



Sen. Chuck Weaver

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1 AMENDMENT TO SENATE BILL 2936

2 AMENDMENT NO. _____. Amend Senate Bill 2936 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Firearm Owners Identification Card Act is
5 amended by changing Section 1.1 as follows:

6 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

7 Sec. 1.1. For purposes of this Act:

8 "Addicted to narcotics" means a person who has been:

9 (1) convicted of an offense involving the use or
10 possession of cannabis, a controlled substance, or
11 methamphetamine within the past year; or

12 (2) determined by the Department of State Police to be
13 addicted to narcotics based upon federal law or federal
14 guidelines.

15 "Addicted to narcotics" does not include possession or use
16 of a prescribed controlled substance under the direction and

1 authority of a physician or other person authorized to
2 prescribe the controlled substance when the controlled
3 substance is used in the prescribed manner.

4 "Adjudicated as a person with a mental disability" means
5 the person is the subject of a determination by a court, board,
6 commission or other lawful authority that the person, as a
7 result of marked subnormal intelligence, or mental illness,
8 mental impairment, incompetency, condition, or disease:

9 (1) presents a clear and present danger to himself,
10 herself, or to others;

11 (2) lacks the mental capacity to manage his or her own
12 affairs or is adjudicated a person with a disability as
13 defined in Section 11a-2 of the Probate Act of 1975;

14 (3) is not guilty in a criminal case by reason of
15 insanity, mental disease or defect;

16 (3.5) is guilty but mentally ill, as provided in
17 Section 5-2-6 of the Unified Code of Corrections;

18 (4) is incompetent to stand trial in a criminal case;

19 (5) is not guilty by reason of lack of mental
20 responsibility under Articles 50a and 72b of the Uniform
21 Code of Military Justice, 10 U.S.C. 850a, 876b;

22 (6) is a sexually violent person under subsection (f)
23 of Section 5 of the Sexually Violent Persons Commitment
24 Act;

25 (7) is a sexually dangerous person under the Sexually
26 Dangerous Persons Act;

1 (8) is unfit to stand trial under the Juvenile Court
2 Act of 1987;

3 (9) is not guilty by reason of insanity under the
4 Juvenile Court Act of 1987;

5 (10) is subject to involuntary admission as an
6 inpatient as defined in Section 1-119 of the Mental Health
7 and Developmental Disabilities Code;

8 (11) is subject to involuntary admission as an
9 outpatient as defined in Section 1-119.1 of the Mental
10 Health and Developmental Disabilities Code;

11 (12) is subject to judicial admission as set forth in
12 Section 4-500 of the Mental Health and Developmental
13 Disabilities Code; or

14 (13) is subject to the provisions of the Interstate
15 Agreements on Sexually Dangerous Persons Act.

16 "Clear and present danger" means a person who:

17 (1) communicates a serious threat of physical violence
18 against a reasonably identifiable victim or poses a clear
19 and imminent risk of serious physical injury to himself,
20 herself, or another person as determined by a physician,
21 clinical psychologist, or qualified examiner; or

22 (2) demonstrates threatening physical or verbal
23 behavior, such as violent, suicidal, or assaultive
24 threats, actions, or other behavior, as determined by a
25 physician, clinical psychologist, qualified examiner,
26 school administrator, or law enforcement official.

1 "Clinical psychologist" has the meaning provided in
2 Section 1-103 of the Mental Health and Developmental
3 Disabilities Code.

4 "Controlled substance" means a controlled substance or
5 controlled substance analog as defined in the Illinois
6 Controlled Substances Act.

7 "Counterfeit" means to copy or imitate, without legal
8 authority, with intent to deceive.

9 "Federally licensed firearm dealer" means a person who is
10 licensed as a federal firearms dealer under Section 923 of the
11 federal Gun Control Act of 1968 (18 U.S.C. 923).

