



Rep. Andrew S. Chesney

Filed: 3/26/2019

10100HB2783ham001

LRB101 08823 SLF 58413 a

1 AMENDMENT TO HOUSE BILL 2783

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2783 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Wildlife Code is amended by changing  
5 Sections 2.6, 2.7, 2.11, 2.13, 2.25, 2.26, 2.27, 2.28, and 2.33  
6 and by adding Section 1.2m-0.5 as follows:

7 (520 ILCS 5/1.2m-0.5 new)

8 Sec. 1.2m-0.5. Rifle. "Rifle" means any firearm designed,  
9 made, or adapted to be fired from the shoulder that uses the  
10 energy of an explosive in a fixed metallic cartridge to fire a  
11 projectile through a rifled bore by a single function of the  
12 trigger.

13 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

14 Sec. 2.25. It shall be unlawful for any person to take deer  
15 except: (i) with a shotgun, handgun, rifle, or muzzleloading

1 rifle; or (ii) as provided by administrative rule, with a bow  
2 and arrow, during the open season of not more than 14 days  
3 which will be set annually by the Director between the dates of  
4 November 1st and December 31st, both inclusive, or a special  
5 3-day, youth-only season between the dates of September 1 and  
6 October 31. For the purposes of this Section, legal handguns  
7 and rifles include any bottleneck centerfire cartridge  
8 ~~handguns~~ of .30 caliber or larger with a case length not  
9 exceeding 1.4 inches or any straight walled ~~minimum barrel~~  
10 ~~length of 4 inches. The only legal ammunition for a centerfire~~  
11 ~~handgun is a~~ cartridge of .30 caliber or larger both of which  
12 must be available as a load with the published ballistic tables  
13 of the manufacturer showing a ~~with a~~ capability of at least 500  
14 foot pounds of energy at the muzzle. The barrel of a handgun  
15 shall be at least 4 inches. Full metal jacket bullets may not  
16 be used to harvest deer.

17 The Department shall make administrative rules concerning  
18 management restrictions applicable to the firearm and bow and  
19 arrow season.

20 It shall be unlawful for any person to take deer except  
21 with a bow and arrow during the open season for bow and arrow  
22 set annually by the Director between the dates of September 1st  
23 and January 31st, both inclusive.

24 It shall be unlawful for any person to take deer except  
25 with: (i) a muzzleloading rifle; or (ii) bow and arrow during  
26 the open season for muzzleloading rifles set annually by the

1 Director.

2 The Director shall cause an administrative rule setting  
3 forth the prescribed rules and regulations, including bag and  
4 possession limits and those counties of the State where open  
5 seasons are established, to be published in accordance with  
6 Sections 1.3 and 1.13 of this Act.

7 The Department may establish separate harvest periods for  
8 the purpose of managing or eradicating disease that has been  
9 found in the deer herd. This season shall be restricted to gun  
10 or bow and arrow hunting only. The Department shall publicly  
11 announce, via statewide news release, the season dates and  
12 shooting hours, the counties and sites open to hunting, permit  
13 requirements, application dates, hunting rules, legal weapons,  
14 and reporting requirements.

15 The Department is authorized to establish a separate  
16 harvest period at specific sites within the State for the  
17 purpose of harvesting surplus deer that cannot be taken during  
18 the regular season provided for the taking of deer. This season  
19 shall be restricted to gun or bow and arrow hunting only and  
20 shall be established during the period of September 1st to  
21 February 15th, both inclusive. The Department shall publish  
22 suitable prescribed rules and regulations established by  
23 administrative rule pertaining to management restrictions  
24 applicable to this special harvest program. The Department  
25 shall allow unused gun deer permits that are left over from a  
26 regular season for the taking of deer to be rolled over and

1 used during any separate harvest period held within 6 months of  
2 the season for which those tags were issued at no additional  
3 cost to the permit holder subject to the management  
4 restrictions applicable to the special harvest program.

5 (Source: P.A. 97-907, eff. 8-7-12; 98-368, eff. 8-16-13.)

