

SB3340



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3340

Introduced 2/7/2024, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

515 ILCS 5/20-45

from Ch. 56, par. 20-45

520 ILCS 5/3.2

from Ch. 61, par. 3.2

Amends the Fish and Aquatic Life Code and the Wildlife Code. Provides that there is no fee for an annual or 3-year fishing license, sportsmen's combination license, or hunting license for resident Gold Star Family members. Directs the Department of Natural Resources to adopt rules establishing who qualifies for Gold Star Family member status and what constitutes suitable verification of that status. Effective immediately.

LRB103 38106 JAG 68238 b

A BILL FOR

1 AN ACT concerning fishing and hunting.

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

4 Section 5. The Fish and Aquatic Life Code is amended by
5 changing Section 20-45 as follows:

6 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

7 Sec. 20-45. License fees for residents. Fees for licenses
8 for residents of the State of Illinois shall be as follows:

9 (a) Except as otherwise provided in this Section, for
10 sport fishing devices as defined in Section 10-95 or
11 spearing devices as defined in Section 10-110, the fee is
12 \$14.50 for individuals 16 to 64 years old, one-half of the
13 current fishing license fee for individuals age 65 or
14 older, and, commencing with the 2012 license year,
15 one-half of the current fishing license fee for resident
16 veterans of the United States Armed Forces after returning
17 from service abroad or mobilization by the President of
18 the United States as an active duty member of the United
19 States Armed Forces, the Illinois National Guard, or the
20 Reserves of the United States Armed Forces. Veterans must
21 provide to the Department acceptable verification of their
22 service. The Department shall establish by administrative
23 rule the procedure by which such verification of service

1 shall be made to the Department for the purpose of issuing
2 fishing licenses to resident veterans at a reduced fee.

3 (a-3) Except as otherwise provided in this Section,
4 for sport fishing devices as defined in Section 10-95 or
5 spearing devices as defined in Section 10-110, residents
6 of this State may obtain a 3-year fishing license. The fee
7 for a 3-year fishing license is 3 times the annual fee. For
8 residents age 65 or older, the fee is one half of the fee
9 charged for a 3-year fishing license. For resident
10 veterans of the United States Armed Forces after returning
11 from service abroad or mobilization by the President of
12 the United States, the fee is one-half of the fee charged
13 for a 3-year fishing license. Veterans must provide to the
14 Department, per administrative rule, verification of their
15 service. The Department shall establish what constitutes
16 suitable verification of service for the purpose of
17 issuing 3-year fishing licenses to resident veterans at a
18 reduced fee.

19 (a-5) The fee for all sport fishing licenses shall be
20 \$1 for an annual license and 3 times the annual fee for a
21 3-year license for residents over 75 years of age.

22 (a-6) There is no fee for an annual or 3-year fishing
23 license for resident Gold Star Family members. A Gold Star
24 Family member includes an immediate relative of a United
25 States Armed Forces member who died in battle or in
26 support of certain military activities, including a

1 parent, child, brother, sister, or other loved one. Gold
2 Star Family members must provide verification to the
3 Department at one of the Department's 5 regional offices.
4 The Department shall, by rule, establish who qualifies for
5 Gold Star Family member status and what constitutes
6 suitable verification.

7 (b) All residents before using any commercial fishing
8 device shall obtain a commercial fishing license, the fee
9 for which shall be \$60 and a resident fishing license, the
10 fee for which is \$14.50. Each and every commercial device
11 used shall be licensed by a resident commercial fisherman
12 as follows:

13 (1) For each 100 lineal yards, or fraction
14 thereof, of seine the fee is \$18. For each minnow
15 seine, minnow trap, or net for commercial purposes the
16 fee is \$20.

17 (2) For each device to fish with a 100 hook trot
18 line device, basket trap, hoop net, or dip net the fee
19 is \$3.

20 (3) When used in the waters of Lake Michigan, for
21 the first 2000 lineal feet, or fraction thereof, of
22 gill net the fee is \$10; and for each 1000 additional
23 lineal feet, or fraction thereof, the fee is \$10.
24 These fees shall apply to all gill nets in use in the
25 water or on drying reels on the shore.