12 "Firearm" means any device, by whatever name known, which
13 is designed to expel a projectile or projectiles by the action
14 of an explosion, expansion of gas or escape of gas; excluding,
15 however:

16 (1) any pneumatic gun, spring gun, paint ball gun, or
17 B-B gun which expels a single globular projectile not
18 exceeding .18 inch in diameter or which has a maximum
19 muzzle velocity of less than 700 feet per second;

20 (1.1) any pneumatic gun, spring gun, paint ball gun, or
21 B-B gun which expels breakable paint balls containing
22 washable marking colors;

23 (1.2) any air bow that launches a single projectile
24 arrow through the use of compressed air;

25 (2) any device used exclusively for signalling or
26 safety and required or recommended by the United States

1 Coast Guard or the Interstate Commerce Commission;

2 (3) any device used exclusively for the firing of stud
3 cartridges, explosive rivets or similar industrial
4 ammunition; and

5 (4) an antique firearm (other than a machine-gun)
6 which, although designed as a weapon, the Department of
7 State Police finds by reason of the date of its
8 manufacture, value, design, and other characteristics is
9 primarily a collector's item and is not likely to be used
10 as a weapon.

11 "Firearm ammunition" means any self-contained cartridge or
12 shotgun shell, by whatever name known, which is designed to be
13 used or adaptable to use in a firearm; excluding, however:

14 (1) any ammunition exclusively designed for use with a
15 device used exclusively for signalling or safety and
16 required or recommended by the United States Coast Guard or
17 the Interstate Commerce Commission; and

18 (2) any ammunition designed exclusively for use with a
19 stud or rivet driver or other similar industrial
20 ammunition.

21 "Gun show" means an event or function:

22 (1) at which the sale and transfer of firearms is the
23 regular and normal course of business and where 50 or more
24 firearms are displayed, offered, or exhibited for sale,
25 transfer, or exchange; or

26 (2) at which not less than 10 gun show vendors display,

1 offer, or exhibit for sale, sell, transfer, or exchange
2 firearms.

3 "Gun show" includes the entire premises provided for an
4 event or function, including parking areas for the event or
5 function, that is sponsored to facilitate the purchase, sale,
6 transfer, or exchange of firearms as described in this Section.
7 Nothing in this definition shall be construed to exclude a gun
8 show held in conjunction with competitive shooting events at
9 the World Shooting Complex sanctioned by a national governing
10 body in which the sale or transfer of firearms is authorized
11 under subparagraph (5) of paragraph (g) of subsection (A) of
12 Section 24-3 of the Criminal Code of 2012.

13 Unless otherwise expressly stated, "gun show" does not
14 include training or safety classes, competitive shooting
15 events, such as rifle, shotgun, or handgun matches, trap,
16 skeet, or sporting clays shoots, dinners, banquets, raffles, or
17 any other event where the sale or transfer of firearms is not
18 the primary course of business.

19 "Gun show promoter" means a person who organizes or
20 operates a gun show.

21 "Gun show vendor" means a person who exhibits, sells,
22 offers for sale, transfers, or exchanges any firearms at a gun
23 show, regardless of whether the person arranges with a gun show
24 promoter for a fixed location from which to exhibit, sell,
25 offer for sale, transfer, or exchange any firearm.

26 "Involuntarily admitted" has the meaning as prescribed in

1 Sections 1-119 and 1-119.1 of the Mental Health and
2 Developmental Disabilities Code.

3 "Mental health facility" means any licensed private
4 hospital or hospital affiliate, institution, or facility, or
5 part thereof, and any facility, or part thereof, operated by
6 the State or a political subdivision thereof which provide
7 treatment of persons with mental illness and includes all
8 hospitals, institutions, clinics, evaluation facilities,
9 mental health centers, colleges, universities, long-term care
10 facilities, and nursing homes, or parts thereof, which provide
11 treatment of persons with mental illness whether or not the
12 primary purpose is to provide treatment of persons with mental
13 illness.

14 "National governing body" means a group of persons who
15 adopt rules and formulate policy on behalf of a national
16 firearm sporting organization.

17 "Patient" means:

18 (1) a person who voluntarily receives mental health
19 treatment as an in-patient or resident of any public or
20 private mental health facility, unless the treatment was
21 solely for an alcohol abuse disorder and no other secondary
22 substance abuse disorder or mental illness; or

23 (2) a person who voluntarily receives mental health
24 treatment as an out-patient or is provided services by a
25 public or private mental health facility, and who poses a
26 clear and present danger to himself, herself, or to others.

1 "Person with a developmental disability" means a person
2 with a disability which is attributable to any other condition
3 which results in impairment similar to that caused by an
4 intellectual disability and which requires services similar to
5 those required by persons with intellectual disabilities. The
6 disability must originate before the age of 18 years, be
7 expected to continue indefinitely, and constitute a
8 substantial disability. This disability results, in the
9 professional opinion of a physician, clinical psychologist, or
10 qualified examiner, in significant functional limitations in 3
11 or more of the following areas of major life activity:

- 12 (i) self-care;
- 13 (ii) receptive and expressive language;
- 14 (iii) learning;
- 15 (iv) mobility; or
- 16 (v) self-direction.

