Feeding wild deer in Illinois is against the law. Here's why.

Are deer baits legal?

Story By Kathy Andrews
Photos By Joe McFarland

Stroll down the aisles of most farm supply or outdoor stores and you'll undoubtedly come upon shelves stocked with salt or mineral blocks, grain and other products marketed as wildlife foods, or attractants. Anyone can purchase these products, but what most people don't know is that, in most instances, they are illegal to use.

In 2002, as part of the state's continuing effort to limit the spread of chronic wasting disease in the Illinois deer herd, a ban on feeding wild deer was enacted. CWD is an always-fatal neurological disease found in deer, elk and moose that causes them to become emaciated, display abnormal behavior, lose coordination and die.

According to Paul Shelton, Department of Natural Resources Forest Wildlife Program manager, there are many reasons why feeding wildlife is a bad idea, and most involve the transmission of disease.

"Whenever animals are concentrated unnaturally, such as around a food source, there is a heightened susceptibility to disease," Shelton explained. "Where deer are concerned, the more biologically sound approach is to balance the issue of food availability with the size of the deer herd, and ultimately reducing the herd to the appropriate size for the resources available."

Commercial food products are legally used by persons possessing an Illinois Game Breeder permit issued by DNR who are raising captive (tame) deer. Among the other exceptions to the feeding ban are bird and squirrel feeders close to homes, the incidental feeding of wildlife within an active livestock operation and food plots (see sidebar).

According to Conservation Police Officer Jaime Maul, officers routinely investigate wildlife feeding complaints, and in many instances violators are unaware that the practice is harmful to wildlife and illegal.

"Making food and mineral products available where wild deer are present is a petty offense carrying a maximum $1,000 fine," Maul said. "If the investigation reveals that the bait was hunted over, the violator is subject to an additional Class B misdemeanor ticket, which may result in up to 6 months in jail and/or a fine of up to $1,500, seizure of any items used for the hunt and loss of hunting privileges."

Whether you are one of the nearly 3 million Illinois residents who enjoys feeding, observing and photographing wildlife, or among Illinois' 316,000 hunters, know the law and why it is in place: for the protection and health of our wildlife resources.

Buyer beware. Deer baits are readily available but, in most instances, are illegal to use in Illinois.

Wildlife feeding ban exemptions

For a complete list of exemptions, the administrative rule 17 Illinois Administrative Code Part 635 at dnr.state.il.us/legal/adopted/635.pdf.

- Elevated bird/squirrel feeders providing seed, grain, fruit, worms or suet for birds or squirrels located within 100 feet of a dwelling devoted to human occupancy
- Incidental feeding of wildlife within active livestock operations
- Feeders for wildlife other than deer so long as deer are excluded from the feed in and around the feeder by fencing or other barriers
- Standing crops planted and left standing as food plots for wildlife
- Grain or other feed scattered solely as a result of normal agricultural, gardening or soil stabilization practices
- Standing, flooded or manipulated natural vegetation or food/seed deposited by natural vegetation
- Grain or other feed distributed as the result of manipulation of an agricultural crop or other feed on the land where grown, for purposes of dove hunting