26 (4) For each 100 lineal yards, or fraction

1 thereof, of gill net or trammel net the fee is \$18.

2 (c) Residents of this State may obtain a sportsmen's
3 combination license that shall entitle the holder to the
4 same non-commercial fishing privileges as residents
5 holding a license as described in subsection (a) of this
6 Section and to the same hunting privileges as residents
7 holding a license to hunt all species as described in
8 Section 3.1 of the Wildlife Code. No sportsmen's
9 combination license shall be issued to any individual who
10 would be ineligible for either the fishing or hunting
11 license separately. The sportsmen's combination license
12 fee shall be \$25.50. For residents age 65 or older, the fee
13 is one-half of the fee charged for a sportsmen's
14 combination license. For resident veterans of the United
15 States Armed Forces after returning from service abroad or
16 mobilization by the President of the United States as an
17 active duty member of the United States Armed Forces, the
18 Illinois National Guard, or the Reserves of the United
19 States Armed Forces, the fee, commencing with the 2012
20 license year, is one-half of the fee charged for a
21 sportsmen's combination license. Veterans must provide to
22 the Department acceptable verification of their service.
23 The Department shall establish by administrative rule the
24 procedure by which such verification of service shall be
25 made to the Department for the purpose of issuing
26 sportsmen's combination licenses to resident veterans at a

1 reduced fee.

2 (c-1) There is no fee for an annual or 3-year
3 sportsmen's combination license for resident Gold Star
4 Family members. A Gold Star Family member includes an
5 immediate relative of a United States Armed Forces member
6 who died in battle or in support of certain military
7 activities, including a parent, child, brother, sister, or
8 other loved one. Gold Star Family members must provide
9 verification to the Department at one of the Department's
10 5 regional offices. The Department shall, by rule,
11 establish who qualifies for Gold Star Family member status
12 and what constitutes suitable verification.

13 (c-5) Residents of this State may obtain a 3-year
14 sportsmen's combination license that shall entitle the
15 holder to the same non-commercial fishing privileges as
16 residents holding a license as described in subsection
17 (a-3) and to the same hunting privileges as residents
18 holding a license to hunt all species as described in
19 Section 3.1 of the Wildlife Code. A 3-year sportsmen's
20 combination license shall not be issued to any individual
21 who would be ineligible for either the fishing or hunting
22 license separately. The 3-year sportsmen's combination
23 license fee shall be 3 times the annual fee. For residents
24 age 65 or older, the fee is one-half of the fee charged for
25 a 3-year sportsmen's combination license. For resident
26 veterans of the United States Armed Forces after returning

1 from service abroad or mobilization by the President of
2 the United States, the fee is one-half of the fee charged
3 for a 3-year sportsmen's combination license. Veterans
4 must provide to the Department, per administrative rule,
5 verification of their service. The Department shall
6 establish what constitutes suitable verification of
7 service for the purpose of issuing 3-year sportsmen's
8 combination licenses to resident veterans at a reduced
9 fee.

10 (d) For 24 hours of fishing by sport fishing devices
11 as defined in Section 10-95 or by spearing devices as
12 defined in Section 10-110 the fee is \$5. This license does
13 not exempt the licensee from the requirement for a salmon
14 or inland trout stamp. The licenses provided for by this
15 subsection are not required for residents of the State of
16 Illinois who have obtained the license provided for in
17 subsection (a) or (a-3) of this Section.

18 (e) All residents before using any commercial mussel
19 device shall obtain a commercial mussel license, the fee
20 for which shall be \$50.

21 (f) Residents of this State, upon establishing
22 residency as required by the Department, may obtain a
23 lifetime hunting or fishing license or lifetime
24 sportsmen's combination license which shall entitle the
25 holder to the same non-commercial fishing privileges as
26 residents holding a license as described in paragraph (a)

1 of this Section and to the same hunting privileges as
2 residents holding a license to hunt all species as
3 described in Section 3.1 of the Wildlife Code. No lifetime
4 sportsmen's combination license shall be issued to or
5 retained by any individual who would be ineligible for
6 either the fishing or hunting license separately, either
7 upon issuance, or in any year a violation would subject an
8 individual to have either or both fishing or hunting
9 privileges rescinded. The lifetime hunting and fishing
10 license fees shall be as follows:

11 (1) Lifetime fishing: 30 x the current fishing
12 license fee.

