**Section 2520.10 Agents − Sale and Consignment Requirements**

a) The Department of Natural Resources (DNR) has the authority to designate agents to sell licenses, stamps and permits on behalf of DNR. DNR also has the authority to consign licenses, stamps and permits, for sale by county, city, village, township and incorporated town clerks, upon receipt of their completed application and elected official license agent contract, and fulfillment of requirements set forth in this Part. DNR also consigns licenses, stamps and permits to other agents upon receipt of their completed application, license agent contract, evidence of financial responsibility, and fulfillment of the requirements set forth in this Part. The term agent means all persons authorized by DNR to sell licenses, stamps and permits, other than elected or appointed officials and DNR employees. License agents, including employees of DNR selling licenses, stamps and permits, shall collect an issuing fee in addition to the license, stamp and permit fee as provided in 515 ILCS 5/20-120, 520 ILCS 5/3.37, 20 ILCS 862/26 and 625 ILCS 45/3-1.5 as follows: 75 cents for each Sportsmen's Combination license and non-resident hunting license, and 50 cents for all other licenses, stamps and permits authorized by the above statutes. All licenses, stamps and permits consigned and fees collected from the sale of licenses, stamps and permits (except the authorized issuing fee) remain the property of the State of Illinois. Funds received from the sale of licenses, stamps and permits (except the authorized issuing fee) shall not be directed to any purpose other than remittance to DNR.

b) County, city, village, township and incorporated town clerks may appoint sub-agents within the territorial area for which they are elected or appointed. Elected or appointed officials and DNR employees selling licenses, stamps and permits are liable to the State for all licenses, stamps and permits consigned to their account, including any licenses, stamps and permits furnished by a clerk to any sub-agent. Any clerk appointing sub-agents must notify DNR, within 10 days following the appointment, the names and mailing addresses of such sub-agents. No part of the issuing fees collected may be retained as personal compensation by the clerk. Issuing fees may be divided between the clerk and appointed sub-agents other than employees of the clerk's office, but in no case may any clerk and/or sub-agent charge an issuing fee or fees totaling more than the amounts set out in subsection (a) of this Section. DNR assumes no liability for any license, stamp or permit furnished by any elected or appointed clerk to any sub-agent.

c) Financial Responsibility of Agents

All agents, including concessionaires holding contracts with DNR, shall be required to furnish DNR with evidence of financial responsibility.

1) Agents Without Preferred Status

Except as provided in subsection (c)(2), the evidence of financial responsibility shall be in the form of a surety bond, letter of credit or certificate of deposit, in an amount equal to the value of licenses, stamps and permits consigned.

2) Agents with Preferred Status

A) Agents must meet the following qualifications to receive a preferred status:

i) The agent must sell licenses, stamps and permits for one complete license year.

ii) DNR must have received a minimum of 9 monthly current license year remittances or no sales reports between April and December (inclusive).

B) If the qualifications listed in subsection (c)(2)(A) are met, the agent's consignments may total 50% over the amount of his or her financial evidence. All agents with a preferred status will be reviewed annually. If qualifications have been met, the preferred status will continue for the following license year. If the qualifications have not been met, the preferred status is removed and the agent will be consigned licenses, stamps and permits equal to the amount of financial evidence.

3) Evidence of Financial Responsibility

Surety bonds and letters of credit shall be on a form furnished by and approved by DNR, with surety or sureties satisfactory to DNR, conditioned upon the agent paying to the State of Illinois all monies becoming due by reason of the sale of licenses, stamps and permits.

4) Sub-Agents

No agent may appoint sub-agents.

d) Agents, other than DNR staff, issuing gun permits for deer and turkey hunting during special hunts on non-DNR property, as defined in 17 Ill. Adm. Code 650.22(a) and 17 Ill. Adm. Code 660.22(a), shall complete a written financial guarantee and fulfill the requirements set forth in this Part. All permits consigned and fees collected remain the property of the State of Illinois. Funds received from the sale of permits shall not be directed to any purpose other than remittance to DNR. Agents will not be consigned more than 100 permits of a specific type.

(Source: Amended at 37 Ill. Reg. 6766, effective May 1, 2013)