**Section 528.20 Eligibility for Landowner/Tenant Permits**

a) Qualified applicants are limited to:

1) Landowners of 40 acres or more of land and their immediate families, resident tenants renting or leasing 40 acres or more of commercial agricultural land and their immediate families, and bona fide current income beneficiaries of a trust that owns 40 acres or more of land and their immediate families. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered a basis for a permit for the shareholders, members or partners as bona fide current income beneficiaries of the trust. No one may apply for or be issued both a landowner permit and a tenant permit.

2) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies or bona fide partners of partnerships owning 40 or more acres of land in a county. For applicants eligible for permits under this Part:

A) Only one permit per 40 acres, for a maximum of 15 permits per county, for corporations and limited liability companies, and a maximum of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies or partnerships.

B) Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered a basis for a permit for the shareholders, members, beneficiaries or partners of the lessee.

b) For the purposes of calculating acreage*, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre* [520 ILCS 5/2.11 and 2.26].

c) A hunting rights lease, or other nonagricultural lease, is not valid as a basis for obtaining a landowner permit.

(Source: Amended at 45 Ill. Reg. 8382, effective June 23, 2021)