13 (2) Lifetime hunting: 30 x the current hunting
14 license fee.

15 (3) Lifetime sportsmen's combination license: 30 x
16 the current sportsmen's combination license fee.

17 Lifetime licenses shall not be refundable. A \$10 fee shall
18 be charged for reissuing any lifetime license. The Department
19 may establish rules and regulations for the issuance and use
20 of lifetime licenses and may suspend or revoke any lifetime
21 license issued under this Section for violations of those
22 rules or regulations or other provisions under this Code or
23 the Wildlife Code, or a violation of the United States Code
24 that involves the taking, possessing, killing, harvesting,
25 transportation, selling, exporting, or importing any fish or
26 aquatic life protected by this Code or the taking, possessing,

1 killing, harvesting, transportation, selling, exporting, or
2 importing any fauna protected by the Wildlife Code when any
3 part of the United States Code violation occurred in Illinois.
4 Individuals under 16 years of age who possess a lifetime
5 hunting or sportsmen's combination license shall have in their
6 possession, while in the field, a certificate of competency as
7 required under Section 3.2 of the Wildlife Code. Any lifetime
8 license issued under this Section shall not exempt individuals
9 from obtaining additional stamps or permits required under the
10 provisions of this Code or the Wildlife Code. Individuals
11 required to purchase additional stamps shall sign the stamps
12 and have them in their possession while fishing or hunting
13 with a lifetime license. All fees received from the issuance
14 of lifetime licenses shall be deposited in the Fish and
15 Wildlife Endowment Fund.

16 Except for licenses issued under subsection (e) of this
17 Section, all licenses provided for in this Section shall
18 expire on March 31 of each year, except that the license
19 provided for in subsection (d) of this Section shall expire 24
20 hours after the effective date and time listed on the face of
21 the license. Licenses issued under subsection (a-3) or (c-5)
22 shall expire on March 31 of the 2nd year after the year in
23 which the license is issued.

24 The Department shall by administrative rule provide for
25 the automatic renewal of a fishing license upon the request of
26 the applicant.

1 All individuals required to have and failing to have the
2 license provided for in subsection (a), (a-3), or (d) of this
3 Section shall be fined according to the provisions of Section
4 20-35 of this Code.

5 All individuals required to have and failing to have the
6 licenses provided for in subsections (b) and (e) of this
7 Section shall be guilty of a Class B misdemeanor.

8 (g) For the purposes of this Section, "acceptable
9 verification" means official documentation from the Department
10 of Defense or the appropriate Major Command showing
11 mobilization dates or service abroad dates, including: (i) a
12 DD-214, (ii) a letter from the Illinois Department of Military
13 Affairs for members of the Illinois National Guard, (iii) a
14 letter from the Regional Reserve Command for members of the
15 Armed Forces Reserve, (iv) a letter from the Major Command
16 covering Illinois for active duty members, (v) personnel
17 records for mobilized State employees, and (vi) any other
18 documentation that the Department, by administrative rule,
19 deems acceptable to establish dates of mobilization or service
20 abroad.

21 For the purposes of this Section, the term "service
22 abroad" means active duty service outside of the 50 United
23 States and the District of Columbia, and includes all active
24 duty service in territories and possessions of the United
25 States.

26 (Source: P.A. 102-780, eff. 5-13-22; 102-837, eff. 5-13-22;

1 103-154, eff. 6-30-23; 103-456, eff. 1-1-24.)

