



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2273

Introduced 2/14/2023, by Rep. Travis Weaver

SYNOPSIS AS INTRODUCED:

520 ILCS 5/1.2t-2 new

520 ILCS 5/2.25

520 ILCS 5/2.33

520 ILCS 5/1.2bb rep.

from Ch. 61, par. 2.25

Amends the Wildlife Code. Removes the definition for "single shot". Defines "wildlife rifle" to mean a rifle that can hold up to 3 rounds in the magazine and chamber combined. Replaces references to "single shot" rifles to "wildlife rifles".

LRB103 05161 RJT 50176 b

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 1.2bb, 2.25, and 2.33 and by adding Section 1.2t-2 as
6 follows:

7 (520 ILCS 5/1.2t-2 new)

8 Sec. 1.2t-2. Wildlife rifle. "Wildlife rifle" means a
9 rifle that can hold up to 3 rounds in the magazine and chamber
10 combined.

11 (520 ILCS 5/2.25) (from Ch. 61, par. 2.25)

12 Sec. 2.25. It shall be unlawful for any person to take deer
13 except (i) with a shotgun, handgun, ~~single shot~~ centerfire
14 wildlife rifle, or muzzleloading rifle or (ii) as provided by
15 administrative rule, with a bow and arrow, during the open
16 season of not more than 14 days which will be set annually by
17 the Director between the dates of November 1st and December
18 31st, both inclusive, or a special 3-day, youth-only season
19 between the dates of September 1 and October 31. For the
20 purposes of this Section, legal handguns and rifles are
21 limited to centerfire handguns that are ~~either a single shot~~
22 ~~or~~ revolver and centerfire wildlife rifles ~~that are single~~

1 ~~shot~~. The only legal ammunition for a centerfire handgun or
2 rifle is a bottleneck centerfire cartridge of .30 caliber or
3 larger with a case length not exceeding one and two-fifths
4 inches, or a straight-walled centerfire cartridge of .30
5 caliber or larger, both of which must be available as a factory
6 load with the published ballistic tables of the manufacturer
7 showing a capability of at least 500 foot pounds of energy at
8 the muzzle. The barrel of a handgun shall be at least 4 inches.
9 Full metal jacket bullets may not be used to harvest deer.

10 The Department shall make administrative rules concerning
11 management restrictions applicable to the firearm and bow and
12 arrow season.

13 It shall be unlawful for any person to take deer except
14 with a bow and arrow during the open season for bow and arrow
15 set annually by the Director between the dates of September
16 1st and January 31st, both inclusive.

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

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

26 The Department may establish separate harvest periods for

1 the purpose of managing or eradicating disease that has been
2 found in the deer herd. This season shall be restricted to gun
3 or bow and arrow hunting only. The Department shall publicly
4 announce, via statewide news release, the season dates and
5 shooting hours, the counties and sites open to hunting.

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

25 Beginning July 1, 2019, and on an annual basis thereafter,
26 the Department shall provide a report to the General Assembly

1 providing information regarding deer management programs
2 established by the Code or by administrative rule that
3 includes: (1) the number of surplus deer taken during each
4 separate harvest season; (2) the number of deer found to have a
5 communicable disease or other abnormality; and (3) what
6 happens to the deer taken during each separate harvest season.
7 (Source: P.A. 101-66, eff. 7-12-19; 102-314, eff. 1-1-22;
8 102-932, eff. 1-1-23.)

9 (520 ILCS 5/2.33)

10 Sec. 2.33. Prohibitions.

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

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

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

24 (d) It is unlawful to use a ferret or any other small
25 mammal which is used in the same or similar manner for which

1 ferrets are used for the purpose of frightening or driving any
2 mammals from their dens or hiding places.

3 (e) (Blank).

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

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

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

12 (i) It is unlawful to take, pursue or intentionally harass
13 or disturb in any manner any wild birds or mammals by use or
14 aid of any vehicle, conveyance, or unmanned aircraft as
15 defined by the Illinois Aeronautics Act, except as permitted
16 by the Code of Federal Regulations for the taking of
17 waterfowl; except that nothing in this subsection shall
18 prohibit the use of unmanned aircraft in the inspection of a
19 public utility facility, tower, or structure or a mobile
20 service facility, tower, or structure by a public utility, as
21 defined in Section 3-105 of the Public Utilities Act, or a
22 provider of mobile services as defined in Section 153 of Title
23 47 of the United States Code. It is also unlawful to use the
24 lights of any vehicle or conveyance, any light connected to
25 any vehicle or conveyance, or any other lighting device or
26 mechanism from inside or on a vehicle or conveyance in any area

1 where wildlife may be found except in accordance with Section
2 2.37 of this Act; however, nothing in this Section shall
3 prohibit the normal use of headlamps for the purpose of
4 driving upon a roadway. For purposes of this Section, any
5 other lighting device or mechanism shall include, but not be
6 limited to, any device that uses infrared or other light not
7 visible to the naked eye, electronic image intensification,
8 active illumination, thermal imaging, or night vision. Striped
9 skunk, opossum, red fox, gray fox, raccoon, bobcat, and coyote
10 may be taken during the open season by use of a small light
11 which is worn on the body or hand-held by a person on foot and
12 not in any vehicle.

