

HB4994



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4994

Introduced 2/18/2020, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

520 ILCS 5/1.2a-1 new

520 ILCS 5/2.25

520 ILCS 5/2.26

from Ch. 61, par. 2.25

from Ch. 61, par. 2.26

Amends the Wildlife Code. Permits the use of an airbow in hunting deer. Defines "airbow". Makes conforming changes.

LRB101 18424 CMG 67872 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 Sections 2.25 and 2.26 and by adding Section 1.2a-1 as follows:

6 (520 ILCS 5/1.2a-1 new)

7 Sec. 1.2a-1. "Airbow" means a bow and arrow device that
8 applies 150 pounds of force in the form of compressed air to an
9 arrow over a 25 inch power stroke.

10 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

11 Sec. 2.25. It shall be unlawful for any person to take deer
12 except (i) with a shotgun, handgun, or muzzleloading rifle or
13 (ii) as provided by administrative rule, with a bow and arrow
14 or airbow, during the open season of not more than 14 days
15 which will be set annually by the Director between the dates of
16 November 1st and December 31st, both inclusive, or a special
17 3-day, youth-only season between the dates of September 1 and
18 October 31. For the purposes of this Section, legal handguns
19 include any centerfire handguns of .30 caliber or larger with a
20 minimum barrel length of 4 inches. The only legal ammunition
21 for a centerfire handgun is a cartridge of .30 caliber or
22 larger with a capability of at least 500 foot pounds of energy

1 at the muzzle. Full metal jacket bullets may not be used to
2 harvest deer.

3 The Department shall make administrative rules concerning
4 management restrictions applicable to the firearm and bow and
5 arrow season.

6 It shall be unlawful for any person to take deer except
7 with a bow and arrow or airbow during the open season for bow
8 and arrow set annually by the Director between the dates of
9 September 1st and January 31st, both inclusive.

10 It shall be unlawful for any person to take deer except
11 with (i) a muzzleloading rifle or (ii) bow and arrow or airbow
12 during the open season for muzzleloading rifles set annually by
13 the Director.

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

19 The Department may establish separate harvest periods for
20 the purpose of managing or eradicating disease that has been
21 found in the deer herd. This season shall be restricted to gun,
22 ~~or~~ bow and arrow, and airbow hunting only. The Department shall
23 publicly announce, via statewide news release, the season dates
24 and shooting hours, the counties and sites open to hunting,
25 permit requirements, application dates, hunting rules, legal
26 weapons, and reporting requirements.

1 The Department is authorized to establish a separate
2 harvest period at specific sites within the State for the
3 purpose of harvesting surplus deer that cannot be taken during
4 the regular season provided for the taking of deer. This season
5 shall be restricted to gun, ~~or~~ bow and arrow, and airbow
6 hunting only and shall be established during the period of
7 September 1st to February 15th, both inclusive. The Department
8 shall publish suitable prescribed rules and regulations
9 established by administrative rule pertaining to management
10 restrictions applicable to this special harvest program. The
11 Department shall allow unused gun deer permits that are left
12 over from a regular season for the taking of deer to be rolled
13 over and used during any separate harvest period held within 6
14 months of the season for which those tags were issued at no
15 additional cost to the permit holder subject to the management
16 restrictions applicable to the special harvest program.

17 Beginning July 1, 2019, and on an annual basis thereafter,
18 the Department shall provide a report to the General Assembly
19 providing information regarding deer management programs
20 established by the Code or by administrative rule that
21 includes: (1) the number of surplus deer taken during each
22 separate harvest season; (2) the number of deer found to have a
23 communicable disease or other abnormality; and (3) what happens
24 to the deer taken during each separate harvest season.

25 (Source: P.A. 101-66, eff. 7-12-19.)

1 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

2 (Text of Section before amendment by P.A. 101-444)

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

23 The standards and specifications for use of guns and bow
24 and arrow for deer hunting shall be established by
25 administrative rule.

26 No person may have in his or her possession any firearm not

1 authorized by administrative rule for a specific hunting season
2 when taking deer.

3 Persons having a firearm deer hunting permit shall be
4 permitted to take deer only during the period from 1/2 hour
5 before sunrise to 1/2 hour after sunset, and only during those
6 days for which an open season is established for the taking of
7 deer by use of shotgun, handgun, or muzzle loading rifle.

