

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. Any person attempting to take deer shall
8 first obtain a "Deer Hunting Permit" in accordance with
9 prescribed regulations set forth in an Administrative Rule.
10 Deer Hunting Permits shall be issued by the Department. The
11 fee for a Deer Hunting Permit to take deer with either bow
12 and arrow or gun shall not exceed \$15.00 for residents of the
13 State. The Department may by administrative rule provide for
14 non-resident deer hunting permits for which the fee will not
15 exceed \$100 except as provided below for non-resident
16 landowners. Permits shall be issued without charge to:

17 (a) Illinois landowners residing in Illinois who
18 own at least 40 acres of Illinois land and wish to hunt
19 their land only,

20 (b) resident tenants of at least 40 acres of
21 commercial agricultural land where they will hunt, and

22 (c) shareholders of a corporation or members of a
23 limited liability company which owns at least 40 acres of
24 land in a county in Illinois who wish to hunt on the
25 corporation's or company's land only. One permit shall
26 be issued without charge to one shareholder or one member
27 for each 40 acres of land owned by the corporation or
28 company in a county; however, the number of permits
29 issued without charge to shareholders of any corporation
30 or members of a limited liability company in any county
31 shall not exceed 15.

1 Bona fide landowners or tenants who do not wish to hunt
2 only on the land they own, rent or lease or shareholders or
3 members who do not wish to hunt only on the land owned by the
4 corporation or limited liability company shall be charged the
5 same fee as the applicant who is not a landowner, tenant, or
6 shareholder, or member. Nonresidents of Illinois who own at
7 least 40 acres of land and wish to hunt on their land only
8 shall be charged a fee set by administrative rule. The method
9 for obtaining these permits shall be prescribed by
10 administrative rule.

11 The deer hunting permit issued without fee shall be valid
12 on all farm lands which the person to whom it is issued owns,
13 leases or rents, except that in the case of a permit issued
14 to a shareholder or member, the permit shall be valid on all
15 lands owned by the corporation or limited liability company
16 in the county.

17 The Department may set aside, in accordance with the
18 prescribed regulations set forth in an administrative rule of
19 the Department, a limited number of Deer Hunting Permits to
20 be available to persons providing evidence of a contractual
21 arrangement to hunt on properties controlled by a bona fide
22 Illinois outfitter. The number of available permits shall be
23 based on a percentage of unfilled permits remaining after the
24 previous year's lottery. Eligible outfitters shall be those
25 having membership in, and accreditation conferred by, a
26 professional association of outfitters approved by the
27 Department. The association shall be responsible for setting
28 professional standards and codes of conduct for its
29 membership, subject to Departmental approval. In addition to
30 the fee normally charged for resident and nonresident
31 permits, a reservation fee not to exceed \$200 shall be
32 charged to the outfitter for each permit set aside in
33 accordance with this Act. The reservation fee shall be
34 deposited into the Wildlife and Fish Fund.

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 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 sunset, and only during those days for
10 which an open season is established for the taking of deer by
11 use of shotgun 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
15 those days for which an open season is established for the
16 taking of deer by use of bow and arrow.

17 It shall be unlawful for any person to take deer by use
18 of dogs, horses, automobiles, aircraft or other vehicles, or
19 by the use of salt or bait of any kind. An area is
20 considered as baited during the presence of and for 10
21 consecutive days following the removal of bait.

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

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

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

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

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

3 It shall be legal for handicapped persons, as defined in
4 Section 2.33, to utilize a crossbow device, as defined in
5 Department rules, to take deer.

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 (Source: P.A. 89-715, eff. 2-21-97; 90-225, eff. 7-25-97;
10 90-490, eff. 8-17-97; 90-655, eff. 7-30-98.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.