6 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

7 Sec. 2.26. Deer hunting permits. Any person attempting to  
8 take deer shall first obtain a "Deer Hunting Permit" issued by  
9 the Department in accordance with its administrative rules.  
10 Those rules must provide for the issuance of the following  
11 types of resident deer archery permits: (i) a combination  
12 permit, consisting of one either-sex permit and one  
13 antlerless-only permit, (ii) a single antlerless-only permit,  
14 and (iii) a single either-sex permit. The fee for a Deer  
15 Hunting Permit to take deer with either bow and arrow or gun  
16 shall not exceed \$25.00 for residents of the State. The  
17 Department may by administrative rule provide for non-resident  
18 deer hunting permits for which the fee will not exceed \$300 in  
19 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as  
20 provided below for non-resident landowners and non-resident  
21 archery hunters. The Department may by administrative rule  
22 provide for a non-resident archery deer permit consisting of  
23 not more than 2 harvest tags at a total cost not to exceed \$325  
24 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The  
25 fees for a youth resident and non-resident archery deer permit

1 shall be the same.

2 The standards and specifications for use of guns and bow  
3 and arrow for deer hunting shall be established by  
4 administrative rule.

5 No person may have in his or her possession any firearm not  
6 authorized by administrative rule for a specific hunting season  
7 when taking deer.

8 Persons having a firearm deer hunting permit shall be  
9 permitted to take deer only during the period from 1/2 hour  
10 before sunrise to 1/2 hour after sunset, and only during those  
11 days for which an open season is established for the taking of  
12 deer by use of shotgun, handgun, rifle, or muzzleloading ~~muzzle~~  
13 ~~loading~~ rifle.

14 Persons having an archery deer hunting permit shall be  
15 permitted to take deer only during the period from 1/2 hour  
16 before sunrise to 1/2 hour after sunset, and only during those  
17 days for which an open season is established for the taking of  
18 deer by use of bow and arrow.

19 It shall be unlawful for any person to take deer by use of  
20 dogs, horses, automobiles, aircraft or other vehicles, or by  
21 the use or aid of bait or baiting of any kind. For the purposes  
22 of this Section, "bait" means any material, whether liquid or  
23 solid, including food, salt, minerals, and other products,  
24 except pure water, that can be ingested, placed, or scattered  
25 in such a manner as to attract or lure white-tailed deer.  
26 "Baiting" means the placement or scattering of bait to attract

1 deer. An area is considered as baited during the presence of  
2 and for 10 consecutive days following the removal of bait.  
3 Nothing in this Section shall prohibit the use of a dog to  
4 track wounded deer. Any person using a dog for tracking wounded  
5 deer must maintain physical control of the dog at all times by  
6 means of a maximum 50 foot lead attached to the dog's collar or  
7 harness. Tracking wounded deer is permissible at night, but at  
8 no time outside of legal deer hunting hours or seasons shall  
9 any person handling or accompanying a dog being used for  
10 tracking wounded deer be in possession of any firearm or  
11 archery device. Persons tracking wounded deer with a dog during  
12 the firearm deer seasons shall wear blaze orange or solid blaze  
13 pink color as required. Dog handlers tracking wounded deer with  
14 a dog are exempt from hunting license and deer permit  
15 requirements so long as they are accompanied by the licensed  
16 deer hunter who wounded the deer.

17 It shall be unlawful to possess or transport any wild deer  
18 which has been injured or killed in any manner upon a public  
19 highway or public right-of-way of this State unless exempted by  
20 administrative rule.

21 Persons hunting deer must have gun unloaded and no bow and  
22 arrow device shall be carried with the arrow in the nocked  
23 position during hours when deer hunting is unlawful.

24 It shall be unlawful for any person, having taken the legal  
25 limit of deer by gun, to further participate with gun in any  
26 deer hunting party.

1           It shall be unlawful for any person, having taken the legal  
2 limit of deer by bow and arrow, to further participate with bow  
3 and arrow in any deer hunting party.

4           The Department may prohibit upland game hunting during the  
5 gun deer season by administrative rule.

6           The Department shall not limit the number of non-resident,  
7 either-sex archery deer hunting permits to less than 20,000.

8           Any person who violates any of the provisions of this  
9 Section, including administrative rules, shall be guilty of a  
10 Class B misdemeanor.

11           For the purposes of calculating acreage under this Section,  
12 the Department shall, after determining the total acreage of  
13 the applicable tract or tracts of land, round remaining  
14 fractional portions of an acre greater than or equal to half of  
15 an acre up to the next whole acre.

16           For the purposes of taking white-tailed deer, nothing in  
17 this Section shall be construed to prevent the manipulation,  
18 including mowing or cutting, of standing crops as a normal  
19 agricultural or soil stabilization practice, food plots, or  
20 normal agricultural practices, including planting, harvesting,  
21 and maintenance such as cultivating or the use of products  
22 designed for scent only and not capable of ingestion, solid or  
23 liquid, placed or scattered, in such a manner as to attract or  
24 lure deer. Such manipulation for the purpose of taking  
25 white-tailed deer may be further modified by administrative  
26 rule.

