

AN ACT concerning criminal law.

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

Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Section 805-540 as follows:

(20 ILCS 805/805-540) (was 20 ILCS 805/63b2.6)

Sec. 805-540. Enforcement of adjoining state's laws. The Director may grant authority to the officers of any adjoining state who are authorized and directed to enforce the laws of that state relating to the protection of flora and fauna to take any of the following actions and have the following powers within the State of Illinois:

(1) To follow, seize, and return to the adjoining state any flora or fauna or part thereof shipped or taken from the adjoining state in violation of the laws of that state and brought into this State.

(2) To dispose of any such flora or fauna or part thereof under the supervision of an Illinois Conservation Police Officer.

(3) To enforce as an agent of this State, with the same powers as an Illinois Conservation Police Officer, each of the following laws of this State:

(i) The Illinois Endangered Species Protection Act.

(ii) The Fish and Aquatic Life Code.

(iii) The Wildlife Code.

(iv) The Wildlife Habitat Management Areas Act.

(v) The Hunter and Fishermen Interference Prohibition Act.

(vi) The Illinois Non-Game Wildlife Protection Act.

(vii) The Ginseng Harvesting Act.

(viii) The State Forest Act.

(ix) The Forest Products Transportation Act.

(x) The Timber Buyers Licensing Act.

Any officer of an adjoining state acting under a power or authority granted by the Director pursuant to this Section shall act without compensation or other benefits from this State and without this State having any liability for the acts or omissions of that officer.

(Source: P.A. 91-239, eff. 1-1-00.)

Section 10. The Hunter Interference Prohibition Act is amended by changing Sections 0.01, 1, 2, and 4 as follows:

(720 ILCS 125/0.01) (from Ch. 61, par. 300)

Sec. 0.01. Short title. This Act may be cited as the Hunter and Fishermen Interference Prohibition Act.

(Source: P.A. 86-1324.)

(720 ILCS 125/1) (from Ch. 61, par. 301)

Sec. 1. Definitions. As used in this Act:

"Interfere with" means to take any action that physically impedes, hinders, or obstructs the lawful taking of wildlife or aquatic life ~~a wild animal~~.

"Wildlife" ~~"Wild animal"~~ means any wildlife ~~wild creature~~ the taking of which is authorized by the Wildlife Code ~~Fish and Aquatic Life Code~~ ~~or the wildlife, fish, and game laws of this State~~ and includes those species that are lawfully released by properly licensed permittees of the Department of Natural Resources.

"Aquatic life" means all fish, reptiles, amphibians, crayfish, and mussels the taking of which is authorized by the Fish and Aquatic Life Code.

"Taking" means the capture or killing of wildlife or aquatic life ~~a wild animal~~ and includes travel, camping, and other acts preparatory to taking which occur on lands or waters upon which the affected person has the right or privilege to take such wildlife or aquatic life ~~wild animal~~.

(Source: P.A. 90-555, eff. 12-12-97.)

(720 ILCS 125/2) (from Ch. 61, par. 302)

Sec. 2. Any person who performs any of the following is guilty of a Class B misdemeanor:

(a) Wilfully obstructs or interferes with the lawful taking of wildlife or aquatic life ~~wild animals~~ by another person with the specific intent to prevent that lawful taking.

(b) (Blank).

(c) (Blank).

(d) (Blank).

A person violates this Section when he or she intentionally or knowingly engages in any of the following acts:

(1) Drives or disturbs wildlife or aquatic life ~~wild animals~~ for the purpose of disrupting a lawful taking of wildlife or aquatic life ~~wild animals~~.

(2) Blocks, impedes, or physically harasses another person who is engaged in the process of lawfully taking wildlife or aquatic life ~~a wild animal~~.

(3) Uses natural or artificial visual, aural, olfactory, gustatory, or physical stimuli to affect wildlife or aquatic life ~~animal~~ behavior in order to hinder or prevent the lawful taking of wildlife or aquatic life ~~a wild animal~~.

(4) Erects barriers with the intent to deny ingress or egress to or from areas where the lawful taking of wildlife or aquatic life ~~wild animals~~ may occur.

(5) Intentionally interjects himself or herself into the line of fire or fishing lines of a person lawfully taking wildlife or aquatic life ~~wild animals~~.

(6) Affects the physical condition or placement of

personal or public property intended for use in the lawful taking of wildlife or aquatic life ~~a wild animal~~ in order to impair the usefulness of the property or prevent the use of the property.

(7) Enters or remains upon or over private lands without the permission of the owner or the owner's agent, with the intent to violate this Section.

This Section does not apply to actions performed by authorized employees of the Department of Natural Resources, duly accredited officers of the U.S. Fish and Wildlife Service, sheriffs, deputy sheriffs, or other peace officers if the actions are authorized by law and are necessary for the performance of their official duties.

This Section does not apply to landowners, tenants, or lease holders exercising their legal rights to the enjoyment of land, including, but not limited to, farming and restricting trespass.

It is an affirmative defense to a prosecution for a violation of this Section that the defendant's conduct is protected by his or her right to freedom of speech under the constitution of this State or the United States.

Any interested parties may engage in protests or other free speech activities adjacent to or on the perimeter of the location where the lawful taking of wildlife or aquatic life ~~wild animals~~ is taking place, provided that none of the provisions of this Section are being violated.

(Source: P.A. 90-555, eff. 12-12-97.)

(720 ILCS 125/4) (from Ch. 61, par. 304)

Sec. 4. (a) Any court may enjoin conduct which would be in violation of Section 2 of this Act upon petition by a person affected or who reasonably may be affected by such conduct, upon a showing that such conduct is threatened or that it has occurred on a particular premises in the past and that it is not unreasonable to expect that under similar circumstances it will be repeated.

(b) A court shall award all resulting costs and damages to any person adversely affected by a violation of Section 2, which may include an award for punitive damages. In addition to other items of special damage, the measure of damages may include expenditures of the affected person for license and permit fees, travel, guides, special equipment and supplies, to the extent that such expenditures were rendered futile by prevention of the taking of wildlife or aquatic life ~~a wild animal~~.

(c) A court shall revoke, for a period of one year to 5 years, any Illinois hunting, fishing, or trapping privilege, license or permit of any person convicted of violating any provision of this Act.

(Source: P.A. 88-397.)