

HOUSE BILL No. 1453

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2; IC 14-22.

Synopsis: Hunting preserves. Provides for the licensing and operation of hunting preserves on which farm raised and released cervidae and game birds are hunted. Establishes licensing requirements, inspection requirements, and fees. Exempts licensed hunting preserves from the licensing requirements for game breeders and shooting preserves. Provides that hunters on hunting preserves are not required to have a hunting license and are not subject to bag limits. Requires that a transportation tag be purchased and fixed to the leg of each cervidae taken on a hunting preserve. Prohibits computer assisted remote hunting on hunting preserves.

Effective: July 1, 2015.

Eberhart

January 14, 2015, read first time and referred to Committee on Natural Resources.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1453

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-37.6, AS ADDED BY P.L.93-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 37.6. "Cervidae", for purposes of IC 14-22-20.5
4 ~~has the meaning set forth in IC 14-22-20.5-1.~~ **and IC 14-22-20.7,**
5 **means privately owned members of the cervidae family, including**
6 **deer, elk, moose, reindeer, and caribou.**

7 SECTION 2. IC 14-8-2-111 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 111. "Game bird", for
9 purposes of IC 14-22-8 ~~has the meaning set forth in IC 14-22-8-2.~~ **and**
10 **IC 14-22-20.7, means pheasant, quail, grouse, mourning dove, and**
11 **wild turkey.**

12 SECTION 3. IC 14-8-2-128.3 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2015]: **Sec. 128.3. "Hunting preserve", for**
15 **purposes of IC 14-22-20.7, has the meaning set forth in**



1 **IC 14-22-20.7-1.**

2 SECTION 4. IC 14-8-2-195 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 195. "Owner" has the
4 following meaning:

5 (1) For purposes of IC 14-11-4, the meaning set forth in
6 IC 14-11-4-2.

7 (2) For purposes of IC 14-15, a person who has the legal title to
8 a watercraft.

9 (3) For purposes of IC 14-16-1, the meaning set forth in
10 IC 14-16-1-6.

11 **(4) For purposes of IC 14-22-20.7, the meaning set forth in**
12 **IC 14-22-20.7-2.**

13 ~~(4)~~ (5) For purposes of IC 14-25-4, the meaning set forth in
14 IC 14-25-4-4.

15 ~~(5)~~ (6) For purposes of IC 14-27-7, the meaning set forth in
16 IC 14-27-7-1.

17 ~~(6)~~ (7) For purposes of IC 14-27-7.5, the meaning set forth in
18 IC 14-27-7.5-4.

19 ~~(7)~~ (8) For purposes of IC 14-36, the term includes the following:

20 (A) Owners in fee.

21 (B) Life tenants.

22 (C) Tenants for years.

23 (D) Holders of remainder of reversionary interests.

24 (E) Holders of leaseholds or easements.

25 (F) Holders of mineral rights.

26 ~~(8)~~ (9) For purposes of IC 14-37, a person who has the right to
27 drill into and produce from a pool and to appropriate the oil and
28 gas produced from the pool for:

29 (A) the person or others; or

30 (B) the person and others.

31 ~~(9)~~ (10) For the purposes of IC 14-22-10-2, the meaning set forth
32 in IC 14-22-10-2(c).

33 SECTION 5. IC 14-8-2-200.5 IS ADDED TO THE INDIANA
34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2015]: **Sec. 200.5. "Permitted animal", for**
36 **purposes of IC 14-22-20.7, has the meaning set forth in**
37 **IC 14-22-20.7-3.**

38 SECTION 6. IC 14-22-20-1 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a) The owner of a**
40 **hunting preserve licensed under IC 14-22-20.7 is not required to**
41 **obtain a game breeders license under this section.**

42 **(b)** The department may, under rules adopted under IC 4-22-2, issue



1 to a resident of Indiana, upon the payment of a fee of fifteen dollars
2 (\$15), a license to:

- 3 (1) propagate in captivity; and
4 (2) possess, buy, or sell for this purpose only;
5 game birds, game mammals, or furbearing mammals protected by
6 Indiana law.

7 SECTION 7. IC 14-22-20.7 IS ADDED TO THE INDIANA CODE
8 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2015]:

10 **Chapter 20.7. Cervidae Hunting Preserves**

11 **Sec. 1. As used in this chapter, "hunting preserve" means an**
12 **area of land where permitted animals are hunted.**

13 **Sec. 2. As used in this chapter, "licensed owner" means an**
14 **owner of a hunting preserve who holds a license issued under this**
15 **chapter.**

16 **Sec. 3. As used in this chapter, "permitted animal" means the**
17 **following farm raised and released animals:**

- 18 (1) Cervidae.
19 (2) Game birds, including chukar partridges, properly
20 marked mallard ducks, and other bird species.

21 **Sec. 4. (a) The department shall issue an initial hunting preserve**
22 **license to a person who:**

- 23 (1) either:
24 (A) meets the requirements set forth in this chapter; or
25 (B) for a person who operated, at any time, a hunting
26 preserve during the period beginning January 1, 2005, and
27 ending December 31, 2014, meets the requirements set
28 forth in this chapter, except as provided in sections 6(b)(1)
29 and 7(b) of this chapter; and
30 (2) pays a fee of two hundred fifty dollars (\$250).

