

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

PART 528
LANDOWNER PERMITS

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Section	
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AUTHORITY: Implementing and authorized by Sections 2.11 and 2.26 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 41 Ill. Reg. 8513, effective June 28, 2017; amended at 45 Ill. Reg. 8382, effective June 23, 2021; amended at 48 Ill. Reg. 12020, effective July 29, 2024; amended at 50 Ill. Reg. _____, effective _____.

Section 528.10 Definitions

"Bona fide current income beneficiary" means, an individual who, at the time of application for a permit:

is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income; and

is listed by name in the trust documents as an income beneficiary.

"Bona fide equity member" means an individual who:

became a member upon the formation of the limited liability company, or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company

44 pursuant to Article 30 of the Limited Liability Company Act [805 ILCS
45 180]; and

46
47 intends to retain the membership for at least 5 years.

48
49 "Bona fide equity partner" means an individual who:

50
51 became a partner, either general or limited, upon the formation of the
52 partnership, or has purchased a distributional interest in the partnership or
53 limited partnership for a value equal to the percentage of the appraised
54 value of the partnership assets represented by the distributional interest in
55 the partnership;

56
57 intends to retain ownership of the partnership for at least 5 years; and

58
59 is a resident of Illinois. Nonresident partners cannot receive permits under
60 this Part.

61
62 "Bona fide equity shareholder" means an individual who:

63
64 purchased, for market price, publicly sold stock shares in a corporation,
65 purchased shares of a privately-held corporation for a value equal to the
66 percentage of the appraised value of the corporate assets represented by
67 the ownership in the corporation, or is a member of a closely-held family-
68 owned corporation and has purchased or been gifted with shares of stock
69 in the corporation accurately reflecting his or her percentage of ownership;
70 and

71
72 intends to retain ownership of the shares of stock for at least 5 years.

73
74 "Commercial agriculture" means utilization of land for the raising of hay, grain
75 crops or livestock for profit. A hunting rights lease, or other nonagricultural lease,
76 is not valid as a basis for obtaining a landowner or tenant permit.

77
78 "Immediate family of a landowner, tenant, or a bona fide current income
79 beneficiary" means, and is limited to, the spouse, children, brothers, sisters and
80 parents permanently residing on the same property as the landowner, tenant, or
81 bona fide current income beneficiary.

82
83 "Landowner permit", "tenant permit" or "property only hunting (POH) permit"
84 means any permit issued under this Part to any individual or entity for purposes of
85 hunting only on the property owned or leased by that individual or entity.

86

"Tenant" means, for purposes of this Part, an Illinois resident who rents, at minimum, the~~40~~ acres required pursuant to Section 528.20 or more of land for commercial agricultural purposes under an agreement with a landowner.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 528.20 Eligibility for Landowner/Tenant Permits

a) Qualified applicants are limited to:

1) Landowners of 40 acres or more of land and their immediate families, resident tenants renting or leasing 40 acres or more of commercial agricultural land and their immediate families, and bona fide current income beneficiaries of a trust that owns 40 acres or more of land and their immediate families. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered a basis for a permit for the shareholders, members or partners as bona fide current income beneficiaries of the trust. No one may apply for or be issued both a landowner permit and a tenant permit.

2) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies or bona fide partners of partnerships owning 40 or more acres of land in a county. For applicants eligible for permits under this Part:

A) Only one permit per 40 acres, for a maximum of 15 permits per county, for corporations and limited liability companies, and a maximum of 3 permits per county for partnerships, shall be issued based on ownership of lands by corporations, limited liability companies or partnerships.

B) Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered a basis for a permit for the shareholders, members, beneficiaries or partners of the lessee.

b) Qualified applicants who wish to obtain a combination firearm deer permit or a combination archery deer permit whose land is located in a county where Chronic Wasting Disease has been identified pursuant to 17 Ill. Adm. Code 650.45 are limited to:

1) Landowners of 20 acres or more of land and their immediate families, resident tenants renting or lease 20 acres or more of commercial agricultural land and their immediate families, and bona fide current

130 income beneficiaries of a trust that owns 20 acres or more of land and their
131 immediate families. Lands held in trust by corporations, limited liability
132 companies or partnerships shall not be considered a basis for a permit for
133 the shareholders, members or partners as bona fide current income
134 beneficiaries of the trust. No one may apply for or be issued both a
135 landowner permit and a tenant permit.

136
137 2) Bona fide equity shareholders of corporations, bona fide equity members
138 of limited liability companies or bona fide partners of partnerships owning
139 20 or more acres of land in a county. For applicants eligible for permits
140 under this Part:

141
142 A) Only one permit per 20 acres, for a maximum of 15 permits per
143 county, for corporations and limited liability companies, and a
144 maximum of 3 permits per county for partnerships, shall be issued
145 based on ownership of lands by corporations, limited liability
146 companies or partnerships.

147
148 B) Lands leased to corporations, limited liability companies, trusts or
149 partnerships shall not be considered a basis for a permit for the
150 shareholders, members, beneficiaries or partners of the lease.

151
152 c) Qualified applicants that wish to obtain any turkey permit listed in Section
153 528.30(a) must meet the eligibility requirements of subsection (a) above to
154 receive such turkey permit, regardless if they are eligible to any deer permit listed
155 in Section 528.30(a) and meet the eligibility requirements of subsection (b) above.

