

AN ACT concerning wildlife.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Wildlife Code is amended by changing Sections 2.35, 3.4, 3.11, 3.14, 3.15, 3.16, 3.16a, 3.18, 3.19, and 3.20 as follows:

(520 ILCS 5/2.35) (from Ch. 61, par. 2.35)

Sec. 2.35. Wild game birds or fur-bearing mammals. (a) Migratory game birds, or any part or parts thereof, may be possessed only in accordance with the regulations of the Federal Government.

(b) Except as provided in Sections 3.21, 3.23, 3.27, 3.28 and 3.30 it is unlawful to possess wild game birds or wild game mammals or any parts thereof in excess of the legally established daily limit or possession limit, whichever applies.

(c) Except as provided in this Code ~~Sections 3.11, 3.12, 3.15, 3.18, 3.21 and 3.25,~~ it is unlawful to have in possession the green hides of fur-bearing mammals without a valid hunting or trapping license ~~during the period within which it is unlawful to take such fur-bearing mammals in the State where taken, except during the open season provided and for an additional 20 days next succeeding such open season.~~

(d) Failure to establish proof of the legality of the possession in another state or country and of importation into this State ~~the State of Illinois~~, shall be prima facie evidence that migratory game birds and game birds or any parts thereof, and fur-bearing mammals or any parts thereof, were taken within this State ~~the State of Illinois~~.

(e) For all those species to which a daily or possession limit shall apply, each hunter shall maintain his bag of such species separately and distinctly from those of all other hunters.

(f) No person shall receive or have in custody any protected species belonging to another person, except in the personal abodes of the donor or recipient ~~donee~~, unless such protected species are tagged in accordance with Section 2.30b of this Code or tagged with the hunter's or trapper's name, ~~his~~ address, ~~the~~ total number of species, and the date such species were taken.

(Source: P.A. 88-416; 89-341, eff. 8-17-95.)

(520 ILCS 5/3.4) (from Ch. 61, par. 3.4)

Sec. 3.4. Trapping licenses. Before a trapping license shall be issued to any person, such person shall make application to the Department or any county, city, village, township or incorporated town clerk or his or her duly designated agent upon an application form provided by the Department. This application shall be executed and sworn to and

shall set forth the name and description of the applicant and his or her place of residence.

The fee for a trapping license for a resident of this State ~~the State of Illinois~~ shall be \$10.00.

The Department may provide for non-resident trapping license provided that any non-resident shall be charged a fee of \$175, and if the state in which the applicant resides does not provide for trapping mammals by Illinois residents, then the fee shall be \$250.

Every person trapping mammals shall make a report properly sworn to, to the Department, upon blanks supplied by the Department for such purpose, of all hides of mammals taken, sold, shipped or dealt in, during the open seasons for mammals together with the names and addresses of the parties to whom the same were sold or shipped. Such report shall be made to the Department within 15 days after the close of the trapping season. Failure to report or filing false reports shall subject the person to the penalties provided in Section 3.5. Further, the Department may refuse to issue a trapping license for the following year to any person who has failed to file such a report.

All trapping licenses shall expire on March 31 of each year.

(Source: P.A. 85-1181; 85-1209; 85-1440.)

(520 ILCS 5/3.11) (from Ch. 61, par. 3.11)

Sec. 3.11. Resident fur buyer permits. Any individual who is a resident of this State ~~the State of Illinois~~, who, within this State ~~the State of Illinois~~, receives, collects or buys, or who acts as an agent or broker in the receipt, collection or purchase of the green hides of fur-bearing mammals, protected by this Act, ~~except an individual who is a resident retail fur buyer as defined in Section 3.12,~~ shall be a resident ~~wholesale~~ fur buyer in the meaning of this Act. Resident ~~wholesale~~ fur buyer's permits shall be issued by the Department. The annual fee for each resident ~~wholesale~~ fur buyer's permit shall be \$50.00 ~~\$125.00~~. All resident ~~wholesale~~ fur buyer permits shall expire on March 31 ~~April 30~~ of each year. A holder of a valid resident ~~wholesale~~ fur buyer permit may buy, sell, possess, transport, and ship the green hides of any legally taken fur-bearing mammals ~~from May 1 through April 30 next thereafter~~; provided, however, that failure to establish proof of the legality or origin of the green hides of fur-bearing mammals shall be prima facie evidence that such green hides of fur-bearing mammals are contraband within the State of Illinois. Nothing in this Section shall exempt any permittee from complying with ~~to~~ any federal laws, rules or regulations which may apply to the green hides of fur-bearing mammals. A person who holds a fur tanner's permit under Section 3.16 of this Code is exempt under this Section if the person is not engaged in the business of receiving green hides for the purpose of buying or selling the hides, whether green, dressed,