8 Persons having an archery 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 bow and arrow.

13 It shall be unlawful for any person to take deer by use of
14 dogs, horses, automobiles, aircraft or other vehicles, or by
15 the use or aid of bait or baiting of any kind. For the purposes
16 of this Section, "bait" means any material, whether liquid or
17 solid, including food, salt, minerals, and other products,
18 except pure water, that can be ingested, placed, or scattered
19 in such a manner as to attract or lure white-tailed deer.
20 "Baiting" means the placement or scattering of bait to attract
21 deer. An area is considered as baited during the presence of
22 and for 10 consecutive days following the removal of bait.
23 Nothing in this Section shall prohibit the use of a dog to
24 track wounded deer. Any person using a dog for tracking wounded
25 deer must maintain physical control of the dog at all times by
26 means of a maximum 50 foot lead attached to the dog's collar or

1 harness. Tracking wounded deer is permissible at night, but at
2 no time outside of legal deer hunting hours or seasons shall
3 any person handling or accompanying a dog being used for
4 tracking wounded deer be in possession of any firearm or
5 archery device. Persons tracking wounded deer with a dog during
6 the firearm deer seasons shall wear blaze orange or solid blaze
7 pink color as required. Dog handlers tracking wounded deer with
8 a dog are exempt from hunting license and deer permit
9 requirements so long as they are accompanied by the licensed
10 deer hunter who wounded the deer.

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

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

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

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

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

26 The Department shall not limit the number of non-resident,

1 either-sex archery deer hunting permits to less than 20,000.

2 Any person who violates any of the provisions of this
3 Section, including administrative rules, shall be guilty of a
4 Class B misdemeanor.

5 For the purposes of calculating acreage under this Section,
6 the Department shall, after determining the total acreage of
7 the applicable tract or tracts of land, round remaining
8 fractional portions of an acre greater than or equal to half of
9 an acre up to the next whole acre.

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

21 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
22 101-81, eff. 7-12-19.)

23 (Text of Section after amendment by P.A. 101-444)

24 Sec. 2.26. Deer hunting permits. Any person attempting to
25 take deer shall first obtain a "Deer Hunting Permit" issued by

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5 antlerless-only permit, (ii) a single antlerless-only permit,
6 and (iii) a single either-sex permit. The fee for a Deer
7 Hunting Permit to take deer with either bow and arrow, airbow,
8 or gun shall not exceed \$25.00 for residents of the State. The
9 Department may by administrative rule provide for non-resident
10 deer hunting permits for which the fee will not exceed \$300 in
11 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
12 provided below for non-resident landowners and non-resident
13 archery hunters. The Department may by administrative rule
14 provide for a non-resident archery deer permit consisting of
15 not more than 2 harvest tags at a total cost not to exceed \$325
16 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
17 fees for a youth resident and non-resident archery deer permit
18 shall be the same.

19 The Department shall create a pilot program during the
20 special 3-day, youth-only deer hunting season to allow for
21 youth deer hunting permits that are valid statewide, excluding
22 those counties or portions of counties closed to firearm deer
23 hunting. The Department shall adopt rules to implement the
24 pilot program. Nothing in this paragraph shall be construed to
25 prohibit the Department from issuing Special Hunt Area Permits
26 for the youth-only deer hunting season or establishing, through

1 administrative rule, additional requirements pertaining to the
2 youth-only deer hunting season on Department-owned or
3 Department-managed sites, including site-specific quotas or
4 drawings. The provisions of this paragraph are inoperative on
5 and after January 1, 2023.

6 The standards and specifications for use of guns, ~~and~~ bow
7 and arrow, and airbow for deer hunting shall be established by
8 administrative rule.

9 No person may have in his or her possession any firearm not
10 authorized by administrative rule for a specific hunting season
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4 white-tailed deer may be further modified by administrative
5 rule.

6 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
7 101-81, eff. 7-12-19; 101-444, eff. 6-1-20.)

8 Section 95. No acceleration or delay. Where this Act makes
9 changes in a statute that is represented in this Act by text
10 that is not yet or no longer in effect (for example, a Section
11 represented by multiple versions), the use of that text does
12 not accelerate or delay the taking effect of (i) the changes
13 made by this Act or (ii) provisions derived from any other
14 Public Act.