17 "Person with an intellectual disability" means a person
18 with a significantly subaverage general intellectual
19 functioning which exists concurrently with impairment in
20 adaptive behavior and which originates before the age of 18
21 years.

22 "Physician" has the meaning as defined in Section 1-120 of
23 the Mental Health and Developmental Disabilities Code.

24 "Qualified examiner" has the meaning provided in Section
25 1-122 of the Mental Health and Developmental Disabilities Code.

26 "Sanctioned competitive shooting event" means a shooting

1 contest officially recognized by a national or state shooting
2 sport association, and includes any sight-in or practice
3 conducted in conjunction with the event.

4 "School administrator" means the person required to report
5 under the School Administrator Reporting of Mental Health Clear
6 and Present Danger Determinations Law.

7 "Stun gun or taser" has the meaning ascribed to it in
8 Section 24-1 of the Criminal Code of 2012.

9 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15; 99-143,
10 eff. 7-27-15; 99-642, eff. 7-28-16.)

11 Section 10. The Wildlife Code is amended by changing
12 Section 2.25, 2.26, 2.33, 3.1-9, and 3.40 and by adding Section
13 1.2a-1 as follows:

14 (520 ILCS 5/1.2a-1 new)

15 Sec. 1.2a-1. Air bow. "Air bow" means a device that
16 launches a single projectile arrow through the use of
17 compressed air at a minimum of 400 feet per second.

18 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

19 Sec. 2.25. It shall be unlawful for any person to take deer
20 except (i) with a shotgun, handgun, or muzzleloading rifle or
21 (ii) as provided by administrative rule, with a bow and arrow
22 or air bow, during the open season of not more than 14 days
23 which will be set annually by the Director between the dates of

1 November 1st and December 31st, both inclusive, or a special
2 3-day, youth-only season between the dates of September 1 and
3 October 31. For the purposes of this Section, legal handguns
4 include any centerfire handguns of .30 caliber or larger with a
5 minimum barrel length of 4 inches. The only legal ammunition
6 for a centerfire handgun is a cartridge of .30 caliber or
7 larger with a capability of at least 500 foot pounds of energy
8 at the muzzle. Full metal jacket bullets may not be used to
9 harvest deer.

10 The Department shall make administrative rules concerning
11 management restrictions applicable to the firearm and bow and
12 arrow season.

13 It shall be unlawful for any person to take deer except
14 with a bow and arrow or air bow during the open season for bow
15 and arrow set annually by the Director between the dates of
16 September 1st and January 31st, both inclusive.

17 It shall be unlawful for any person to take deer except
18 with (i) a muzzleloading rifle or (ii) bow and arrow or air bow
19 during the open season for muzzleloading rifles set annually by
20 the Director.

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

26 The Department may establish separate harvest periods for

1 the purpose of managing or eradicating disease that has been
2 found in the deer herd. This season shall be restricted to gun
3 or bow and arrow hunting only. The Department shall publicly
4 announce, via statewide news release, the season dates and
5 shooting hours, the counties and sites open to hunting, permit
6 requirements, application dates, hunting rules, legal weapons,
7 and reporting requirements.

8 The Department is authorized to establish a separate
9 harvest period at specific sites within the State for the
10 purpose of harvesting surplus deer that cannot be taken during
11 the regular season provided for the taking of deer. This season
12 shall be restricted to gun or bow and arrow hunting only and
13 shall be established during the period of September 1st to
14 February 15th, both inclusive. The Department shall publish
15 suitable prescribed rules and regulations established by
16 administrative rule pertaining to management restrictions
17 applicable to this special harvest program. The Department
18 shall allow unused gun deer permits that are left over from a
19 regular season for the taking of deer to be rolled over and
20 used during any separate harvest period held within 6 months of
21 the season for which those tags were issued at no additional
22 cost to the permit holder subject to the management
23 restrictions applicable to the special harvest program.

24 (Source: P.A. 97-907, eff. 8-7-12; 98-368, eff. 8-16-13.)