processed, or tanned and the hides which have been tanned or processed are returned to the person who submitted the hides for processing or tanning.

(Source: P.A. 89-341, eff. 8-17-95.)

(520 ILCS 5/3.14) (from Ch. 61, par. 3.14)

Sec. 3.14. Record keeping; fur buyers and non-resident auction participants. All fur buyers and non-resident auction participants shall maintain records of the receipt, collection, purchase, and sale of green hides of fur-bearing mammals. A record of each transaction shall be created at the time it is executed specifying the date, numbers, and kinds of green hides purchased, sold, or transferred, the price paid for each green hide, if any, and the name, address, and Department customer identification number of the other party. Records of transactions with non-residents may substitute the Department customer identification number with an equivalent identifier such as a license or permit number from the person's place of residence. Records of transactions shall be retained for 2 years from the date of execution and shall be presented for inspection at any reasonable time a request is made by authorized employees of the Department or any sheriff, deputy sheriff, or peace officer. Failure to produce records of transactions for green hides shall be prima facie evidence that the green hides are contraband in this State. A numbered receipt shall be issued to the other party when purchasing

green hides of fur-bearing mammals. The receipt shall specify the name and address of the person selling the green hides, the numbers and kinds of green hides sold, the price paid for each green hide, the date of the transaction, and the name of the fur buyer or non-resident auction participant. ~~Any person receiving, collecting or buying green hides of fur bearing or game mammals from a licensed resident retail, resident wholesale or non resident fur buyer, fur bearing mammal breeder or other fur vendor shall be furnished with a certificate by such buyer, breeder or vendor showing the number and kinds of such green hides received, collected or purchased, the date of the transaction, the name and address of the buyer, breeder, or vendor, the name and address of the person receiving, collecting or buying such green hides from such buyer breeder, or vendor, and any other information which the Department may require. The certificate, or certificates shall be immediately presented for inspection to officers and authorized employees of the Department, any sheriff, deputy sheriff, or any other peace officer when request is made for same. An invoice or export permit covering green hides of fur bearing or game mammals originating in other states may be accepted in lieu of the certificates. Failure to produce such certificate, invoice or export permit shall be prima facie evidence that such green hides are contraband within the State of Illinois.~~

(Source: P.A. 81-382.)

(520 ILCS 5/3.15) (from Ch. 61, par. 3.15)

Sec. 3.15. Purchase of green hides. Any manufacturer, converter, or consumer who purchases or receives green hides of fur-bearing ~~or game~~ mammals for the purpose of dressing and fabricating them into fur garments or products, shall purchase such green hides from a duly licensed fur buyer or fur-bearing mammal breeder, and shall demand from the buyer or breeder an invoice covering such purchases, indicating thereon the date of the transaction, the name and address of the fur buyer or fur-bearing mammal breeder, and the number and kinds of green hides so purchased. Such invoices shall be presented for inspection to officers and authorized employees of the Department, any sheriff, deputy sheriff, or any other peace officer when request is made for same. Failure to produce such invoice shall be prima facie evidence that such green hides are contraband within this State ~~the State of Illinois~~.

Such purchases of green hides of fur-bearing or game mammals shall be made for converting or manufacturing purposes only, and green hides so bought shall not be offered for resale in the green or raw condition.

