

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 675
SPECIAL WHITE-TAILED DEER SEASON FOR DISEASE CONTROL

Section

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AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 29 Ill. Reg. 20454, effective December 2, 2005; amended at 31 Ill. Reg. 1874, effective January 5, 2007; amended at 31 Ill. Reg. 14822, effective October 18, 2007; amended at 32 Ill. Reg. 19731, effective December 4, 2008; amended at 33 Ill. Reg. 11593, effective July 27, 2009; amended at 35 Ill. Reg. 20583, effective December 9, 2011; amended at 37 Ill. Reg. 14960, effective August 30, 2013; amended at 39 Ill. Reg. 10928, effective July 27, 2015; amended at 40 Ill. Reg. 10603, effective July 20, 2016; amended at 42 Ill. Reg. 13140, effective June 22, 2018; amended at 44 Ill. Reg. 11554, effective June 29, 2020; amended at 45 Ill. Reg. 12724, effective September 24, 2021; amended at 46 Ill. Reg. 18729, effective November 2, 2022.

Section 675.10 Chronic Wasting Disease (CWD) Season

- a) Season: One-half hour before sunrise on the first Thursday after December 25 to ½ hour after sunset on the following Sunday, and ½ hour before sunrise on the first Friday after January 11 to ½ hour after sunset on the following Sunday. Shooting hours are ½ hour before sunrise to ½ hour after sunset. Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).
- b) Open counties: Boone, McHenry, Winnebago, Stephenson, Ogle, LaSalle, JoDaviess, Grundy, Kendall, Will, Kankakee, Livingston, Carroll, DeKalb and Lee counties and that portion of Kane County west of State Route 47. Additional counties in which CWD foci are identified subsequent to adoption of this Part shall be opened via public announcement (e.g., press release and site posting).

- c) Hunting outside the set season dates or without a valid permit for the area hunted is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 45 Ill. Reg. 12724, effective September 24, 2021)

Section 675.20 CWD Deer Permit Requirements

- a) Hunters must have an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties (see Section 675.10(b)) or a valid CWD Season Deer Permit. A CWD Season Deer Permit is issued for one county or special hunt area and is valid only in the county, where permission to hunt has been obtained from the property owner, or special hunt area stated on the permit. Unfilled firearm, muzzleloader or Youth Deer Hunt Permits are valid only for the county for which they were originally issued, except that Youth Deer Hunt Permits issued as part of the statewide youth-only deer hunting season Pilot Program, as described in 17 Ill. Adm. Code 685.20, are valid for all of the open counties and unfilled landowner property-only hunting firearm deer permits are valid only for the farmlands the person to whom it was issued owns, leases, or rents within the open counties/portions of counties.
 - 1) Unfilled firearm, muzzleloader or Youth Deer Hunt Permits that were originally issued for special hunt areas are not valid during the CWD Season unless:
 - A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the CWD Season; or
 - B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
 - 2) Sites conducting a daily site lottery will be announced publicly.
- b) CWD Season Deer Permits are available over-the-counter (OTC) from participating license vendors for a fee of \$5. These permits shall be antlerless-only.
- c) For a Special Hunt Area CWD Season Deer Permit, resident hunters may apply online at www.dnr.illinois.gov for a site-specific permit valid for one of the Department's Special Hunt Areas. The application period begins the last Tuesday in October and ends the fourth Monday in November. Permits will be allocated

via a lottery drawing. The fee for this permit is \$17.50. These permits shall be antlerless-only.

- d) Hunters purchasing CWD Season Deer Permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
- e) Permits are not transferable. For the purpose of this Section, "transfer" means the modification or changing by the Department or any other person, individual or group, of the name or the location on an issued permit to another person or location.
- f) A \$3 service fee will be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
- g) Recipients of the CWD Season Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- h) Refunds and Cancellations
 - 1) A refund shall be issued by the Department for a permit that has been granted, or for an application that has not been submitted, under the following circumstances:
 - A) The State managed or owned site for which the permit was issued was closed due to a national or State issued emergency or disaster declaration of any other emergency circumstance that resulted in the Department closing access to the hunting site, park or area. Issued permit shall be cancelled by the Department. This subsection (h) shall include, but is not limited to, closure of State parks, fish and wildlife areas, and recreation areas by the Department as a response to a Gubernatorial Disaster Proclamation or executive order;
 - B) The applicant for a permit was unsuccessful in obtaining a permit in the lottery for which the applicant applied; or
 - C) Upon the request of the permit holder, a permit was issued due to an error of the Department, the OTC point-of-sale vendor or the applicant. The permit that was issued in error and the request for a refund must be delivered to the Department before the first day of the season listed on the permit. Permits shall be considered delivered to the Department if the permit is received or postmarked before the first day of the season listed on the permit; or