1 (Source: P.A. 99-642, eff. 7-28-16; 99-869, eff. 1-1-17;  
2 100-691, eff. 1-1-19; 100-949, eff. 1-1-19; revised 10-9-18.)

3 (520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

4 Sec. 2.33. Prohibitions.

5 (a) It is unlawful to carry or possess any gun in any State  
6 refuge unless otherwise permitted by administrative rule.

7 (b) It is unlawful to use or possess any snare or  
8 snare-like device, deadfall, net, or pit trap to take any  
9 species, except that snares not powered by springs or other  
10 mechanical devices may be used to trap fur-bearing mammals, in  
11 water sets only, if at least one-half of the snare noose is  
12 located underwater at all times.

13 (c) It is unlawful for any person at any time to take a  
14 wild mammal protected by this Act from its den by means of any  
15 mechanical device, spade, or digging device or to use smoke or  
16 other gases to dislodge or remove such mammal except as  
17 provided in Section 2.37.

18 (d) It is unlawful to use a ferret or any other small  
19 mammal which is used in the same or similar manner for which  
20 ferrets are used for the purpose of frightening or driving any  
21 mammals from their dens or hiding places.

22 (e) (Blank).

23 (f) It is unlawful to use spears, gigs, hooks or any like  
24 device to take any species protected by this Act.

25 (g) It is unlawful to use poisons, chemicals or explosives



1 for the purpose of taking any species protected by this Act.

2 (h) It is unlawful to hunt adjacent to or near any peat,  
3 grass, brush or other inflammable substance when it is burning.

4 (i) It is unlawful to take, pursue or intentionally harass  
5 or disturb in any manner any wild birds or mammals by use or  
6 aid of any vehicle or conveyance, except as permitted by the  
7 Code of Federal Regulations for the taking of waterfowl. It is  
8 also unlawful to use the lights of any vehicle or conveyance or  
9 any light from or any light connected to the vehicle or  
10 conveyance in any area where wildlife may be found except in  
11 accordance with Section 2.37 of this Act; however, nothing in  
12 this Section shall prohibit the normal use of headlamps for the  
13 purpose of driving upon a roadway. Striped skunk, opossum, red  
14 fox, gray fox, raccoon, bobcat, and coyote may be taken during  
15 the open season by use of a small light which is worn on the  
16 body or hand-held by a person on foot and not in any vehicle.

17 (j) It is unlawful to use any shotgun larger than 10 gauge  
18 while taking or attempting to take any of the species protected  
19 by this Act.

20 (k) It is unlawful to use or possess in the field any  
21 shotgun shell loaded with a shot size larger than lead BB or  
22 steel T (.20 diameter) when taking or attempting to take any  
23 species of wild game mammals (excluding white-tailed deer),  
24 wild game birds, migratory waterfowl or migratory game birds  
25 protected by this Act, except white-tailed deer as provided for  
26 in Section 2.26 and other species as provided for by subsection

1 (l) or administrative rule.

2 (1) It is unlawful to take any species of wild game, except  
3 white-tailed deer and fur-bearing mammals, with a shotgun  
4 loaded with slugs unless otherwise provided for by  
5 administrative rule.

6 (m) It is unlawful to use any shotgun capable of holding  
7 more than 3 shells in the magazine or chamber combined, except  
8 on game breeding and hunting preserve areas licensed under  
9 Section 3.27 and except as permitted by the Code of Federal  
10 Regulations for the taking of waterfowl. If the shotgun is  
11 capable of holding more than 3 shells, it shall, while being  
12 used on an area other than a game breeding and shooting  
13 preserve area licensed pursuant to Section 3.27, be fitted with  
14 a one piece plug that is irremovable without dismantling the  
15 shotgun or otherwise altered to render it incapable of holding  
16 more than 3 shells in the magazine and chamber, combined.

17 (n) It is unlawful for any person, except persons who  
18 possess a permit to hunt from a vehicle as provided in this  
19 Section and persons otherwise permitted by law, to have or  
20 carry any gun in or on any vehicle, conveyance or aircraft,  
21 unless such gun is unloaded and enclosed in a case, except that  
22 at field trials authorized by Section 2.34 of this Act,  
23 unloaded guns or guns loaded with blank cartridges only, may be  
24 carried on horseback while not contained in a case, or to have  
25 or carry any bow or arrow device in or on any vehicle unless  
26 such bow or arrow device is unstrung or enclosed in a case, or

1 otherwise made inoperable.