~~Such a manufacturer, converter or consumer may have the green hides of any legally taken fur-bearing or game mammals purchased from a licensed fur buyer or fur-bearing mammal breeder, in his possession at any time during the year, provided such green hides were purchased and are used for~~

~~manufacturing purposes only.~~

(Source: P.A. 81-382.)

(520 ILCS 5/3.16) (from Ch. 61, par. 3.16)

Sec. 3.16. Fur tanner permits. Any individual, who for other individuals, engages in the business of dressing, dyeing or tanning the green hides of fur-bearing ~~or game~~ mammals, protected by this Act, shall be a fur tanner in the meaning of this Act. Before any individual shall engage in the business of dressing, dyeing, or tanning green hides of fur-bearing ~~or game~~ mammals, for any other individual, he or she shall first procure a fur tanner permit. Fur tanner permits shall be issued by the Department. The annual fee for each fur tanner's permit shall be \$25.00. All fur tanner permits shall expire on March 31st of each year. Any fur tanner who receives or collects green hides shall require an affidavit from the shipper or consignor, stating that said green hides were taken according to regulations of the state where they were taken, a certificate of purchase as provided for in Section 3.14 or an invoice as provided for in Section 3.15. The ~~Such~~ affidavit, certificate of purchase, or invoice shall show the name and address of the individual from whom the green hides were received or collected and the ~~such~~ records shall be kept by the fur tanner for a minimum period of one year following the date of receipt or collection. The ~~Such~~ affidavit, certificate of purchase, or invoice shall be immediately presented for

inspection to officers and authorized employees of the Department, any sheriff, deputy sheriff, or any other peace officer upon ~~when~~ request ~~is made for same~~. Failure to produce such affidavit, certificate of purchase, or invoice shall be prima facie evidence that such green hides are contraband within this State ~~the State of Illinois~~. Upon receipt by the fur tanner of any green hide not accompanied by an affidavit, certificate of purchase or invoice, the fur tanner shall notify the shipper or consignor in writing of the requirement. The fur tanner shall then hold green hides until an affidavit, certificate of purchase, or invoice is received. The ~~Such~~ green hides shall be labeled with the name and address of the shipper or consignor, date of receipt, and the date notification was sent to the shipper or consignor. If the shipper or consignor shall fail to furnish the ~~said~~ affidavit, certificate of purchase, or invoice within 30 days from the date of receipt of the green hides, the fur tanner shall notify the Department and green hides shall be disposed of in accordance with instructions from the Department. Additional Federal regulations may apply to the hides of certain endangered species.

(Source: P.A. 84-150.)

(520 ILCS 5/3.16a)

Sec. 3.16a. Non-resident auction participation permit; fee. Any individual who is not a resident of this State ~~the~~

~~State of Illinois~~ and does not possess a non-resident fur buyer permit must obtain a non-resident auction participation permit to receive, collect, buy, or act as an agent or broker in the receipt, collection, or purchase of the green hides of fur-bearing mammals at auctions organized for these purposes within this State ~~the State of Illinois~~. Non-resident auction participation permits shall be issued by the Department. The annual fee for each non-resident auction participation permit is \$50. Non-resident auction participation permits expire on March 31 ~~April 30~~. A holder of a valid non-resident auction participation permit may receive, collect, buy, possess, transport, or act as an agent or broker in the receipt, collection, or purchase of legally taken fur-bearing mammals ~~from May 1 through the next April 30~~. Failure to establish proof of legality or origin of the green hides of fur-bearing mammals, however, is prima facie evidence that the green hides are contraband within this State ~~the State of Illinois~~. Nothing in this Section exempts any permittee from complying with any federal laws, rules, or regulations that may apply to the green hides of fur-bearing mammals.

(Source: P.A. 94-212, eff. 1-1-06.)

