**Section 1535.1 Definitions**

"Act" means the Timber Buyers Licensing Act [225 ILCS 735].

"Agent" *means any person acting on behalf of a timber buyer, employed by a timber buyer, or under an agreement, whether oral or written, with a timber buyer who buys timber, attempts to buy timber, procures contracts for the purchase or cutting of timber, or attempts to procure contracts for the purchase of cutting of timber.* [225 ILCS 735/2]

"Department" means the Illinois Department of Natural Resources.

"Fair market value" means the price that property would sell for on the open market. It is the price that would be agreed on between a willing buyer and a willing seller, with neither being required to act, and both having reasonable knowledge of the relevant facts.

"Good standing" *means any person who is not:*

*currently serving a sentence of probation, or conditional discharge, for a violation of this Act or administrative rules adopted under this Act;*

*owes any amount of money pursuant to a civil judgment regarding the sale, cutting, or transportation of timber;*

*owes the Department any required fee, payment, or money required under this Act; or*

*is currently serving a suspension or revocation of any privilege that is granted under this Act.* [225 ILCS 735/2]

"Harvest fee" means:

an amount of money equal to 4% of the purchase price for timber between a timber buyer and a timber grower;

4% of the minimum fair market stumpage value, as determined by administrative rule, when the purchase price of timber between a timber buyer and a timber grower cannot otherwise be determined; or

4% of the minimum fair market stumpage value as determined by administrative rule utilized by a timber grower that was produced on land the timber grower owns or operates for sawing into lumber, for processing, or for resale and such timber or lumber is not the personal use of the timber grower.

"High value" means timber that is classified as sawtimber logs or veneer logs.

"Illinois Timber Prices Survey" means a survey published by the Illinois Department of Natural Resources that contains the lowest, highest and State average prices for stumpage and logs delivered to a mill.

"Liability insurance" *means no less than $500,000 in insurance covering a timber buyer's business and agents that shall insure against the liability of the insured for the death, injury, or disability of an employee or other person and insurance against the liability of the insured for damage to or destruction of another person's property.* [225 ILCS 735/2]

"Low value" means timber which is not classified as sawtimber logs or veneer logs.

"Sawtimber logs" means trees of commercial species at least 11.0 inches diameter breast height (dbh) containing at least a 8-foot sawlog or longer, up to a 6-inch top, that is free of major defects such as branches, forks, or diseased stem and can yield dimensional lumber.

"Stumpage value" *means the value of timber as it stands uncut in terms of an amount per unit of volume expressed as dollar value per board foot for that portion of a tree or timber deemed merchantable by Illinois forest products markets.* [740 ILCS 185/1]

"Timber" *means trees, standing or felled, and parts thereof which can be used for sawing or processing into lumber for building or structural purposes or for the manufacture of any article. "Timber" does not include firewood, Christmas trees, fruit or ornamental trees, or wood products not used or to be used for building, structural, manufacturing, or processing purposes.* [225 ILCS 735/2]

"Timber buyer" *means any person licensed or unlicensed, who is engaged in the business of buying timber from the timber growers thereof for sawing into lumber, for processing or for resale, but does not include any person who occasionally purchases timber for sawing or processing for the person's his own use and not for resale.* [225 ILCS 735/2]

"Timber grower" *means the owner, tenant, or operator of land in this State who has an interest in or is entitled to receive any part of the proceeds from the sale of timber grown in this State and includes persons exercising authority to sell timber.* [225 ILCS 735/2]

"Utilized" means timber harvested on the land a timber grower owns or operates for sawing into lumber, for processing, or for resale.

"Veneer logs" means a roundwood product from which veneer is sliced or sawn and that meets industry standards of minimum diameter, typically between 12 and 30 inches diameter breast height (dbh), that is straight, free of bow and crook, with four clear faces with minimal defect from knots, seams, peck, gum, ring shake, insect damage, color and mineral that can yield sheets of peeled veneer wood.

"Yearly quarter" means and are as follows:

Quarter 1 – January 1 through March 31

Quarter 2 – April 1 through June 30

Quarter 3 – July 1 through September 30

Quarter 4 – October 1 through December 31

(Source: Section 1535.1 renumbered to Section 1535.3; new Section 1535.1 added at 48 Ill. Reg. 8643, effective May 30, 2024)