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

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

24 (l) It is unlawful to take any species of wild game, except
25 white-tailed deer and fur-bearing mammals, with a shotgun
26 loaded with slugs unless otherwise provided for by

1 administrative rule.

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

14 (n) It is unlawful for any person, except persons who
15 possess a permit to hunt from a vehicle as provided in this
16 Section and persons otherwise permitted by law, to have or
17 carry any gun in or on any vehicle, conveyance, or aircraft,
18 unless such gun is unloaded and enclosed in a case, except that
19 at field trials authorized by Section 2.34 of this Act,
20 unloaded guns or guns loaded with blank cartridges only⁷ may
21 be carried on horseback while not contained in a case, or to
22 have or carry any bow or arrow device in or on any vehicle
23 unless such bow or arrow device is unstrung or enclosed in a
24 case, or otherwise made inoperable unless in accordance with
25 the Firearm Concealed Carry Act.

26 (o) (Blank).

1 (p) It is unlawful to take game birds, migratory game
2 birds or migratory waterfowl with a rifle, pistol, revolver,
3 or air rifle.

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

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

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

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

1 owner's notarized signature. Before enforcing this Section,
2 the law enforcement officer must have received notice from the
3 owner or the owner's designee of a violation of this Section.
4 Statements made to the law enforcement officer regarding this
5 notice shall not be rendered inadmissible by the hearsay rule
6 when offered for the purpose of showing the required notice.

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

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

24 (w) It is unlawful for any owner of a dog to allow his or
25 her dog to pursue, harass, or kill deer, except that nothing in
26 this Section shall prohibit the tracking of wounded deer with

1 a dog in accordance with the provisions of Section 2.26 of this
2 Code.

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

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

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

1 shotgun shells as regulated in subsection (k) of this Section.

2 (aa) It is unlawful to use or possess any device that may
3 be used for tree climbing or cutting, while hunting
4 fur-bearing mammals, excluding coyotes. However, coyotes may
5 not be hunted utilizing these devices during open season for
6 deer except by properly licensed deer hunters.

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) It is unlawful to possess any rifle while in the field
19 during gun deer season except as provided in Sections 2.25 and
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
12 include such in the bag limit. It shall be unlawful for any
13 person having control over harvested game mammals, game birds,
14 or migratory game birds for which there is a bag limit to
15 wantonly waste or destroy the usable meat of the game, except
16 this shall not apply to wildlife taken under Sections 2.37 or
17 3.22 of this Code. For purposes of this subsection, "usable
18 meat" means the breast meat of a game bird or migratory game
19 bird and the hind ham and front shoulders of a game mammal. It
20 shall be unlawful for any person to place, leave, dump, or
21 abandon a wildlife carcass or parts of it along or upon a
22 public right-of-way or highway or on public or private
23 property, including a waterway or stream, without the
24 permission of the owner or tenant. It shall not be unlawful to
25 discard game meat that is determined to be unfit for human
26 consumption.

1 (ii) This Section shall apply only to those species
2 protected by this Act taken within the State. Any species or
3 any parts thereof, legally taken in and transported from other
4 states or countries, may be possessed within the State, except
5 as provided in this Section and Sections 2.35, 2.364 and 3.21.

6 (jj) (Blank).

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

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

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

26 (nn) It shall be unlawful to possess any species of

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

8 (oo) It is unlawful while deer hunting to possess or be in
9 close proximity to a rifle that is not a centerfire wildlife
10 rifle.†

11 ~~(1) to possess or be in close proximity to a rifle that~~
12 ~~is not centerfire; or~~

13 ~~(2) be in possession of or in close proximity to a~~
14 ~~magazine that is capable of making a rifle not a single~~
15 ~~shot.~~

16 (Source: P.A. 102-237, eff. 1-1-22; 102-837, eff. 5-13-22;
17 102-932, eff. 1-1-23; revised 12-14-22.)

18 (520 ILCS 5/1.2bb rep.)

19 Section 10. The Wildlife Code is amended by repealing
20 Section 1.2bb.