

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, 2.26, and 2.33 and by adding Sections 1.2aa and
6 1.2bb as follows:

7 (520 ILCS 5/1.2aa new)

8 Sec. 1.2aa. Centerfire. "Centerfire" means a gun that will
9 only fire a round that contains the primer in the center of the
10 cartridge and not in the rim of the cartridge.

11 (520 ILCS 5/1.2bb new)

12 Sec. 1.2bb. Single shot. "Single shot" means a gun that is
13 either manufactured or modified to only be capable of holding
14 a total of one round in the magazine and chamber combined.
15 "Single shot" does not include: (a) a rifle in the possession
16 of a person who is also in possession of or in close proximity
17 to a magazine that would allow the rifle to be capable of
18 holding more than one round or (b) a revolver. A gun shall be
19 considered single shot if there is no magazine in the
20 possession of or in close proximity to a hunter in the field
21 and the gun can only hold a total of one round.

1 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

2 Sec. 2.25. It shall be unlawful for any person to take deer
3 except (i) with a shotgun, handgun, single shot centerfire
4 rifle, or muzzleloading rifle or (ii) as provided by
5 administrative rule, with a bow and arrow, during the open
6 season of not more than 14 days which will be set annually by
7 the Director between the dates of November 1st and December
8 31st, both inclusive, or a special 3-day, youth-only season
9 between the dates of September 1 and October 31. For the
10 purposes of this Section, legal handguns and rifles are
11 limited to ~~include any~~ centerfire handguns that are either a
12 single shot or revolver and centerfire rifles that are single
13 shot of .30 caliber or larger with a minimum barrel length of 4
14 inches. The only legal ammunition for a centerfire handgun or
15 rifle is a bottleneck centerfire cartridge of .30 caliber or
16 larger with a case length not exceeding one and two-fifths
17 inches, or a straight-walled centerfire cartridge of .30
18 caliber or larger, both of which must be available as a factory
19 load with the published ballistic tables of the manufacturer
20 showing a capability of at least 500 foot pounds of energy at
21 the muzzle. The barrel of a handgun shall be at least 4 inches.
22 Full metal jacket bullets may not be used to harvest deer.

23 The Department shall make administrative rules concerning
24 management restrictions applicable to the firearm and bow and
25 arrow season.

26 It shall be unlawful for any person to take deer except

1 with a bow and arrow during the open season for bow and arrow
2 set annually by the Director between the dates of September
3 1st and January 31st, both inclusive.

4 It shall be unlawful for any person to take deer except
5 with (i) a muzzleloading rifle or (ii) bow and arrow during the
6 open season for muzzleloading rifles set annually by the
7 Director.

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

13 The Department may establish separate harvest periods for
14 the purpose of managing or eradicating disease that has been
15 found in the deer herd. This season shall be restricted to gun
16 or bow and arrow hunting only. The Department shall publicly
17 announce, via statewide news release, the season dates and
18 shooting hours, the counties and sites open to hunting.

19 The Department is authorized to establish a separate
20 harvest period at specific sites within the State for the
21 purpose of harvesting surplus deer that cannot be taken during
22 the regular season provided for the taking of deer. This
23 season shall be restricted to gun or bow and arrow hunting only
24 and shall be established during the period of September 1st to
25 February 15th, both inclusive. The Department shall publicly
26 announce, via statewide news release, the season dates and

1 shooting hours, and the counties and sites open to hunting.
2 The Department shall publish suitable prescribed rules and
3 regulations established by administrative rule pertaining to
4 management restrictions applicable to this special harvest
5 program. The Department shall allow unused gun deer permits
6 that are left over from a regular season for the taking of deer
7 to be rolled over and used during any separate harvest period
8 held within 6 months of the season for which those tags were
9 issued at no additional cost to the permit holder subject to
10 the management restrictions applicable to the special harvest
11 program.

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

20 (Source: P.A. 101-66, eff. 7-12-19; 102-314, eff. 1-1-22.)

21 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

22 Sec. 2.26. Deer hunting permits. Any person attempting to
23 take deer shall first obtain a "Deer Hunting Permit" issued by
24 the Department in accordance with its administrative rules.
25 Those rules must provide for the issuance of the following

1 types of resident deer archery permits: (i) a combination
2 permit, consisting of one either-sex permit and one
3 antlerless-only permit, (ii) a single antlerless-only permit,
4 and (iii) a single either-sex permit. The fee for a Deer
5 Hunting Permit to take deer with either bow and arrow or gun
6 shall not exceed \$25-~~00~~ for residents of the State. The
7 Department may by administrative rule provide for non-resident
8 deer hunting permits for which the fee will not exceed \$300 in
9 2005, \$350 in 2006, and \$400 in 2007 and thereafter except as
10 provided below for non-resident landowners and non-resident
11 archery hunters. The Department may by administrative rule
12 provide for a non-resident archery deer permit consisting of
13 not more than 2 harvest tags at a total cost not to exceed \$325
14 in 2005, \$375 in 2006, and \$425 in 2007 and thereafter. The
15 fees for a youth resident and non-resident archery deer permit
16 shall be the same.