2 Section 10. The Wildlife Code is amended by changing
3 Section 3.2 as follows:

4 (520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

5 Sec. 3.2. Hunting license; application; instruction.
6 Before the Department or any county, city, village, township,
7 incorporated town clerk or his duly designated agent or any
8 other person authorized or designated by the Department to
9 issue hunting licenses shall issue a hunting license to any
10 person, the person shall file his application with the
11 Department or other party authorized to issue licenses on a
12 form provided by the Department and further give definite
13 proof of identity and place of legal residence. Each clerk
14 designating agents to issue licenses and stamps shall furnish
15 the Department, within 10 days following the appointment, the
16 names and mailing addresses of the agents. Each clerk or his
17 duly designated agent shall be authorized to sell licenses and
18 stamps only within the territorial area for which he was
19 elected or appointed. No duly designated agent is authorized
20 to furnish licenses or stamps for issuance by any other
21 business establishment. Each application shall be executed and
22 sworn to and shall set forth the name and description of the
23 applicant and place of residence.

24 No hunting license shall be issued to any person born on or

1 after January 1, 1980 unless he presents the person authorized
2 to issue the license evidence that he has held a hunting
3 license issued by the State of Illinois or another state in a
4 prior year, or a certificate of competency as provided in this
5 Section. Persons under 18 years of age may be issued a Lifetime
6 Hunting or Sportsmen's Combination License as provided under
7 Section 20-45 of the Fish and Aquatic Life Code but shall not
8 be entitled to hunt alone, without the supervision of an adult
9 age 21 or older, unless they have a certificate of competency
10 as provided in this Section and the certificate is in their
11 possession while hunting.

12 The Department of Natural Resources shall authorize
13 personnel of the Department or certified volunteer instructors
14 to conduct courses, of not less than 10 hours in length, in
15 firearms and hunter safety, which may include training in bow
16 and arrow safety, at regularly specified intervals throughout
17 the State. Persons successfully completing the course shall
18 receive a certificate of competency. The Department of Natural
19 Resources may further cooperate with any reputable association
20 or organization in establishing courses if the organization
21 has as one of its objectives the promotion of safety in the
22 handling of firearms or bow and arrow.

23 The Department of Natural Resources shall designate any
24 person found by it to be competent to give instruction in the
25 handling of firearms, hunter safety, and bow and arrow. The
26 persons so appointed shall give the course of instruction and

1 upon the successful completion shall issue to the person
2 instructed a certificate of competency in the safe handling of
3 firearms, hunter safety, and bow and arrow. No charge shall be
4 made for any course of instruction except for materials or
5 ammunition consumed. The Department of Natural Resources shall
6 furnish information on the requirements of hunter safety
7 education programs to be distributed free of charge to
8 applicants for hunting licenses by the persons appointed and
9 authorized to issue licenses. Funds for the conducting of
10 firearms and hunter safety courses shall be taken from the fee
11 charged for the Firearm Owners Identification Card.

12 The fee for a hunting license to hunt all species for a
13 resident of Illinois is \$12. For residents age 65 or older,
14 and, commencing with the 2012 license year, resident veterans
15 of the United States Armed Forces after returning from service
16 abroad or mobilization by the President of the United States
17 as an active duty member of the United States Armed Forces, the
18 Illinois National Guard, or the Reserves of the United States
19 Armed Forces, the fee is one-half of the fee charged for a
20 hunting license to hunt all species for a resident of
21 Illinois. Veterans must provide to the Department acceptable
22 verification of their service. The Department shall establish
23 by administrative rule the procedure by which such
24 verification of service shall be made to the Department for
25 the purpose of issuing resident veterans hunting licenses at a
26 reduced fee. There is no fee for an annual or 3-year hunting

1 license for resident Gold Star Family members. A Gold Star
2 Family member includes an immediate relative of a United
3 States Armed Forces member who died in battle or in support of
4 certain military activities, including a parent, child,
5 brother, sister, or other loved one. Gold Star Family members
6 must provide verification to the Department at one of the
7 Department's 5 regional offices. The Department shall, by
8 rule, establish who qualifies for Gold Star Family member
9 status and what constitutes suitable verification. The fee for
10 a hunting license to hunt all species shall be \$1 for residents
11 over 75 years of age. Nonresidents shall be charged \$57 for a
12 hunting license.