- D) Upon the return of an issued permit to the Department before the first day of the season listed on the issued permit. Permits shall be considered delivered to the Department if the permit is received or postmarked before the first day of the season listed on the permit. No refund shall be issued under this subsection (h)(1)(D) if the permit is returned or postmarked after the first day of the season listed on the permit.
- 2) A permit shall be cancelled if a refund is approved pursuant to subsection (h)(1)(A), (C) or (D). Once a permit has been cancelled, the cancelled permit shall not count towards the total number of permits that an applicant may obtain for the hunting season for which that cancelled permit was issued.
- 3) Upon the request of a permit holder, a refund may be issued by the Department for a permit that has been granted under the following circumstances:
- A) A medical condition or death of the permit holder that prevented the permit holder from hunting. A death certificate or medical documentation showing that the permit holder was unable to or advised not to hunt may be required by the Department before any refund is issued. Requests must be made within 90 days after the start of the season that the permit was issued for and must accompany the return of the permit to the Department at its headquarters in Springfield, Illinois. No refunds shall be issued under this subsection if the request or permit is delivered or postmarked to the Department at its headquarters in Springfield, Illinois 90 days after the first day of the season listed on the permit; or
- B) The permit holder was unable to travel or use the permit that was issued due to a national or State issued emergency or disaster declaration that resulted in a danger to the health or safety of the permit holder had they attempted to use the issued permit. Requests must be made within 60 days after the start of the season for which the permit was issued and must accompany the return of the permit to the Department at its headquarters in Springfield, Illinois. No refund shall be issued under this subsection (h)(3)(B) if the request or permit is delivered or postmarked 60 days after the first day of the season listed on the permit.

- C) A permit that was issued due to an error of the Department, the OTC point-of-sale vendor, or the applicant, if the permit is returned to the Department before the last day of the season for which the permit was issued.

(Source: Amended at 46 Ill. Reg. 18729, effective November 2, 2022)

Section 675.30 Weapon Requirements for CWD Deer Hunting Season

- a) Legal weapons to take, or attempt to take, deer are dependent on the unused permits that are legally in the possession of the hunter. Specifications for legal weapons are defined by 17 Ill. Adm. Code 650.30.
- b) Hunters with valid, unused permits from the previous firearm, muzzleloader or youth seasons may use only the legal firearms, as described in subsection (a), allowed by that permit in those respective seasons. Hunters with a valid CWD Season Deer Permit may use any of the weapons described in 17 Ill. Adm. Code 650.30.
- c) It shall be unlawful to use or possess any firearm or ammunition other than allowed by subsection (a) in the field while hunting white-tailed deer during the CWD Deer Hunting Season unless in accordance with the Firearm Concealed Carry Act. The lawful possession of firearms to take furbearing mammals and game mammals other than deer by persons other than deer hunters shall not be prohibited during the CWD Deer Hunting Season as set in Section 675.10.

(Source: Amended at 46 Ill. Reg. 18729, effective November 2, 2022)

Section 675.40 CWD Deer Hunting Rules

- a) Persons using unfilled permits from the previous firearm, muzzleloader or youth deer season (see Section 675.20(a)) may only take deer appropriate for that permit type (either-sex or antlerless-only).
- b) An either-sex permit holder is allowed to take a deer with or without antlers, and an antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.
- c) The bag limit is one deer per legally authorized either-sex or antlerless-only permit. Deer taken during the CWD Season are not subject to the antlered deer bag limit restrictions imposed during the firearm, muzzleloader, youth and archery deer hunting seasons.