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

1 Department-owned or Department-managed sites, including
2 site-specific quotas or drawings. The provisions of this
3 paragraph are inoperative on and after January 1, 2023.

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

7 No person may have in his or her possession any firearm not
8 authorized by administrative rule for a specific hunting
9 season when taking deer unless in accordance with the Firearm
10 Concealed Carry Act.

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

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

22 It shall be unlawful for any person to take deer by use of
23 dogs, horses, automobiles, aircraft or other vehicles, or by
24 the use or aid of bait or baiting of any kind. For the purposes
25 of this Section, "bait" means any material, whether liquid or
26 solid, including food, salt, minerals, and other products,

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

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

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

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

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

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

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

11 Any person who violates any of the provisions of this
12 Section, including administrative rules, shall be guilty of a
13 Class B misdemeanor.

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

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

1 lure deer. Such manipulation for the purpose of taking
2 white-tailed deer may be further modified by administrative
3 rule.

4 (Source: P.A. 101-81, eff. 7-12-19; 101-444, eff. 6-1-20;
5 102-237, eff. 1-1-22.)

6 (520 ILCS 5/2.33) (from Ch. 61, par. 2.33)

7 Sec. 2.33. Prohibitions.

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

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

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

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

25 (e) (Blank).

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

3 (g) It is unlawful to use poisons, chemicals or explosives
4 for the purpose of taking any species protected by this Act.

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

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

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

25 (k) It is unlawful to use or possess in the field any
26 shotgun shell loaded with a shot size larger than lead BB or

1 steel T (.20 diameter) when taking or attempting to take any
2 species of wild game mammals (excluding white-tailed deer),
3 wild game birds, migratory waterfowl or migratory game birds
4 protected by this Act, except white-tailed deer as provided
5 for in Section 2.26 and other species as provided for by
6 subsection (l) or administrative rule.

7 (l) It is unlawful to take any species of wild game, except
8 white-tailed deer and fur-bearing mammals, with a shotgun
9 loaded with slugs unless otherwise provided for by
10 administrative rule.

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

23 (n) It is unlawful for any person, except persons who
24 possess a permit to hunt from a vehicle as provided in this
25 Section and persons otherwise permitted by law, to have or
26 carry any gun in or on any vehicle, conveyance or aircraft,

1 unless such gun is unloaded and enclosed in a case, except that
2 at field trials authorized by Section 2.34 of this Act,
3 unloaded guns or guns loaded with blank cartridges only, may
4 be carried on horseback while not contained in a case, or to
5 have or carry any bow or arrow device in or on any vehicle
6 unless such bow or arrow device is unstrung or enclosed in a
7 case, or otherwise made inoperable unless in accordance with
8 the Firearm Concealed Carry Act.

9 (o) (Blank).

10 (p) It is unlawful to take game birds, migratory game
11 birds or migratory waterfowl with a rifle, pistol, revolver or
12 airgun.

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

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

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

22 (t) It is unlawful for any person to take or attempt to
23 take any species of wildlife or parts thereof, intentionally
24 or wantonly allow a dog to hunt, within or upon the land of
25 another, or upon waters flowing over or standing on the land of
26 another, or to knowingly shoot a gun or bow and arrow device at

1 any wildlife physically on or flying over the property of
2 another without first obtaining permission from the owner or
3 the owner's designee. For the purposes of this Section, the
4 owner's designee means anyone who the owner designates in a
5 written authorization and the authorization must contain (i)
6 the legal or common description of property for such authority
7 is given, (ii) the extent that the owner's designee is
8 authorized to make decisions regarding who is allowed to take
9 or attempt to take any species of wildlife or parts thereof,
10 and (iii) the owner's notarized signature. Before enforcing
11 this Section the law enforcement officer must have received
12 notice from the owner or the owner's designee of a violation of
13 this Section. Statements made to the law enforcement officer
14 regarding this notice shall not be rendered inadmissible by
15 the hearsay rule when offered for the purpose of showing the
16 required notice.

17 (u) It is unlawful for any person to discharge any firearm
18 for the purpose of taking any of the species protected by this
19 Act, or hunt with gun or dog, or intentionally or wantonly
20 allow a dog to hunt, within 300 yards of an inhabited dwelling
21 without first obtaining permission from the owner or tenant,
22 except that while trapping, hunting with bow and arrow,
23 hunting with dog and shotgun using shot shells only, or
24 hunting with shotgun using shot shells only, or providing
25 outfitting services under a waterfowl outfitter permit, or on
26 licensed game breeding and hunting preserve areas, as defined

1 in Section 3.27, on federally owned and managed lands and on
2 Department owned, managed, leased, or controlled lands, a 100
3 yard restriction shall apply.