13 Residents of this State may obtain a 3-year hunting
14 license to hunt all species as described in Section 3.1 for 3
15 times the annual fee. For residents age 65 or older and
16 resident veterans of the United States Armed Forces after
17 returning from service abroad or mobilization by the President
18 of the United States, the fee is one-half of the fee charged
19 for a 3-year hunting license to hunt all species as described
20 in Section 3.1 for a resident of this State. Veterans must
21 provide to the Department, per administrative rule,
22 verification of their service. The Department shall establish
23 what constitutes suitable verification of service for the
24 purpose of issuing resident veterans 3-year hunting licenses
25 at a reduced fee.

26 Nonresidents may be issued a nonresident hunting license

1 for a period not to exceed 10 consecutive days' hunting in the
2 State and shall be charged a fee of \$35.

3 A special nonresident hunting license authorizing a
4 nonresident to take game birds by hunting on a game breeding
5 and hunting preserve area only, established under Section
6 3.27, shall be issued upon proper application being made and
7 payment of a fee equal to that for a resident hunting license.
8 The expiration date of this license shall be on the same date
9 each year that game breeding and hunting preserve area
10 licenses expire.

11 Each applicant for a State Migratory Waterfowl Stamp,
12 regardless of his residence or other condition, shall pay a
13 fee of \$15 and shall receive a stamp. The fee for a State
14 Migratory Waterfowl Stamp shall be waived for residents over
15 75 years of age. Except as provided under Section 20-45 of the
16 Fish and Aquatic Life Code, the stamp shall be signed by the
17 person or affixed to his license or permit in a space
18 designated by the Department for that purpose.

19 Each applicant for a State Habitat Stamp, regardless of
20 his residence or other condition, shall pay a fee of \$5 and
21 shall receive a stamp. The fee for a State Habitat Stamp shall
22 be waived for residents over 75 years of age. Except as
23 provided under Section 20-45 of the Fish and Aquatic Life
24 Code, the stamp shall be signed by the person or affixed to his
25 license or permit in a space designated by the Department for
26 that purpose.

1 Nothing in this Section shall be construed as to require
2 the purchase of more than one State Habitat Stamp by any person
3 in any one license year.

4 The fees for State Pheasant Stamps and State Furbearer
5 Stamps shall be waived for residents over 75 years of age.

6 The Department shall furnish the holders of hunting
7 licenses and stamps with an insignia as evidence of possession
8 of license, or license and stamp, as the Department may
9 consider advisable. The insignia shall be exhibited and used
10 as the Department may order.

11 All other hunting licenses and all State stamps shall
12 expire upon March 31 of each year. Three-year hunting licenses
13 shall expire on March 31 of the 2nd year after the year in
14 which the license is issued.

15 Every person holding any license, permit, or stamp issued
16 under the provisions of this Act shall have it in his
17 possession for immediate presentation for inspection to the
18 officers and authorized employees of the Department, any
19 sheriff, deputy sheriff, or any other peace officer making a
20 demand for it. This provision shall not apply to Department
21 owned or managed sites where it is required that all hunters
22 deposit their license, permit, or Firearm Owner's
23 Identification Card at the check station upon entering the
24 hunting areas.

25 For the purposes of this Section, "acceptable
26 verification" means official documentation from the Department

1 of Defense or the appropriate Major Command showing
2 mobilization dates or service abroad dates, including: (i) a
3 DD-214, (ii) a letter from the Illinois Department of Military
4 Affairs for members of the Illinois National Guard, (iii) a
5 letter from the Regional Reserve Command for members of the
6 Armed Forces Reserve, (iv) a letter from the Major Command
7 covering Illinois for active duty members, (v) personnel
8 records for mobilized State employees, and (vi) any other
9 documentation that the Department, by administrative rule,
10 deems acceptable to establish dates of mobilization or service
11 abroad.

12 For the purposes of this Section, the term "service
13 abroad" means active duty service outside of the 50 United
14 States and the District of Columbia, and includes all active
15 duty service in territories and possessions of the United
16 States.

17 (Source: P.A. 102-780, eff. 5-13-22; 103-456, eff. 1-1-24.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.