



Sen. Daniel Biss

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09800HB1652sam001

LRB098 05803 RLC 45152 a

1 AMENDMENT TO HOUSE BILL 1652

2 AMENDMENT NO. _____. Amend House Bill 1652 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 2. The Fish and Aquatic Life Code is amended by
5 changing Section 20-105 as follows:

6 (515 ILCS 5/20-105) (from Ch. 56, par. 20-105)

7 Sec. 20-105. Revocation and suspension; refusal to issue.

8 (a) Whenever a license or permit is issued to any person
9 under this Code and its holder is found guilty of any
10 misrepresentation in obtaining the license or permit or of a
11 violation of Section 48-3 of the Criminal Code of 2012 or a
12 violation of any of the provisions of this Code, including
13 administrative rules, the license or permit may be revoked by
14 the Department and the Department may refuse to issue any
15 permit or license to that person and may suspend the person
16 from engaging in the activity requiring the permit or license

1 for a period of time not to exceed 5 years following the
2 revocation. Department revocation procedure shall be
3 established by administrative rule.

4 (b) Whenever any person who has not been issued a license
5 or a permit under the provisions of this Code is found guilty
6 of a violation of Section 48-3 of the Criminal Code of 2012 or
7 a violation of the provisions of this Code, including
8 administrative rules, the Department may refuse to issue any
9 permit or license to that person, and suspend that person from
10 engaging in the activity requiring the permit or license for a
11 period of time not to exceed 5 years.

12 (c) Any person who knowingly or intentionally violates any
13 of the provisions of this Code, including administrative rules,
14 during the 5 years following the revocation of his or her
15 license or permit under subsection (a) or during the time he is
16 suspended under subsection (b), shall be guilty of a Class A
17 misdemeanor as provided in Section 20-35. The penalties for a
18 violation of Section 48-3 of the Criminal Code of 2012 shall be
19 as provided in that Section.

20 (d) A person whose license or permit to engage in any
21 activity regulated by this Code has been suspended or revoked
22 may not, during the period of the suspension or revocation or
23 until obtaining such a license or permit, (i) be in the company
24 of any person engaging in the activity covered by the
25 suspension or revocation or (ii) serve as a guide, outfitter,
26 or facilitator for a person who is engaged or prepared to

1 engage in the activity covered by the suspension or revocation.

2 (e) No person may be issued or obtain a license or permit
3 or engage in any activity regulated by this Code during the
4 time that the person's privilege to engage in the same or
5 similar activities is suspended or revoked by another state, by
6 a federal agency, or by a province of Canada.

7 (Source: P.A. 91-545, eff. 8-14-99.)

8 Section 3. The Wildlife Code is amended by changing Section
9 3.36 as follows:

10 (520 ILCS 5/3.36) (from Ch. 61, par. 3.36)

11 Sec. 3.36. Revocation and suspension.

12 (a) Whenever a license or permit is issued to any person
13 under this Act, and the holder thereof is found guilty of any
14 misrepresentation in obtaining such license or permit or of a
15 violation of Section 48-3 of the Criminal Code of 2012 or a
16 violation of any of the provisions of this Act, including
17 administrative rules, his license or permit may be revoked by
18 the Department, and the Department may refuse to issue any
19 permit or license to such person and may suspend the person
20 from engaging in the activity requiring the permit or license
21 for a period of time not to exceed 5 years following such
22 revocation.

23 Department revocation procedures shall be established by
24 Administrative rule.

1 (b) Whenever any person who has not been issued a license
2 or a permit under the provisions of this Code is found guilty
3 of a violation of Section 48-3 of the Criminal Code of 2012 or
4 a violation of the provisions of this Code, including
5 administrative rules, the Department may refuse to issue any
6 permit or license to that person, and suspend that person from
7 engaging in the activity requiring the permit or license for a
8 period of time not to exceed 5 years.

9 (c) Any person who knowingly or intentionally violates any
10 of the provisions of this Act, including administrative rules,
11 during such period when his license or permit is revoked or
12 denied by virtue of this Section or during the time he is
13 suspended under subsection (b), shall be guilty of a Class A
14 misdemeanor. The penalties for a violation of Section 48-3 of
15 the Criminal Code of 2012 shall be as provided in that Section.

16 (d) Licenses and permits authorized to be issued under the
17 provisions of this Act shall be prepared by the Department and
18 be in such form as prescribed by the Department. The
19 information required on each license shall be completed thereon
20 by the issuing agent or his sub-agent at the time of issuance
21 and each license shall be signed by the licensee, or initialed
22 by the designated purchaser and then signed immediately upon
23 receipt by the licensee, and countersigned by the issuing agent
24 or his sub-agent at the time of issuance. All such licenses
25 shall be supplied by the Department, subject to such rules and
26 regulations as the Department may prescribe. Any license not

1 properly prepared, obtained and signed as required by this Act
2 shall be void.

3 (e) A person whose license or permit to engage in any
4 activity regulated by this Code has been suspended or revoked
5 may not, during the period of the suspension or revocation or
6 until obtaining such a license or permit, (i) be in the company
7 of any person engaging in the activity covered by the
8 suspension or revocation or (ii) serve as a guide, outfitter,
9 or facilitator for a person who is engaged or prepared to
10 engage in the activity covered by the suspension or revocation.

11 (f) No person may be issued or obtain a license or permit
12 or engage in any activity regulated by this Code during the
13 time that the person's privilege to engage in the same or
14 similar activities is suspended or revoked by another state, by
15 a federal agency, or by a province of Canada.

16 (Source: P.A. 90-225, eff. 7-25-97; 91-545, eff. 8-14-99.)".