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

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

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

17 (y) It is unlawful to hunt wild game protected by this Act
18 between one half hour after sunset and one half hour before
19 sunrise, except that hunting hours between one half hour after
20 sunset and one half hour before sunrise may be established by
21 administrative rule for fur-bearing mammals.

22 (z) It is unlawful to take any game bird (excluding wild
23 turkeys and crippled pheasants not capable of normal flight
24 and otherwise irretrievable) protected by this Act when not
25 flying. Nothing in this Section shall prohibit a person from
26 carrying an uncased, unloaded shotgun in a boat, while in

1 pursuit of a crippled migratory waterfowl that is incapable of
2 normal flight, for the purpose of attempting to reduce the
3 migratory waterfowl to possession, provided that the attempt
4 is made immediately upon downing the migratory waterfowl and
5 is done within 400 yards of the blind from which the migratory
6 waterfowl was downed. This exception shall apply only to
7 migratory game birds that are not capable of normal flight.
8 Migratory waterfowl that are crippled may be taken only with a
9 shotgun as regulated by subsection (j) of this Section using
10 shotgun shells as regulated in subsection (k) of this Section.

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

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

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

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

25 (ee) It is unlawful to possess any rifle while in the field
26 during gun deer season except as provided in Sections 2.25 and

1 ~~Section~~ 2.26 and administrative rules.

2 (ff) It is unlawful for any person to take any species
3 protected by this Act, except migratory waterfowl, during the
4 gun deer hunting season in those counties open to gun deer
5 hunting, unless he or she wears, when in the field, a cap and
6 upper outer garment of a solid blaze orange color or solid
7 blaze pink color, with such articles of clothing displaying a
8 minimum of 400 square inches of blaze orange or solid blaze
9 pink color material.

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

16 (hh) It shall be unlawful to kill or cripple any species
17 protected by this Act for which there is a bag limit without
18 making a reasonable effort to retrieve such species and
19 include such in the bag limit. It shall be unlawful for any
20 person having control over harvested game mammals, game birds,
21 or migratory game birds for which there is a bag limit to
22 wantonly waste or destroy the usable meat of the game, except
23 this shall not apply to wildlife taken under Sections 2.37 or
24 3.22 of this Code. For purposes of this subsection, "usable
25 meat" means the breast meat of a game bird or migratory game
26 bird and the hind ham and front shoulders of a game mammal. It

1 shall be unlawful for any person to place, leave, dump, or
2 abandon a wildlife carcass or parts of it along or upon a
3 public right-of-way or highway or on public or private
4 property, including a waterway or stream, without the
5 permission of the owner or tenant. It shall not be unlawful to
6 discard game meat that is determined to be unfit for human
7 consumption.

8 (ii) This Section shall apply only to those species
9 protected by this Act taken within the State. Any species or
10 any parts thereof, legally taken in and transported from other
11 states or countries, may be possessed within the State, except
12 as provided in this Section and Sections 2.35, 2.36 and 3.21.

13 (jj) (Blank).

14 (kk) Nothing contained in this Section shall prohibit the
15 Director from issuing permits to paraplegics or to other
16 persons with disabilities who meet the requirements set forth
17 in administrative rule to shoot or hunt from a vehicle as
18 provided by that rule, provided that such is otherwise in
19 accord with this Act.

20 (ll) Nothing contained in this Act shall prohibit the
21 taking of aquatic life protected by the Fish and Aquatic Life
22 Code or birds and mammals protected by this Act, except deer
23 and fur-bearing mammals, from a boat not camouflaged or
24 disguised to alter its identity or to further provide a place
25 of concealment and not propelled by sail or mechanical power.
26 However, only shotguns not larger than 10 gauge nor smaller

1 than .410 bore loaded with not more than 3 shells of a shot
2 size no larger than lead BB or steel T (.20 diameter) may be
3 used to take species protected by this Act.

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

7 (nn) It shall be unlawful to possess any species of
8 wildlife or wildlife parts taken unlawfully in Illinois, any
9 other state, or any other country, whether or not the wildlife
10 or wildlife parts is indigenous to Illinois. For the purposes
11 of this subsection, the statute of limitations for unlawful
12 possession of wildlife or wildlife parts shall not cease until
13 2 years after the possession has permanently ended.

14 (oo) It is unlawful while deer hunting:

15 (1) to possess or be in close proximity to a rifle that
16 is not centerfire; or

17 (2) be in possession of or in close proximity to a
18 magazine that is capable of making a rifle not a single
19 shot.

20 (Source: P.A. 102-237, eff. 1-1-22.)