

1 AN ACT concerning fish.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Fish and Aquatic Life Code is amended by  
5 changing Sections 15-105 and 15-130 as follows:

6 (515 ILCS 5/15-105) (from Ch. 56, par. 15-105)

7 Sec. 15-105. Devices near spillways, fishways, lakes, and  
8 dams.

9 (a) Except as otherwise provided in subsection (b), it ~~it~~  
10 shall be unlawful to use or operate any commercial devices  
11 within 300 yards above or below all spillways, fishways, or  
12 locks or dams of any type or in a manner that obstructs more  
13 than one-half the width of any stream or watercourse.

14 (b) A commercial fisherman may obstruct more than one-half  
15 the width of any stream or watercourse if: (i) the commercial  
16 fisherman is within sight of his or her gear and available to  
17 prevent boaters from contacting his or her nets; and (ii) the  
18 commercial fisherman places at least 2 fluorescent orange  
19 buoys that are at least 2 feet in diameter on the opposite side  
20 of the net from which the commercial fisherman is working to  
21 warn boaters of the presence of the commercial fisherman's  
22 nets.

23 (Source: P.A. 87-833.)

1 (515 ILCS 5/15-130) (from Ch. 56, par. 15-130)

2 Sec. 15-130. Gill or trammel net. It shall be unlawful to  
3 use a gill or trammel net except in the Mississippi River, in  
4 the Ohio River, and in the Illinois River from its mouth up to  
5 the Illinois River bridge, Highway Route 89, including  
6 adjacent backwaters but not above the mouth of any stream,  
7 ditch, or tributary connected to these backwaters. ~~No trammel  
8 net used under this Section shall have meshes less than 2  
9 inches bar measurement and no gill net used under this Section  
10 shall have meshes less than 4 inches bar measurement.~~ No gill  
11 or trammel net shall be less than 100 feet in length.

12 All gill or trammel nets that are set in any body of water  
13 shall be under the immediate supervision of the operator, who  
14 may be the licensee or his or her employee, except (i) from May  
15 1 to September 30, (ii) when the nets are set under the ice,  
16 (iii) from sunset to sunrise, or (iv) as specified by  
17 administrative rule. Immediate supervision shall be defined as  
18 the operator being on the waters where the nets are set to be  
19 readily available to identify the nets to law enforcement  
20 officers empowered to enforce this Code. It shall be unlawful  
21 for any employee on any one day to lift or attend nets of more  
22 than one licensee.

23 All gill or trammel nets set under the ice shall be at a  
24 distance of not less than 100 yards from any natural opening in  
25 the ice.

1       A net shall be defined as a "trammel net" for the purposes  
2 of enforcing this Code if: (i) there are no less than 3 panels  
3 of mesh tied to a single float and lead line; (ii) the outer  
4 panels of mesh are constructed of a number 9 or larger diameter  
5 twine; (iii) the outer panels of mesh are diamond shaped and no  
6 greater than 40 inch bar measure; and (iv) the inner panel of  
7 mesh is not less than 2 inches bar measure.

8       A net shall be defined as a "gill net" for the purposes of  
9 enforcing this Code if it is constructed of a single panel of  
10 mesh that is not less than 3 inches bar measure that is tied to  
11 a single float and lead line.

12       The Department may modify provisions of this Section as  
13 provided in Section 1-135.

14       (Source: P.A. 95-147, eff. 8-14-07.)