31 **(b) The department shall annually renew the hunting preserve**
32 **license of a person who:**

- 33 (1) meets the requirements set forth in this chapter; and
34 (2) pays an annual fee of two hundred fifty dollars (\$250).

35 **Sec. 5. Permitted animals (including their products) that are:**

- 36 (1) raised on a farm in Indiana; or
37 (2) legally:
38 (A) acquired in Indiana; or
39 (B) imported into Indiana;
40 in compliance with applicable Indiana board of animal health
41 laws and rules;
42 are the property of the licensed owner of the hunting preserve



1 containing the permitted animals.

2 **Sec. 6. (a) A hunting preserve must provide sufficient space and**
3 **cover to allow permitted animals the opportunity to elude hunters.**

4 **(b) A hunting preserve that allows hunting for cervidae must**
5 **meet the following requirements:**

6 **(1) If a person begins to operate a preserve after December**
7 **31, 2014, the preserve must contain not less than one hundred**
8 **(100) acres.**

9 **(2) The preserve must be enclosed by a fence that is at least**
10 **eight (8) feet in height and not more than six (6) inches above**
11 **the ground.**

12 **(3) Reasonable efforts must be made to clear the preserve of**
13 **wild deer.**

14 **(4) The preserve may not be bisected by a public road or**
15 **fencing.**

16 **(5) The fence enclosing the preserve must be marked with**
17 **signs that meet the specifications of the department.**

18 **Sec. 7. (a) Subject to subsection (b), before a hunting preserve**
19 **may release permitted animals and begin operations under an**
20 **initial license, the hunting preserve site must pass an inspection by**
21 **the department and the Indiana board of animal health.**

22 **(b) If an owner operated, at any time, a hunting preserve during**
23 **the period beginning January 1, 2005, and ending December 31,**
24 **2014, the owner may release permitted animals and resume the**
25 **hunting preserve operations when a hunting preserve license is**
26 **issued without an initial site inspection.**

27 **Sec. 8. If a cervidae escapes from a hunting preserve, the owner**
28 **must report the escape to the department within twenty-four (24)**
29 **hours after the escape is discovered.**

30 **Sec. 9. The owner of a hunting preserve may not release a**
31 **privately owned cervidae into the wild.**

32 **Sec. 10. (a) A person who takes or hunts a permitted animal on**
33 **a hunting preserve is not required to have a hunting license.**

34 **(b) The department shall provide the licensed owner of a**
35 **hunting preserve either a transportation tag or a cull tag for every**
36 **cervidae taken on the hunting preserve. The licensed owner shall**
37 **pay the department a fee of fifty dollars (\$50) per buck and twenty-**
38 **five dollars (\$25) per doe for each transportation tag. The**
39 **department shall provide cull tags to the licensed owner of a**
40 **hunting preserve without charge.**

41 **(c) The owner of a hunting preserve shall cause a transportation**
42 **tag to be affixed to a leg of each cervidae taken on the hunting**



- 1 preserve.
- 2 (d) An individual may not transport or possess a cervidae taken
- 3 from a hunting preserve without a transportation tag.
- 4 (e) The owner of a hunting preserve shall provide each hunter
- 5 with a bill of sale for game birds taken by the hunter from the
- 6 hunting preserve. The transportation tag affixed to a leg of a
- 7 cervidae taken on a hunting preserve under subsection (c) is
- 8 considered to be the bill of sale for the sale of the cervidae by the
- 9 owner of the hunting preserve to the hunter.
- 10 (f) An owner of a hunting preserve is not required to purchase
- 11 a transportation tag for cervidae culled by the owner from the
- 12 hunting preserve and transported directly for personal
- 13 consumption, or to a butcher or charity. However, the owner shall
- 14 cause a cull tag to be affixed to a leg of each cervidae culled by the
- 15 owner.
- 16 Sec. 11. (a) A licensed owner of a hunting preserve must keep
- 17 records of:
- 18 (1) the number of each permitted animal species purchased
- 19 for the hunting preserve;
- 20 (2) the number of each species harvested in the hunting
- 21 preserve; and
- 22 (3) the full name and address of each hunter who takes a
- 23 permitted animal in the hunting preserve.
- 24 (b) All information required by this chapter must be recorded
- 25 on forms supplied by the department. The records must be
- 26 maintained for a period of two (2) years and must be open for
- 27 inspection by employees of the department and the Indiana board
- 28 of animal health during regular business hours.
- 29 Sec. 12. (a) Permitted animals may be hunted on a hunting
- 30 preserve licensed under this chapter between one-half (1/2) hour
- 31 before sunrise and one-half (1/2) hour after sunset, but only from
- 32 August 15 through April 15.
- 33 (b) For permitted animals taken on the hunting preserve there
- 34 is not a bag limit, and both male and female animals may be taken.
- 35 (c) A licensed owner may charge fees for hunting on the hunting
- 36 preserve that reflect the class of animal hunted.
- 37 Sec. 13. (a) Only weapons that may legally be used in hunting on
- 38 other property in Indiana may be used in hunting on a hunting
- 39 preserve.
- 40 (b) A hunting preserve may not allow computer assisted remote
- 41 hunting.
- 42 SECTION 8. IC 14-22-31-0.5 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. This chapter does not apply**
3 **to a hunting preserve licensed under IC 14-22-20.7.**

