

AN ACT concerning conservation.

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

Section 5. The Illinois Exotic Weed Act is amended by changing Section 4 as follows:

(525 ILCS 10/4) (from Ch. 5, par. 934)

Sec. 4. Control of exotic weeds.

(a) It shall be unlawful for any person, corporation, political subdivision, agency or department of the State to buy, sell, offer for sale, distribute or plant seeds, plants or plant parts of exotic weeds without a permit issued by the Department of Natural Resources. Such permits shall be issued only:

(1) for experiments into controlling and eradicating exotic weeds;

(2) for research to demonstrate that a variety of a species listed in this Act is not an exotic weed as defined in Section 2; or

(3) for the use of exotic olive (*Elaeagnus umbellata*, *Elaeagnus pungens*, *Elaeagnus angustifolia*) berries in the manufacture of value added products, not to include the resale of whole berries or seeds. The exotic berry permit holder must register annually with the Department of

Natural Resources and be able to demonstrate to the Department that seeds remaining post-manufacture are sterile or otherwise unviable.

(b) The commercial propagation of exotic weeds for sale outside Illinois, certified under the Insect Pest and Plant Disease Act, is exempted from the provisions of this Section.

(c) The Department of Natural Resources may adopt rules for the administration of this Section.

(d) Notwithstanding any other provisions in this Section for the control of exotic weeds, a municipality may adopt an ordinance to eradicate common buckthorn (Rhamnus cathartica), glossy buckthorn (Rhamnus frangula), saw-toothed buckthorn (Rhamnus arguta), dahurian buckthorn (Rhamnus davurica), Japanese buckthorn (Rhamnus japonica), and Chinese buckthorn (Rhamnus utilis) on all public and private property within its geographic boundaries.

(Source: P.A. 99-81, eff. 1-1-16.)