

SB0256



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0256

Introduced 1/22/2025, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.40 new
520 ILCS 5/3.5

from Ch. 61, par. 3.5

Amends the Wildlife Code. Provides that a person shall not organize, sponsor, promote, conduct, or participate in any contest, organized competition, tournament, or derby that has as its objective the taking of a fur-bearing mammal for cash, prizes, or other inducement. Provides an exception for field trials, certain wildlife damage control activities, and certain lawful hunting or trapping activities. Establishes penalties for violations.

LRB104 07664 BDA 17708 b

A BILL FOR

1 AN ACT concerning wildlife.

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

4 Section 5. The Wildlife Code is amended by changing
5 Section 3.5 and by adding 2.40 as follows:

6 (520 ILCS 5/2.40 new)

7 Sec. 2.40. Fur-bearing mammal killing contests prohibited.

8 (a) Except as provided in subsection (b), a person shall
9 not organize, sponsor, promote, conduct, or participate in any
10 contest, organized competition, tournament, or derby that has
11 as its objective the taking of a fur-bearing mammal, as
12 defined in Section 1.2g, for cash, prizes, or other
13 inducement.

14 (b) The prohibition in subsection (a) does not apply to:

15 (1) field trials permitted by the Department under
16 Section 2.34;

17 (2) wildlife damage control activities authorized
18 under a permit issued by the Department under Section 2.37
19 as long as those activities do not take place during a
20 contest, organized competition, tournament, or derby; or

21 (3) lawful hunting or trapping activities authorized
22 under Section 2.30 as long as those activities do not take
23 place during a contest, organized competition, tournament,

1 or derby.

2 (520 ILCS 5/3.5) (from Ch. 61, par. 3.5)

3 Sec. 3.5. Penalties; probation.

4 (a) Any person who violates any of the provisions of
5 Section 2.36a, including administrative rules, shall be guilty
6 of a Class 3 felony, except as otherwise provided in
7 subsection (b) of this Section and subsection (a) of Section
8 2.36a.

9 (b) Whenever any person who has not previously been
10 convicted of, or placed on probation or court supervision for,
11 any offense under Section 1.22, 2.36, or 2.36a, operating
12 without a permit as prescribed in subsection (b) of Section
13 2.37, or an offense under subsection (i) or (cc) of Section
14 2.33, the court may, without entering a judgment and with the
15 person's consent, sentence the person to probation for a
16 violation of Section 2.36a.

17 (1) When a person is placed on probation, the court
18 shall enter an order specifying a period of probation of
19 24 months and shall defer further proceedings in the case
20 until the conclusion of the period or until the filing of a
21 petition alleging violation of a term or condition of
22 probation.

23 (2) The conditions of probation shall be that the
24 person:

25 (A) Not violate any criminal statute of any

1 jurisdiction.

2 (B) Perform no less than 30 hours of community
3 service, provided community service is available in
4 the jurisdiction and is funded and approved by the
5 county board.

6 (3) The court may, in addition to other conditions:

7 (A) Require that the person make a report to and
8 appear in person before or participate with the court
9 or courts, person, or social service agency as
10 directed by the court in the order of probation.

11 (B) Require that the person pay a fine and costs.

12 (C) Require that the person refrain from
13 possessing a firearm or other dangerous weapon.

14 (D) Prohibit the person from associating with any
15 person who is actively engaged in any of the
16 activities regulated by the permits issued or
17 privileges granted by the Department of Natural
18 Resources.

19 (4) Upon violation of a term or condition of
20 probation, the court may enter a judgment on its original
21 finding of guilt and proceed as otherwise provided.

22 (5) Upon fulfillment of the terms and conditions of
23 probation, the court shall discharge the person and
24 dismiss the proceedings against the person.

25 (6) A disposition of probation is considered to be a
26 conviction for the purposes of imposing the conditions of

1 probation, for appeal, and for administrative revocation
2 and suspension of licenses and privileges; however,
3 discharge and dismissal under this Section is not a
4 conviction for purposes of disqualification or
5 disabilities imposed by law upon conviction of a crime.

6 (7) Discharge and dismissal under this Section may
7 occur only once with respect to any person.