2 (o) (Blank).

3 (p) It is unlawful to take game birds, migratory game birds  
4 or migratory waterfowl with a rifle, pistol, revolver or  
5 airgun.

6 (q) It is unlawful to fire a rifle, pistol, revolver or  
7 airgun on, over or into any waters of this State, including  
8 frozen waters.

9 (r) It is unlawful to discharge any gun or bow and arrow  
10 device along, upon, across, or from any public right-of-way or  
11 highway in this State.

12 (s) It is unlawful to use a silencer or other device to  
13 muffle or mute the sound of the explosion or report resulting  
14 from the firing of any gun.

15 (t) It is unlawful for any person to take or attempt to  
16 take any species of wildlife or parts thereof, intentionally or  
17 wantonly allow a dog to hunt, within or upon the land of  
18 another, or upon waters flowing over or standing on the land of  
19 another, or to knowingly shoot a gun or bow and arrow device at  
20 any wildlife physically on or flying over the property of  
21 another without first obtaining permission from the owner or  
22 the owner's designee. For the purposes of this Section, the  
23 owner's designee means anyone who the owner designates in a  
24 written authorization and the authorization must contain (i)  
25 the legal or common description of property for such authority  
26 is given, (ii) the extent that the owner's designee is

1 authorized to make decisions regarding who is allowed to take  
2 or attempt to take any species of wildlife or parts thereof,  
3 and (iii) the owner's notarized signature. Before enforcing  
4 this Section the law enforcement officer must have received  
5 notice from the owner or the owner's designee of a violation of  
6 this Section. Statements made to the law enforcement officer  
7 regarding this notice shall not be rendered inadmissible by the  
8 hearsay rule when offered for the purpose of showing the  
9 required notice.

10 (u) It is unlawful for any person to discharge any firearm  
11 for the purpose of taking any of the species protected by this  
12 Act, or hunt with gun or dog, or intentionally or wantonly  
13 allow a dog to hunt, within 300 yards of an inhabited dwelling  
14 without first obtaining permission from the owner or tenant,  
15 except that while trapping, hunting with bow and arrow, hunting  
16 with dog and shotgun using shot shells only, or hunting with  
17 shotgun using shot shells only, or providing outfitting  
18 services under a waterfowl outfitter permit, or on licensed  
19 game breeding and hunting preserve areas, as defined in Section  
20 3.27, on federally owned and managed lands and on Department  
21 owned, managed, leased, or controlled lands, a 100 yard  
22 restriction shall apply.

23 (v) It is unlawful for any person to remove fur-bearing  
24 mammals from, or to move or disturb in any manner, the traps  
25 owned by another person without written authorization of the  
26 owner to do so.

1           (w) It is unlawful for any owner of a dog to knowingly or  
2 wantonly allow his or her dog to pursue, harass or kill deer,  
3 except that nothing in this Section shall prohibit the tracking  
4 of wounded deer with a dog in accordance with the provisions of  
5 Section 2.26 of this Code.

6           (x) It is unlawful for any person to wantonly or carelessly  
7 injure or destroy, in any manner whatsoever, any real or  
8 personal property on the land of another while engaged in  
9 hunting or trapping thereon.

10          (y) It is unlawful to hunt wild game protected by this Act  
11 between one half hour after sunset and one half hour before  
12 sunrise, except that hunting hours between one half hour after  
13 sunset and one half hour before sunrise may be established by  
14 administrative rule for fur-bearing mammals.

15          (z) It is unlawful to take any game bird (excluding wild  
16 turkeys and crippled pheasants not capable of normal flight and  
17 otherwise irretrievable) protected by this Act when not flying.  
18 Nothing in this Section shall prohibit a person from carrying  
19 an uncased, unloaded shotgun in a boat, while in pursuit of a  
20 crippled migratory waterfowl that is incapable of normal  
21 flight, for the purpose of attempting to reduce the migratory  
22 waterfowl to possession, provided that the attempt is made  
23 immediately upon downing the migratory waterfowl and is done  
24 within 400 yards of the blind from which the migratory  
25 waterfowl was downed. This exception shall apply only to  
26 migratory game birds that are not capable of normal flight.

1 Migratory waterfowl that are crippled may be taken only with a  
2 shotgun as regulated by subsection (j) of this Section using  
3 shotgun shells as regulated in subsection (k) of this Section.

4 (aa) It is unlawful to use or possess any device that may  
5 be used for tree climbing or cutting, while hunting fur-bearing  
6 mammals, excluding coyotes.