1 Sec. 2.26. Deer hunting permits. Any person attempting to
2 take deer shall first obtain a "Deer Hunting Permit" issued by
3 the Department in accordance with its administrative rules.
4 Those rules must provide for the issuance of the following
5 types of resident deer archery permits: (i) a combination
6 permit, consisting of one either-sex permit and one
7 antlerless-only permit, (ii) a single antlerless-only permit,
8 and (iii) a single either-sex permit. The fee for a Deer
9 Hunting Permit to take deer with ~~either~~ bow and arrow, air bow,
10 or gun shall not exceed \$25.00 for residents of the State. The
11 Department may by administrative rule provide for non-resident
12 deer hunting permits for which the fee will not exceed \$300 in
13 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
14 provided below for non-resident landowners and non-resident
15 archery hunters. The Department may by administrative rule
16 provide for a non-resident archery deer permit consisting of
17 not more than 2 harvest tags at a total cost not to exceed \$325
18 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter.

19 The standards and specifications for use of guns, air bows,
20 and bow and arrow for deer hunting shall be established by
21 administrative rule.

22 No person may have in his possession any firearm not
23 authorized by administrative rule for a specific hunting season
24 when taking deer.

25 Persons having a firearm deer hunting permit shall be
26 permitted to take deer only during the period from 1/2 hour

1 before sunrise to 1/2 hour after sunset, and only during those
2 days for which an open season is established for the taking of
3 deer by use of shotgun, handgun, or muzzle loading rifle.
4 Persons having an air bow deer hunting permit shall be
5 permitted to take deer only during the period from 1/2 hour
6 before sunrise to 1/2 hour after sunset, and only during those
7 days for which an open season is established for the taking of
8 deer by use of air bow.

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

14 It shall be unlawful for any person to take deer by use of
15 dogs, horses, automobiles, aircraft or other vehicles, or by
16 the use or aid of bait or baiting of any kind. For the purposes
17 of this Section, "bait" means any material, whether liquid or
18 solid, including food, salt, minerals, and other products,
19 except pure water, that can be ingested, placed, or scattered
20 in such a manner as to attract or lure white-tailed deer.
21 "Baiting" means the placement or scattering of bait to attract
22 deer. An area is considered as baited during the presence of
23 and for 10 consecutive days following the removal of bait.
24 Nothing in this Section shall prohibit the use of a dog to
25 track wounded deer. Any person using a dog for tracking wounded
26 deer must maintain physical control of the dog at all times by

1 means of a maximum 50 foot lead attached to the dog's collar or
2 harness. Tracking wounded deer is permissible at night, but at
3 no time outside of legal deer hunting hours or seasons shall
4 any person handling or accompanying a dog being used for
5 tracking wounded deer be in possession of any firearm or
6 archery device. Persons tracking wounded deer with a dog during
7 the firearm deer seasons shall wear blaze orange as required.
8 Dog handlers tracking wounded deer with a dog are exempt from
9 hunting license and deer permit requirements so long as they
10 are accompanied by the licensed deer hunter who wounded the
11 deer.

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

16 Persons hunting deer must have their gun unloaded and no
17 bow and arrow device or air bow shall be carried with the arrow
18 in the nocked or loaded position during hours when deer hunting
19 is unlawful.

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

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

26 It shall be unlawful for any person, having taken the legal

1 limit of deer by air bow, to further participate with air bow
2 in any deer hunting party.

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

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

7 Any person who violates any of the provisions of this
8 Section, including administrative rules, shall be guilty of a
9 Class B misdemeanor.

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

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

26 (Source: P.A. 98-180, eff. 8-5-13; 99-642, eff. 7-28-16;

1 99-869, eff. 1-1-17.)

2 (520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

3 Sec. 2.33. Prohibitions.

4 (a) It is unlawful to carry or possess any gun in any State
5 refuge unless otherwise permitted by administrative rule.

6 (b) It is unlawful to use or possess any snare or
7 snare-like device, deadfall, net, or pit trap to take any
8 species, except that snares not powered by springs or other
9 mechanical devices may be used to trap fur-bearing mammals, in
10 water sets only, if at least one-half of the snare noose is
11 located underwater at all times.

12 (c) It is unlawful for any person at any time to take a
13 wild mammal protected by this Act from its den by means of any
14 mechanical device, spade, or digging device or to use smoke or
15 other gases to dislodge or remove such mammal except as
16 provided in Section 2.37.