- d) The harvest tag must be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the harvest tag to the deer in the manner prescribed in Section 675.50 and on the permit.
- e) Hunters shall not have in their possession, while in the field during the CWD Deer Hunting Season, any deer permit issued to another person (permits are non-transferrable).
- f) Permits shall not be re-issued in cases involving deer taken that are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter. For those hunters participating in the Department's Chronic Wasting Disease Surveillance Program, a free permit for the same county or special hunt area will be made available the subsequent year if their tested deer is determined to have CWD.
- g) Violation of this Section is a Class B misdemeanor (see 520 ILCS 5/2.24), except unlawful take or possession of 2 or more deer within 90 days is a Class 4 felony, and unlawful take of 2 or more deer as a single act, possession or course of conduct is a Class 3 felony (see 520 ILCS 5/2.36(a)).

(Source: Amended at 33 Ill. Reg. 11593, effective July 27, 2009)

Section 675.50 Reporting Harvest

- a) Successful hunters must register their harvest by 10:00 p.m. on the same calendar day the deer was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov. If a hunter is not able to locate a harvested deer in sufficient time to enable reporting the harvest by 10:00 p.m., the hunter must immediately report the harvest upon retrieving it. They will be provided with a confirmation number to verify that they checked in their harvest. This number must be written by the hunter on the harvest tag (leg tag). If the condition of the tag precludes writing on the tag in the appropriate space (i.e., bloody, etc.), the confirmation number shall be written elsewhere on the tag or onto a piece of paper and attached to the deer along with the temporary harvest tag. The deer must remain whole (or field dressed) until it has been checked in. In instances in which deer are checked in while the hunter is still afield, the deer may not be dismembered while afield beyond quartering the animal. If quartered, all parts of the carcass (except the entrails removed during field dressing) must be transported together and evidence of sex must remain naturally attached to one quarter. Evidence of sex is:

- 1) For a buck: head with antlers attached to carcass or attached testicle, scrotum, or penis.
 - 2) For a doe: head attached to carcass or attached udder (mammary) or vulva.
- b) The harvest tag (leg tag) and confirmation number must remain attached to the deer until it is at the legal residence of the person who legally took or possessed the deer and final processing is completed. If the head/antlers are delivered to a taxidermist for processing, the confirmation number must be recorded on the "head tag" portion of the permit and both must remain with the deer while at the taxidermist's. If the carcass is taken to a meat processor, the harvest tag (leg tag) with confirmation number must remain with the deer while it is processed and until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a tanner for processing must supply the tanner with either their deer permit number, their confirmation number, or a written certification by the person from whom the deer was received that the specimen was legally taken or obtained.
- c) Site-specific reporting requirements must be followed in addition to this Section.

(Source: Amended at 46 Ill. Reg. 18729, effective November 2, 2022)

Section 675.60 Rejection of Application/Revocation of Permits

- a) In the event that the purchaser of a CWD Season Deer Permit is in violation of either subsection (a)(1) or (a)(2), the permit will be revoked in addition to any other penalties. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530.
- 1) Providing false and/or deceptive information on the deer permit form, which is a Class A misdemeanor (see 520 ILCS 5/2.38).
 - 2) Purchasing a CWD Season Deer Permit when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code, which is a Class A misdemeanor (see 520 ILCS 5/3.36).
- b) Any violation of the Wildlife Code or administrative rules of the Department, in addition to other penalties, may result in revocation of hunting licenses and permits described in 17 Ill. Adm. Code 2530.

(Source: Amended at 31 Ill. Reg. 1874, effective January 5, 2007)

Section 675.70 Regulations at Various Department-Owned, -Leased or -Managed Sites

Sites will be opened to the CWD Deer Hunting Season only if the site is announced as being open via a public announcement. A drawing may be held at 5:00 a.m. at the site if more hunters show up than can be accommodated at sites announced as having a daily hunter quota (e.g., press release and/or site posting). Notice of any standby drawing modification will be posted at the site and 17 Ill. Adm. Code 510.10(d)(3) shall apply.

(Source: Amended at 46 Ill. Reg. 18729, effective November 2, 2022)