7 (bb) It is unlawful for any person, except licensed game  
8 breeders, pursuant to Section 2.29 to import, carry into, or  
9 possess alive in this State any species of wildlife taken  
10 outside of this State, without obtaining permission to do so  
11 from the Director.

12 (cc) It is unlawful for any person to have in his or her  
13 possession any freshly killed species protected by this Act  
14 during the season closed for taking.

15 (dd) It is unlawful to take any species protected by this  
16 Act and retain it alive except as provided by administrative  
17 rule.

18 (ee) (Blank). ~~It is unlawful to possess any rifle while in~~  
19 ~~the field during gun deer season except as provided in Section~~  
20 ~~2.26 and administrative rules.~~

21 (ff) It is unlawful for any person to take any species  
22 protected by this Act, except migratory waterfowl, during the  
23 gun deer hunting season in those counties open to gun deer  
24 hunting, unless he or she wears, when in the field, a cap and  
25 upper outer garment of a solid blaze orange color or solid  
26 blaze pink color, with such articles of clothing displaying a

1 minimum of 400 square inches of blaze orange or solid blaze  
2 pink color material.

3 (gg) It is unlawful during the upland game season for any  
4 person to take upland game with a firearm unless he or she  
5 wears, while in the field, a cap of solid blaze orange color or  
6 solid blaze pink color. For purposes of this Act, upland game  
7 is defined as Bobwhite Quail, Hungarian Partridge, Ring-necked  
8 Pheasant, Eastern Cottontail and Swamp Rabbit.

9 (hh) It shall be unlawful to kill or cripple any species  
10 protected by this Act for which there is a bag limit without  
11 making a reasonable effort to retrieve such species and include  
12 such in the bag limit. It shall be unlawful for any person  
13 having control over harvested game mammals, game birds, or  
14 migratory game birds for which there is a bag limit to wantonly  
15 waste or destroy the usable meat of the game, except this shall  
16 not apply to wildlife taken under Sections 2.37 or 3.22 of this  
17 Code. For purposes of this subsection, "usable meat" means the  
18 breast meat of a game bird or migratory game bird and the hind  
19 ham and front shoulders of a game mammal. It shall be unlawful  
20 for any person to place, leave, dump, or abandon a wildlife  
21 carcass or parts of it along or upon a public right-of-way or  
22 highway or on public or private property, including a waterway  
23 or stream, without the permission of the owner or tenant. It  
24 shall not be unlawful to discard game meat that is determined  
25 to be unfit for human consumption.

26 (ii) This Section shall apply only to those species

1 protected by this Act taken within the State. Any species or  
2 any parts thereof, legally taken in and transported from other  
3 states or countries, may be possessed within the State, except  
4 as provided in this Section and Sections 2.35, 2.36 and 3.21.

5 (jj) (Blank).

6 (kk) Nothing contained in this Section shall prohibit the  
7 Director from issuing permits to paraplegics or to other  
8 persons with disabilities who meet the requirements set forth  
9 in administrative rule to shoot or hunt from a vehicle as  
10 provided by that rule, provided that such is otherwise in  
11 accord with this Act.

12 (ll) Nothing contained in this Act shall prohibit the  
13 taking of aquatic life protected by the Fish and Aquatic Life  
14 Code or birds and mammals protected by this Act, except deer  
15 and fur-bearing mammals, from a boat not camouflaged or  
16 disguised to alter its identity or to further provide a place  
17 of concealment and not propelled by sail or mechanical power.  
18 However, only shotguns not larger than 10 gauge nor smaller  
19 than .410 bore loaded with not more than 3 shells of a shot  
20 size no larger than lead BB or steel T (.20 diameter) may be  
21 used to take species protected by this Act.

22 (mm) Nothing contained in this Act shall prohibit the use  
23 of a shotgun, not larger than 10 gauge nor smaller than a 20  
24 gauge, with a rifled barrel.

25 (nn) It shall be unlawful to possess any species of  
26 wildlife or wildlife parts taken unlawfully in Illinois, any



1 other state, or any other country, whether or not the wildlife  
2 or wildlife parts is indigenous to Illinois. For the purposes  
3 of this subsection, the statute of limitations for unlawful  
4 possession of wildlife or wildlife parts shall not cease until  
5 2 years after the possession has permanently ended.

6 (Source: P.A. 99-33, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642,  
7 eff. 7-28-16; 100-489, eff. 9-8-17; 100-949, eff. 1-1-19.)".