17 (d) It is unlawful to use a ferret or any other small
18 mammal which is used in the same or similar manner for which
19 ferrets are used for the purpose of frightening or driving any
20 mammals from their dens or hiding places.

21 (e) (Blank).

22 (f) It is unlawful to use spears, gigs, hooks or any like
23 device to take any species protected by this Act.

24 (g) It is unlawful to use poisons, chemicals or explosives
25 for the purpose of taking any species protected by this Act.

1 (h) It is unlawful to hunt adjacent to or near any peat,
2 grass, brush or other inflammable substance when it is burning.

3 (i) It is unlawful to take, pursue or intentionally harass
4 or disturb in any manner any wild birds or mammals by use or
5 aid of any vehicle or conveyance, except as permitted by the
6 Code of Federal Regulations for the taking of waterfowl. It is
7 also unlawful to use the lights of any vehicle or conveyance or
8 any light from or any light connected to the vehicle or
9 conveyance in any area where wildlife may be found except in
10 accordance with Section 2.37 of this Act; however, nothing in
11 this Section shall prohibit the normal use of headlamps for the
12 purpose of driving upon a roadway. Striped skunk, opossum, red
13 fox, gray fox, raccoon, bobcat, and coyote may be taken during
14 the open season by use of a small light which is worn on the
15 body or hand-held by a person on foot and not in any vehicle.

16 (j) It is unlawful to use any shotgun larger than 10 gauge
17 while taking or attempting to take any of the species protected
18 by this Act.

19 (k) It is unlawful to use or possess in the field any
20 shotgun shell loaded with a shot size larger than lead BB or
21 steel T (.20 diameter) when taking or attempting to take any
22 species of wild game mammals (excluding white-tailed deer),
23 wild game birds, migratory waterfowl or migratory game birds
24 protected by this Act, except white-tailed deer as provided for
25 in Section 2.26 and other species as provided for by subsection
26 (l) or administrative rule.

1 (l) It is unlawful to take any species of wild game, except
2 white-tailed deer and fur-bearing mammals, with a shotgun
3 loaded with slugs unless otherwise provided for by
4 administrative rule.

5 (m) It is unlawful to use any shotgun capable of holding
6 more than 3 shells in the magazine or chamber combined, except
7 on game breeding and hunting preserve areas licensed under
8 Section 3.27 and except as permitted by the Code of Federal
9 Regulations for the taking of waterfowl. If the shotgun is
10 capable of holding more than 3 shells, it shall, while being
11 used on an area other than a game breeding and shooting
12 preserve area licensed pursuant to Section 3.27, be fitted with
13 a one piece plug that is irremovable without dismantling the
14 shotgun or otherwise altered to render it incapable of holding
15 more than 3 shells in the magazine and chamber, combined.

16 (n) It is unlawful for any person, except persons who
17 possess a permit to hunt from a vehicle as provided in this
18 Section and persons otherwise permitted by law, to have or
19 carry any gun in or on any vehicle, conveyance or aircraft,
20 unless the ~~such~~ gun is unloaded and enclosed in a case, except
21 that at field trials authorized by Section 2.34 of this Act,
22 unloaded guns or guns loaded with blank cartridges only, may be
23 carried on horseback while not contained in a case, any air bow
24 in or on any vehicle unless the air bow is unloaded and
25 enclosed in a case, or otherwise made inoperable, or to have or
26 carry any bow or arrow device in or on any vehicle unless the

1 ~~such~~ bow or arrow device is unstrung or enclosed in a case, or
2 otherwise made inoperable.

3 (o) (Blank).

4 (p) It is unlawful to take game birds, migratory game birds
5 or migratory waterfowl with a rifle, pistol, revolver or
6 airgun.

7 (q) It is unlawful to fire a rifle, pistol, revolver or
8 airgun on, over or into any waters of this State, including
9 frozen waters.

10 (r) It is unlawful to discharge any gun, air bow, or bow
11 and arrow device along, upon, across, or from any public
12 right-of-way or highway in this State.

13 (s) It is unlawful to use a silencer or other device to
14 muffle or mute the sound of the explosion or report resulting
15 from the firing of any gun.

