



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3812

Introduced 2/22/2021, by Rep. Norine K. Hammond

SYNOPSIS AS INTRODUCED:

520 ILCS 5/2.26

from Ch. 61, par. 2.26

Amends the Wildlife Code. Provides that during the pilot program that creates the special 3-day, youth-only firearm deer hunting season, one day of the 3 days shall be reserved for children with disabilities. Provides that the one day youth-only firearm deer hunting season reserved for children with disabilities shall apply to all counties located in the State. Provides that all provisions of the pilot program are inoperative on and after January 1, 2023. Effective June 1, 2021.

LRB102 13594 KMF 18943 b

FISCAL NOTE ACT
MAY APPLY

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 Section 2.26 as follows:

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

1 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
2 fees for a youth resident and non-resident archery deer permit
3 shall be the same.

4 The Department shall create a pilot program during the
5 special 3-day, youth-only deer hunting season to allow for
6 youth deer hunting permits that are valid statewide, excluding
7 those counties or portions of counties closed to firearm deer
8 hunting. During this special 3-day, youth-only firearm deer
9 hunting season, one day of the 3 days shall be reserved for
10 children with disabilities on the condition that their
11 respective disabilities do not prevent them from hunting in a
12 manner that is safe to themselves and others. The one day
13 youth-only firearm deer hunting season reserved for children
14 with disabilities shall apply to all counties located in the
15 State. For the purposes of this Section, "children with
16 disabilities" means a "child with a disability" as defined by
17 the federal Individuals with Disabilities Education
18 Improvement Act of 2004. The Department shall adopt rules to
19 implement the pilot program. Nothing in this paragraph shall
20 be construed to prohibit the Department from issuing Special
21 Hunt Area Permits for the youth-only deer hunting season or
22 establishing, through administrative rule, additional
23 requirements pertaining to the youth-only deer hunting season
24 on Department-owned or Department-managed sites, including
25 site-specific quotas or drawings. The provisions of this
26 paragraph are inoperative on and after January 1, 2023.

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

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

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

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

17 It shall be unlawful for any person to take deer by use of
18 dogs, horses, automobiles, aircraft or other vehicles, or by
19 the use or aid of bait or baiting of any kind. For the purposes
20 of this Section, "bait" means any material, whether liquid or
21 solid, including food, salt, minerals, and other products,
22 except pure water, that can be ingested, placed, or scattered
23 in such a manner as to attract or lure white-tailed deer.
24 "Baiting" means the placement or scattering of bait to attract
25 deer. An area is considered as baited during the presence of
26 and for 10 consecutive days following the removal of bait.

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

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

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

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

25 It shall be unlawful for any person, having taken the
26 legal limit of deer by bow and arrow, to further participate

1 with bow and arrow in any deer hunting party.

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

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

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

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

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

25 (Source: P.A. 100-691, eff. 1-1-19; 100-949, eff. 1-1-19;
26 101-81, eff. 7-12-19; 101-444, eff. 6-1-20.)

1 Section 99. Effective date. This Act takes effect June 1,
2 2021.