. 15-130)

Sec. 15-130. Gill or trammel net. It shall be unlawful to use a gill or trammel net except in the Mississippi River, in the Ohio River, and in the Illinois River from its mouth up to the Illinois River bridge, Highway Route 89, including adjacent backwaters but not above the mouth of any stream, ditch, or tributary connected to these backwaters. ~~No trammel net used under this Section shall have meshes less than 2 inches bar measurement and no gill net used under this Section shall have meshes less than 4 inches bar measurement.~~ No gill or trammel net shall be less than 100 feet in length.

All gill or trammel nets that are set in any body of water shall be under the immediate supervision of the operator, who may be the licensee or his or her employee, except (i) from May 1 to September 30, (ii) when the nets are set under the ice, (iii) from sunset to sunrise, or (iv) as specified by administrative rule. Immediate supervision shall be defined as the operator being on the waters where the nets are set to be readily available to identify the nets to law enforcement officers empowered to enforce this Code. It shall be unlawful for any employee on any one day to lift or attend nets of more than one licensee.

All gill or trammel nets set under the ice shall be at a distance of not less than 100 yards from any natural opening in the ice.

A net shall be defined as a "trammel net" for the purposes of enforcing this Code if: (i) there are no less than 3 panels of mesh tied to a single float and lead line; (ii) the outer panels of mesh are constructed of a number 9 or larger diameter twine; (iii) the outer panels of mesh are diamond shaped and no greater than 40 inch bar measure; and (iv) the inner panel of mesh is not less than 2 inches bar measure.

A net shall be defined as a "gill net" for the purposes of enforcing this Code if it is constructed of a single panel of mesh that is not less than 3 inches bar measure that is tied to a single float and lead line.

The Department may modify provisions of this Section as provided in Section 1-135.

(Source: P.A. 95-147, eff. 8-14-07.)