16 (t) It is unlawful for any person to take or attempt to
17 take any species of wildlife or parts thereof, intentionally or
18 wantonly allow a dog to hunt, within or upon the land of
19 another, or upon waters flowing over or standing on the land of
20 another, or to knowingly shoot a gun, air bow, or bow and arrow
21 device at any wildlife physically on or flying over the
22 property of another without first obtaining permission from the
23 owner or the owner's designee. For the purposes of this
24 Section, the owner's designee means anyone who the owner
25 designates in a written authorization and the authorization
26 must contain (i) the legal or common description of property

1 for such authority is given, (ii) the extent that the owner's
2 designee is authorized to make decisions regarding who is
3 allowed to take or attempt to take any species of wildlife or
4 parts thereof, and (iii) the owner's notarized signature.
5 Before enforcing this Section the law enforcement officer must
6 have received notice from the owner or the owner's designee of
7 a violation of this Section. Statements made to the law
8 enforcement officer regarding this notice shall not be rendered
9 inadmissible by the hearsay rule when offered for the purpose
10 of showing the required notice.

11 (u) It is unlawful for any person to discharge any firearm
12 for the purpose of taking any of the species protected by this
13 Act, or hunt with gun or dog, or intentionally or wantonly
14 allow a dog to hunt, within 300 yards of an inhabited dwelling
15 without first obtaining permission from the owner or tenant,
16 except that while trapping, hunting with bow and arrow or air
17 bow, hunting with dog and shotgun using shot shells only, or
18 hunting with shotgun using shot shells only, or providing
19 outfitting services under a waterfowl outfitter permit, or on
20 licensed game breeding and hunting preserve areas, as defined
21 in Section 3.27, on federally owned and managed lands and on
22 Department owned, managed, leased, or controlled lands, a 100
23 yard restriction shall apply.

24 (v) It is unlawful for any person to remove fur-bearing
25 mammals from, or to move or disturb in any manner, the traps
26 owned by another person without written authorization of the

1 owner to do so.

2 (w) It is unlawful for any owner of a dog to knowingly or
3 wantonly allow his or her dog to pursue, harass or kill deer,
4 except that nothing in this Section shall prohibit the tracking
5 of wounded deer with a dog in accordance with the provisions of
6 Section 2.26 of this Code.

7 (x) It is unlawful for any person to wantonly or carelessly
8 injure or destroy, in any manner whatsoever, any real or
9 personal property on the land of another while engaged in
10 hunting or trapping thereon.

11 (y) It is unlawful to hunt wild game protected by this Act
12 between one half hour after sunset and one half hour before
13 sunrise, except that hunting hours between one half hour after
14 sunset and one half hour before sunrise may be established by
15 administrative rule for fur-bearing mammals.

16 (z) It is unlawful to take any game bird (excluding wild
17 turkeys and crippled pheasants not capable of normal flight and
18 otherwise irretrievable) protected by this Act when not flying.
19 Nothing in this Section shall prohibit a person from carrying
20 an uncased, unloaded shotgun in a boat, while in pursuit of a
21 crippled migratory waterfowl that is incapable of normal
22 flight, for the purpose of attempting to reduce the migratory
23 waterfowl to possession, provided that the attempt is made
24 immediately upon downing the migratory waterfowl and is done
25 within 400 yards of the blind from which the migratory
26 waterfowl was downed. This exception shall apply only to

1 migratory game birds that are not capable of normal flight.
2 Migratory waterfowl that are crippled may be taken only with a
3 shotgun as regulated by subsection (j) of this Section using
4 shotgun shells as regulated in subsection (k) of this Section.

5 (aa) It is unlawful to use or possess any device that may
6 be used for tree climbing or cutting, while hunting fur-bearing
7 mammals, excluding coyotes.

8 (bb) It is unlawful for any person, except licensed game
9 breeders, pursuant to Section 2.29 to import, carry into, or
10 possess alive in this State any species of wildlife taken
11 outside of this State, without obtaining permission to do so
12 from the Director.

13 (cc) It is unlawful for any person to have in his or her
14 possession any freshly killed species protected by this Act
15 during the season closed for taking.

16 (dd) It is unlawful to take any species protected by this
17 Act and retain it alive except as provided by administrative
18 rule.

19 (ee) It is unlawful to possess any rifle while in the field
20 during gun deer season except as provided in Section 2.26 and
21 administrative rules.