(520 ILCS 5/3.18) (from Ch. 61, par. 3.18)

Sec. 3.18. Non-resident fur buyers. Any individual not a resident of this State ~~the State of Illinois~~, who, within this ~~the State of Illinois~~, receives, collects or buys, or who acts

as an agent or broker in the receipt, collection or purchase of the green hides of fur-bearing mammals, protected by this Act, shall be a non-resident fur buyer in the meaning of this Act. Non-resident fur buyer permits shall be issued by the Department. Non-resident fur buyers must obtain a non-resident fur buyer permit before receiving, collecting, or purchasing the green hides of fur-bearing mammals within this State except that a non-resident fur buyer permit shall not be required for purchasing the green hides of fur-bearing mammals from resident ~~wholesale fur buyers and resident retail fur buyers~~ as defined in ~~Section~~ Sections 3.11 and 3.12. The annual fee for each non-resident ~~nonresident~~ fur buyer permit shall be \$250.00. All non-resident fur buyer permits shall expire on March 31 ~~April 30~~ of each year. A non-resident ~~nonresident~~ fur buyer may buy, sell, possess, transport and ship the green hides of any legally taken fur-bearing mammals ~~from May 1 through April 30 next thereafter~~; provided, however, that failure to establish proof of the legality of or origin of the green hides of fur-bearing mammals shall be prima facie evidence that such green hides of fur-bearing mammals are contraband within this State ~~the State of Illinois~~. Nothing in this Section shall be construed to remove such permittee from responsibility for the observance of any federal laws, rules or regulations which may apply to the green hides of fur-bearing mammals.

(Source: P.A. 89-341, eff. 8-17-95.)

(520 ILCS 5/3.19) (from Ch. 61, par. 3.19)

Sec. 3.19. Permit requirements. Each ~~resident retail fur buyer,~~ resident ~~wholesale~~ fur buyer, nonresident fur buyer, non-resident auction participant, fur bearing mammal breeder, or fur tanner shall have his or her permit in his or her possession when receiving, collecting, buying, selling, or offering for sale, the green hides of fur-bearing ~~or game~~ mammals or accepting the same for dressing, dyeing, or tanning, and shall immediately produce the same when requested to do so by an officer or authorized employees of the Department, any sheriff, deputy sheriff or any other peace officer. Persons conducting organized and established auction sales or the green hides of fur-bearing ~~or game~~ mammals, protected by this Act, shall be exempt from the provisions of this Section.

(Source: P.A. 94-212, eff. 1-1-06.)

(520 ILCS 5/3.20) (from Ch. 61, par. 3.20)

Sec. 3.20. Reporting; fur buyers and non-resident auction participants. ~~All fur buyers and non resident auction participants, shall, upon purchasing any green hide of any fur bearing mammal, protected by this Act, issue a numbered receipt to the hunter, trapper, fur buyer, fur bearing mammal breeder or other person from whom he purchased such hides, setting forth the number and kinds of green hides, the date of purchase, the price paid for each hide, the name and address of the hunter, trapper, fur buyer, fur bearing mammal breeder or~~

~~other person from whom he purchased such hides, and the appropriate license number or stamp number of the hunter, trapper, fur buyer, fur bearing mammal breeder or other person from whom the hides were purchased, if applicable. The original receipt shall be retained by the fur buyer for a minimum of 2 years from the date of purchase listed on the receipt. A duplicate receipt shall be given to the hunter, trapper, fur buyer, fur bearing mammal breeder or other person from whom the green hides were purchased at the time of purchase.~~

All fur buyers and non-resident auction participants shall submit a report to the Department on forms provided by the Department showing the number and kinds of all green hides of fur-bearing mammals received, collected or purchased, and the average price, if any, paid therefore and such other information as required by the Department. This report shall be made on or before May 10 of each year and shall include all operations for the 12 months preceding May 1 of the current year. All such receipts, reports, and records required by this Section shall be available for inspection by any officer or authorized employee of the Department, any sheriff, deputy sheriff, or any other peace officer at any reasonable time when request is made for same. Failure to comply with the provisions of this Section shall bar the permittee from obtaining a fur buyer or non-resident auction participant permit for the following year.

(Source: P.A. 94-212, eff. 1-1-06.)

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(520 ILCS 5/3.12 rep.)

Section 10. The Wildlife Code is amended by repealing Section 3.12.

Section 99. Effective date. This Act takes effect January 1, 2018.