156
157 db) *For the purposes of calculating acreage, the Department shall, after determining*
158 *the total acreage of the applicable tract or tracts of land, round remaining*
159 *fractional portions of an acre greater than or equal to half of an acre up to the*
160 *next whole acre [520 ILCS 5/2.11 and 2.26].*

161
162 ee) A hunting rights lease, or other nonagricultural lease, is not valid as a basis for
163 obtaining a landowner permit.

164
165 (Source: Amended at 50 Ill. Reg. _____, effective _____)

166
167 **Section 528.50 Initial Application and Verification**

168
169 a) The first time an individual applies for landowner permits based on property
170 ownership or for a farm-related tenancy agreement, the applicant must fill out and
171 sign an application to identify the landowner/tenant (including the

- 172 landowner's/tenant's tax parcel ID number), verify eligibility, and specify which
173 permits are requested.
174
- 175 b) For applications, proof of ownership must be provided by one of the following
176 methods:
177
- 178 1) Submittal of a copy of property deed, recorded/file stamped by the County
179 Recorder or County Clerk;
180
 - 181 2) Submittal of a copy of contract for deed, recorded/file stamped by the
182 County Recorder or County Clerk;
183
 - 184 3) Submittal of a copy of the most recent real estate tax statement or most
185 recent notice of property assessment for the property that identifies the
186 property acreage (upon which the landowner's name appears as
187 landowner, or the person signing the application appears as landowner);
188
 - 189 4) Submittal of a copy of a current Farm Service Agency 156EZ form; or
190
 - 191 5) Submittal of a copy of a trust agreement that indicates the trust owns at
192 least [the acreage required pursuant to Section 528.20](#)~~40 acres~~ and the
193 applicant is a current income beneficiary of the trust.
194
- 195 c) Tenant permit applicants are required to submit, in addition to the landowner
196 certification and proof of ownership (see subsection (b)), a copy of one of the
197 following:
198
- 199 1) A copy of a lease or a rental agreement, file stamped as recorded by the
200 County Recorder or County Clerk, covering the current year. The
201 agreement must contain the landowner's signature, tenant's signature,
202 description of monetary consideration, specified period of the lease and
203 acreage involved, and a statement that the lease is for agricultural
204 purposes; or
205
 - 206 2) A copy of a current Farm Service Agency 156EZ form.
207
- 208 d) For applications made based upon lands owned by a corporation, limited liability
209 company or partnership, the items listed in subsections (d)(1) and (d)(2) must be
210 attached to the application upon submittal to the Permit Office.
211
- 212 1) A duly authorized officer of the corporation, limited liability company or
213 partnership must sign a notarized statement authorizing the applicant to

214 hunt on the corporate, company, trust or partnership lands for which a
215 permit is being requested. This statement must:

- 216
- 217 A) identify the applicant as a bona fide equity shareholder, member,
218 or partner, as defined in Sections 528.10 and 528.20;
- 219
- 220 B) provide authorization to hunt; and
- 221
- 222 C) declare that no more than 15 authorizations will be requested per
223 county for the corporation or limited liability company and no
224 more than 3 authorizations will be requested per county for
225 partnership lands.
- 226

227 2) In addition:

- 228
- 229 A) Corporation applicants must submit a copy of ownership interest in
230 a for-profit corporation with a fully-executed stock certificate,
231 articles of incorporation or corporate agreement.
- 232
- 233 B) Limited liability company applicants must submit a copy of the
234 limited liability company's articles of organization or the operating
235 agreement. If the articles of organization or the operating
236 agreement submitted to the Department does not include a listing
237 of the members of the limited liability company, then the
238 application shall include a notarized statement from a manager of
239 the limited liability company that the applicant is a member of the
240 limited liability company.
- 241
- 242 C) Limited partnerships, limited liability limited partners, and limited
243 liability partnership applicants must submit a copy of the
244 partnership agreement, certificate of partnership or statement of
245 qualification.
- 246
- 247 D) General partnership applicants must submit a copy of the
248 partnership agreement.
- 249

250 e) For applications made based upon lands owned by a trust, the items listed in
251 subsections (e)-(1) and (e)(2) below must be attached to the application upon
252 submittal to the Permit Office.

- 253
- 254 1) A duly authorized trustee of the trust must sign a notarized statement
255 authorizing, in accordance with their authority under the trust, the

256 applicant to hunt on the trust lands for which a permit is being requested.
257 This statement must:

258
259 A) identify the applicant as a bona fide current income beneficiary, as
260 defined in Sections 528.10 and 528.20; and

261
262 B) provide authorization to hunt.

263
264 2) A copy of the trust documents that holds title to the land, or a notarized
265 statement from a licensed attorney stating that the applicant is a current
266 income beneficiary of the trust. All notarized statements shall include the
267 state license number of the attorney making the statement and must be
268 dated no more than 90 calendar days before the filing of the application.

269
270 f) Application forms are available on the Department's website at
271 www.dnr.illinois.gov and in person at One Natural Resources Way, Springfield
272 IL.

273
274 g) Applications and accompanying documentation must be mailed to the permit
275 office at:

276
277 Illinois Landowner Permit
278 Illinois Department of Natural Resources
279 P.O. Box 19227
280 Springfield IL 62794-9227

281
282 (Source: Amended at 50 Ill. Reg. _____, effective _____)