22 (ff) It is unlawful for any person to take any species
23 protected by this Act, except migratory waterfowl, during the
24 gun deer hunting season in those counties open to gun deer
25 hunting, unless he or she wears, when in the field, a cap and
26 upper outer garment of a solid blaze orange color, with such

1 articles of clothing displaying a minimum of 400 square inches
2 of blaze orange material.

3 (gg) It is unlawful during the upland game season for any
4 person to take upland game with a firearm unless he or she
5 wears, while in the field, a cap of solid blaze orange color.
6 For purposes of this Act, upland game is defined as Bobwhite
7 Quail, Hungarian Partridge, Ring-necked Pheasant, Eastern
8 Cottontail and Swamp Rabbit.

9 (hh) It shall be unlawful to kill or cripple any species
10 protected by this Act for which there is a bag limit without
11 making a reasonable effort to retrieve such species and include
12 such in the bag limit. It shall be unlawful for any person
13 having control over harvested game mammals, game birds, or
14 migratory game birds for which there is a bag limit to wantonly
15 waste or destroy the usable meat of the game, except this shall
16 not apply to wildlife taken under Sections 2.37 or 3.22 of this
17 Code. For purposes of this subsection, "usable meat" means the
18 breast meat of a game bird or migratory game bird and the hind
19 ham and front shoulders of a game mammal. It shall be unlawful
20 for any person to place, leave, dump, or abandon a wildlife
21 carcass or parts of it along or upon a public right-of-way or
22 highway or on public or private property, including a waterway
23 or stream, without the permission of the owner or tenant. It
24 shall not be unlawful to discard game meat that is determined
25 to be unfit for human consumption.

26 (ii) This Section shall apply only to those species

1 protected by this Act taken within the State. Any species or
2 any parts thereof, legally taken in and transported from other
3 states or countries, may be possessed within the State, except
4 as provided in this Section and Sections 2.35, 2.36 and 3.21.

5 (jj) (Blank).

6 (kk) Nothing contained in this Section shall prohibit the
7 Director from issuing permits to paraplegics or to other
8 persons with disabilities who meet the requirements set forth
9 in administrative rule to shoot or hunt from a vehicle as
10 provided by that rule, provided that such is otherwise in
11 accord with this Act.

12 (ll) Nothing contained in this Act shall prohibit the
13 taking of aquatic life protected by the Fish and Aquatic Life
14 Code or birds and mammals protected by this Act, except deer
15 and fur-bearing mammals, from a boat not camouflaged or
16 disguised to alter its identity or to further provide a place
17 of concealment and not propelled by sail or mechanical power.
18 However, only shotguns not larger than 10 gauge nor smaller
19 than .410 bore loaded with not more than 3 shells of a shot
20 size no larger than lead BB or steel T (.20 diameter) may be
21 used to take species protected by this Act.

22 (mm) Nothing contained in this Act shall prohibit the use
23 of a shotgun, not larger than 10 gauge nor smaller than a 20
24 gauge, with a rifled barrel.

25 (nn) It shall be unlawful to possess any species of
26 wildlife or wildlife parts taken unlawfully in Illinois, any

1 other state, or any other country, whether or not the wildlife
2 or wildlife parts is indigenous to Illinois. For the purposes
3 of this subsection, the statute of limitations for unlawful
4 possession of wildlife or wildlife parts shall not cease until
5 2 years after the possession has permanently ended.

6 (Source: P.A. 99-33, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642,
7 eff. 7-28-16; 100-489, eff. 9-8-17.)

8 (520 ILCS 5/3.1-9)

9 Sec. 3.1-9. Youth Hunting and Trapping Licenses.

10 (a) Any resident youth age 18 and under may apply to the
11 Department for a Youth Hunting License, which extends limited
12 hunting privileges. The Youth Hunting License shall be a
13 renewable license that shall expire on the March 31 following
14 the date of issuance.

15 For youth age 18 and under, the Youth Hunting License shall
16 entitle the licensee to hunt while supervised by a parent,
17 grandparent, or guardian who is 21 years of age or older and
18 has a valid Illinois hunting license. Possession of a Youth
19 Hunting License shall serve in lieu of a valid hunting license,
20 but does not exempt the licensee from compliance with the
21 requirements of this Code and any rules adopted under this
22 Code.

23 A youth licensed under this subsection (a) shall not hunt
24 or carry a hunting device, including, but not limited to, a
25 firearm, air bow, bow and arrow, or crossbow unless the youth

1 is accompanied by and under the close personal supervision of a
2 parent, grandparent, or guardian who is 21 years of age or
3 older and has a valid Illinois hunting license.