8 (8) If a person is convicted of an offense under this
9 Act within 5 years subsequent to a discharge and dismissal
10 under this Section, the discharge and dismissal under this
11 Section shall be admissible in the sentencing proceeding
12 for that conviction as a factor in aggravation.

13 (9) The Circuit Clerk shall notify the Illinois State
14 Police of all persons convicted of or placed under
15 probation for violations of Section 2.36a.

16 (c) Any person who violates any of the provisions of
17 Sections 2.9, 2.11, 2.16, 2.18, 2.24, 2.25, 2.26, 2.29, 2.30,
18 2.31, 2.32, 2.33 (except subsections (g), (i), (o), (p), (y),
19 and (cc)), 2.33-1, 2.33a, 3.3, 3.4, 3.11 through 3.16, 3.19,
20 3.20, 3.21 (except subsections (b), (c), (d), (e), (f), (f.5),
21 (g), (h), and (i)), 3.24, 3.25, and 3.26 (except subsection
22 (f)), including administrative rules, shall be guilty of a
23 Class B misdemeanor.

24 A person who violates Section 2.33b by using any computer
25 software or service to remotely control a weapon that takes
26 wildlife by remote operation is guilty of a Class B

1 misdemeanor. A person who violates Section 2.33b by
2 facilitating a violation of Section 2.33b, including an owner
3 of land in which remote control hunting occurs, a computer
4 programmer who designs a program or software to facilitate
5 remote control hunting, or a person who provides weapons or
6 equipment to facilitate remote control hunting, is guilty of a
7 Class A misdemeanor.

8 Any person who violates any of the provisions of Sections
9 1.22, 2.2a, 2.3, 2.4, 2.36, and 2.38, including administrative
10 rules, shall be guilty of a Class A misdemeanor. Any second or
11 subsequent violations of Sections 2.4 and 2.36 shall be a
12 Class 4 felony.

13 Any person who violates any of the provisions of this Act,
14 including administrative rules, during such period when his
15 license, privileges, or permit is revoked or denied by virtue
16 of Section 3.36, shall be guilty of a Class A misdemeanor.

17 Any person who violates subsection (g), (i), (o), (p),
18 (y), or (cc) of Section 2.33 or Section 2.40 shall be guilty of
19 a Class A misdemeanor and subject to a fine of no less than
20 \$500 and no more than \$5,000 in addition to other statutory
21 penalties. In addition, the Department shall suspend the
22 privileges, under this Act, of any person found guilty of
23 violating subsection (cc) of Section 2.33 for a period of not
24 less than one year.

25 Any person who operates without a permit in violation of
26 subsection (b) of Section 2.37 is guilty of a Class A

1 misdemeanor and subject to a fine of not less than \$500. Any
2 other violation of subsection (b) of Section 2.37, including
3 administrative rules, is a Class B misdemeanor.

4 Any person who violates any other of the provisions of
5 this Act including administrative rules, unless otherwise
6 stated, shall be guilty of a petty offense. Offenses committed
7 by minors under the direct control or with the consent of a
8 parent or guardian may subject the parent or guardian to the
9 penalties prescribed in this Section.

10 In addition to any fines imposed pursuant to the
11 provisions of this Section or as otherwise provided in this
12 Act, any person found guilty of unlawfully taking or
13 possessing any species protected by this Act shall be assessed
14 a civil penalty for such species in accordance with the values
15 prescribed in Section 2.36a of this Act. This civil penalty
16 shall be imposed by the Circuit Court for the county within
17 which the offense was committed at the time of the conviction.
18 Any person found guilty of violating subsection (b) of Section
19 2.37 is subject to an additional civil penalty of up to \$1,500.
20 All penalties provided for in this Section shall be remitted
21 to the Department in accordance with the same provisions
22 provided for in Section 1.18 of this Act, except that civil
23 penalties collected for violation of subsection (b) of Section
24 2.37 shall be remitted to the Department and allocated as
25 follows:

26 (1) 60% to the Conservation Police Operations

1 Assistance Fund; and

2 (2) 40% to the Illinois Habitat Fund.

3 (Source: P.A. 102-538, eff. 8-20-21; 103-37, eff. 6-9-23;

4 103-605, eff. 7-1-24.)