

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER c: ENDANGERED SPECIES

PART 1100
REGULATIONS FOR EXOTIC WEEDS

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AUTHORITY: Implementing and authorized by the Illinois Exotic Weeds Act [525 ILCS 10].

SOURCE: Adopted at 49 Ill. Reg. _____, effective October 1, 2025.

Section 1100.10 Definitions

For the purpose of this Part, the following words shall mean:

"Department" means the Illinois Department of Natural Resources. [525 ILCS 10/2]

"Exotic weeds" means plants not native to North America which, when planted either spread vegetatively or naturalize and degrade natural communities, reduce the value of fish and wildlife habitat, or threaten an Illinois endangered or threatened species. [525 ILCS 10/2]

"List" means the Official List of Exotic Weeds.

"Material" means any plant, plant part, seed, or root of an exotic weed.

"Viable" means capable of surviving, living successfully, or growing.

Section 1100.20 Process for Listing

- a) A species will be included on the list or removed from the list after consideration by the Department of the following criteria:
 - 1) Native range and distribution of the species;

- 2) Distribution in the United States and Illinois.
 - 3) Designations in other state, municipality, or other regulatory entity for invasiveness or injuriousness.
 - 4) Potential to spread to non-target areas.
 - 5) Rate of spread with no management.
 - 6) Ability to establish and survive in Illinois; and
 - 7) Ecosystem types or habitats in Illinois that are vulnerable to invasion by the species.
 - 8) Ability to hybridize with native species and produce viable seed and fertile offspring in the absence of human intervention.
 - 9) Extent of impacts to native species, diversity, and ecosystem health.
 - 10) Medicinal, fiber, ornamental or other use in Illinois.
 - 11) Response to removal techniques.
- b) *The Department shall consult with the Department of Agriculture before adding or removing any plant from the exotic weed list by administrative rule. [525 ILCS 10/3]*
- c) *The Department may also consult with a group serving interests in agriculture, industry, conservation, ecology, or management regarding exotic weeds. [525 ILCS 10/3]*

Section 1100.30 Official List of Exotic Weeds

Name of plant species vary for the same species and can change. Updates of nomenclature do not remove the exotic weed designation of a species.

COMMON NAME	SCIENTIFIC NAME
tree of heaven	<i>Ailanthus altissima</i>
garlic mustard	<i>Alliaria petiolata</i>
Oriental bittersweet	<i>Celastrus orbiculatus</i>
poison hemlock	<i>Conium maculatum</i>
teasels	<i>Dipsacus</i> spp.

Russian olive	Elaeagnus angustifolia
thorny olive	Elaeagnus pungens
autumn olive	Elaeagnus umbellata
leafy spurge	Euphorbia virgata
lesser celandine	Ficaria verna
glossy buckthorn	Frangula alnus
giant hogweed	Heracleum mantegazzianum
sericea lespedeza	Lespedeza cuneata
winter honeysuckle	Lonicera fragrantissima
Japanese honeysuckle	Lonicera japonica
Amur honeysuckle	Lonicera maackii
Morrow's honeysuckle	Lonicera morrowii
Tatarian honeysuckle	Lonicera tatarica
purple loosestrife	Lythrum salicaria
Japanese stiltgrass	Microstegium vimineum
Amur corktree	Phellodendron amurense
kudzu	Pueraria montana
Japanese knotweed	Reynoutria japonica
giant knotweed	Reynoutria sachalinensis
Bohemian knotweed	Reynoutria x bohemica
saw-toothed buckthorn	Rhamnus arguta
common buckthorn	Rhamnus cathartica
Dahurian buckthorn	Rhamnus davurica
Japanese buckthorn	Rhamnus japonica
Chinese buckthorn	Rhamnus utilis
multiflora rose	Rosa multiflora
salt cedars	Tamarix spp.
black swallow-wort	Vincetoxicum nigrum
pale swallow-wort	Vincetoxicum rossicum

The following shall be included as exotic weeds starting January 1, 2028.

callery pear	Pyrus calleryana
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Section 1100.40 Permit Provisions and Issuance of Permits

- a) *Any person, corporation, political subdivision, agency or department of the State who wishes to buy, sell, offer for sale, distribute, or plant seeds, plants or plant parts of exotic weeds* must obtain and possess a valid permit from the Department.
- b) An application for any permit issued pursuant to this Part shall be made on forms provided by the Department. Applications can be found on the Department's

website, www.dnr.illinois.gov. In addition to the permit application, an applicant shall provide the Department with the following information and meet the following requirements:

- 1) Permit to sell, offer for sale, or distribute non-viable exotic weeds. Persons planning to sell, offer for sale, or distribute non-viable exotic weeds must apply for a permit.
 - A) To be eligible, the applicant must:
 - i) Be 18 years of age or older; and
 - ii) Certify that the applicant will only offer to sell or distribute exotic weeds or exotic weed parts that are non-viable.
 - B) In addition, the applicant must provide to the Department, in writing:
 - i) the purpose of the selling or distributing exotic weed material;
 - ii) how the material will be acquired;
 - iii) the specific species of exotic weed or weeds that the applicant is applying to sell or distribute;
 - iv) the amount of material to be sold or distributed; and
 - v) the anticipated mechanism to sell or distribute the material.
 - C) A permit will be approved if the applicant meets the following criteria:
 - i) The applicant meets the eligibility requirements of subsection (b)(1).
 - ii) The material was acquired legally.
 - iii) If cut from the wild and with the permission of the landowner, the source material was treated to prevent resprouts.

- iv) Based on the information provided to the Department, the Department determines the material is not viable.
 - 2) Permit to plant seeds, plants, or plant parts of exotic weeds that are viable. Persons planning to plant seeds, plants or plant parts of exotic weeds that are viable must apply for a permit.
 - A) To be eligible, the applicant must:
 - i) Be 18 years of age or older; and
 - ii) Either:
 - plant material only to study control measures in a controlled environment; or
 - Plant material only as part of biological control in the wild.
 - B) The applicant must:
 - i) provide to the Department an outline of the proposed research, including the scientific justification for such research, methods to be used, needs for the use of an exotic weed, and a statement as to how the proposed research will improve treatment or control of the exotic weed;
 - ii) provide a description, including photographs, of the facilities intended for use in holding, growing, or planting the exotic weed, as well as information regarding any planned planting or distribution of exotic weeds;
 - iii) Submit a statement of the qualifications of the applicant to conduct the proposed research, including educational history, experience in similar research, and a list of pertinent publications and professional activities;
 - iv) Describe the method of termination of exotic weeds after expiration of the permit; and
 - v) If applying for a permit for biological control in the wild, provide proof of a United States Department of Agriculture (USDA) permit for biological control.

- C) A permit will be approved if the applicant meets the following criteria:
 - i) The applicant meets eligibility requirements of subsection (b)(2);
 - ii) The proposed research cannot be conducted using a plant not listed as an exotic weed;
 - iii) The proposed research can be expected to yield results which will improve treatment or control of exotic weeds; and
 - iv) The applicant demonstrates the ability to control and prevent the spread of the exotic weeds.

Section 1100.50 General Provisions

- a) A permittee's method of planting and distribution must be approved by the Department.
- b) Permits shall expire on December 31 every year.
- c) Permits will be reissued for another year upon the filing of the end of the year report and by filing an application for permit renewal with the Department. Permit renewal applications shall be on forms provided by the Department and shall include the information required in Section 1100.40.
- d) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is an agent of the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.
- e) The permittee is responsible for ensuring compliance with the provisions of the permit and reporting on behalf of the permittee's agents engaged in the activity authorized by the permit. The permittee must maintain a record of all material that is sold, distributed, or planted, for a period of 2 years after the material is sold, distributed, or planted, whichever listed action that occurs latest in time, and shall present such record upon request to Department.
- f) Permits are non-transferable.

- g) Permits issued under this Part or valid copies thereof must be in the possession of the permittee or the permittee's agents when engaged in the selling, distributing, or planting of material and presented upon the request of any authorized officer or agent of the Department or any police officer of the State of Illinois or a police officer of any unit of local government within the State of Illinois.

Section 1100.60 Reporting Requirements

- a) Permittees shall submit an annual report to the Department of the past year's activities on forms provided by the Department by January 30 of the year after a permit was issued.
- b) Holders of permits for planting must provide the Department with a copy of any reports, technical papers, or technical notes that result from studies conducted under the auspices of the permit.
- c) A permit holder shall notify the Department of any change in their name or address within ten days after making such a change.
- d) A permittee that does not request a permit renewal shall certify to the Department that the permittee has taken all necessary steps to terminate the exotic weeds subject to the permit when filing the final report.