4 At age 19 years or when the youth chooses to hunt by
5 himself or herself, he or she is required to successfully
6 complete a hunter safety course approved by the Department
7 prior to being able to obtain a full hunting license and
8 subsequently hunt by himself or herself.

9 In order to be approved for the Youth Hunting License, the
10 applicant must request a Youth Hunting License from the
11 Department and submit a \$7 fee, which shall be separate from
12 and additional to any other stamp, permit, tag, or license fee
13 that may be required for hunting under this Code. The
14 Department shall adopt rules for the administration of the
15 program, but shall not require any certificate of competency or
16 other hunting education as a condition of the Youth Hunting
17 License.

18 (b) Any resident youth age 18 and under may apply to the
19 Department for a Youth Trapping License, which extends limited
20 trapping privileges. The Youth Trapping License shall be a
21 renewable license that shall expire on the March 31 following
22 the date of issuance.

23 For youth age 18 and under, the Youth Trapping License
24 shall entitle the licensee to trap while supervised by a
25 parent, grandparent, or guardian who is 21 years of age or
26 older and has a valid Illinois trapping license. Possession of

1 a Youth Trapping License shall serve in lieu of a valid
2 trapping license, but does not exempt the licensee from
3 compliance with the requirements of this Code and any rules
4 adopted under this Code.

5 A youth licensed under this subsection (b) shall not trap
6 or carry a hunting device, including, but not limited to, a
7 firearm, air bow, bow and arrow, or crossbow unless the youth
8 is accompanied by and under the close personal supervision of a
9 parent, grandparent, or guardian who is 21 years of age or
10 older and has a valid Illinois trapping license.

11 At age 19 years or when the youth chooses to trap by
12 himself or herself, he or she is required to successfully
13 complete a trapper safety course approved by the Department
14 prior to being able to obtain a full trapping license and
15 subsequently trap by himself or herself.

16 In order to be approved for the Youth Trapping License, the
17 applicant must request a Youth Trapping License from the
18 Department and submit a \$7 fee, which shall be separate from
19 and additional to any other stamp, permit, tag, or license fee
20 that may be required for trapping under this Code. The
21 Department shall adopt rules for the administration of the
22 program, but shall not require any certificate of competency or
23 other trapping education as a condition of the Youth Trapping
24 License.

25 (Source: P.A. 98-620, eff. 1-7-14; 99-78, eff. 7-20-15; 99-307,
26 eff. 1-1-16; 99-868, eff. 1-1-17.)

1 (520 ILCS 5/3.40) (from Ch. 61, par. 3.40)

2 Sec. 3.40. Accidents; Reports - Transmittal of
3 information. Accidents involving serious personal injury
4 resulting from any action of a person who is directly involved
5 in a hunting activity with a firearm, air bow, or bow and arrow
6 device or directly engaged in a trapping activity under the
7 jurisdiction of this Act shall be subject to the following:

8 (a) Any person involved in an accident, as stated above, so
9 far as he can do so without serious danger to himself and
10 others, if any, shall render to other persons affected by the
11 accident such assistance as may be practicable and as may be
12 necessary in order to save them from or minimize any danger
13 caused by the accident, and also shall give his name and
14 address to any person injured and to the owner of any property
15 upon which the accident occurred.

16 (b) In the case of an accident, each person involved, if
17 the accident results in death or injury to a person, shall file
18 with the Department a full description of the accident,
19 including such information as the Department may, by
20 regulation, require. Reports of such accidents must be filed
21 with the Department on a Department Accident Report form within
22 5 days.

23 (c) All required accident reports and supplemental reports
24 are without prejudice to the individual so reporting, and are
25 for the confidential use of the Department, except that the

1 Department may disclose the identity of a person involved in an
2 accident when such identity is not otherwise known or when such
3 person denies his presence at such accident. No such report may
4 be used as evidence in any trial, civil or criminal, arising
5 out of an accident, except that the Department must furnish
6 upon demand of any person who claims to have made such a
7 report, or upon demand of any court, a certificate showing that
8 a specified accident report has or has not been made to the
9 Department, solely to prove a compliance or a failure to comply
10 with the requirements that such a report be made to the
11 Department.

12 (Source: P.A. 84-150.)".