

## TITLE 312 NATURAL RESOURCES COMMISSION

### Notice of First Public Comment Period LSA Document #24-383

#### BOBCAT TRAPPING RULES

##### PURPOSE OF NOTICE

The Natural Resources Commission (commission) is soliciting public comment on amendments to rules at [312 IAC 9-2-3](#), [312 IAC 9-3-9](#), [312 IAC 9-3-18.1](#), [312 IAC 9-3-18.4](#), [312 IAC 9-10-4](#), and [312 IAC 9-10-12](#) concerning the sale, trapping, hunting, and possession of bobcats. The commission seeks comment on the affected citations listed and any other provisions of Title 312 that may be affected by this rulemaking.

##### ADDITIONAL DOCUMENTS

Regulatory Analysis: [20241009-IR-312240383RAA](#)

Notice of Public Hearing: [20241009-IR-312240383PHA](#)

**CITATIONS AFFECTED:** [312 IAC 9-2-3](#); [312 IAC 9-3-9](#); [312 IAC 9-3-18.1](#); [312 IAC 9-3-18.4](#); [312 IAC 9-10-4](#); [312 IAC 9-10-12](#)

**AUTHORITY:** [IC 14-10-2-4](#); [IC 14-22-2-6](#); [IC 14-22-19](#); [IC 14-22-20](#)

##### OVERVIEW

###### Basic Purpose and Background

The proposed rule allows for the sale of bobcats and their parts, permits individuals to keep bobcats found dead, and establishes a license for taking bobcats. These proposals are driven by an increase in bobcat population and incidental takings, as well as the need to address costs for businesses and landowners affected by bobcat activities. The decision to open certain counties for bobcat trapping is based on habitat analysis and documented bobcat populations.

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

Linnea Petercheff

Licensing and Permits Supervisor

Fish and Wildlife

Department of Natural Resources

Indiana Government Center South

402 West Washington Street

Indianapolis, IN 46204

(317) 233-6527

[lpetercheff@dnr.in.gov](mailto:lpetercheff@dnr.in.gov)

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Matthew Jaworowski

Small Business Ombudsman

Indiana Economic Development Corporation

One North Capitol, Suite 700

Indianapolis, IN 46204

(317) 650-0126

[majaworowski@iedc.in.gov](mailto:majaworowski@iedc.in.gov)

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

##### REQUEST FOR PUBLIC COMMENT

The commission is soliciting public comment on the proposed rule. Comments may be submitted in one of the following ways:

(1) By the commission's rulemaking docket at <https://www.in.gov/nrc/rules/rulemaking-docket/>.

(2) By mail or common carrier to the following address:

LSA Document #24-383 Bobcats Trapping Rules

Aaron Bonar

Indiana Government Center North

100 North Senate Avenue, Room N103

Indianapolis, IN 46204

(3) By email to [abonar@nrc.in.gov](mailto:abonar@nrc.in.gov). PLEASE NOTE: Email comments will not be considered part of the official written comment period unless they are sent to the address indicated in this notice.

(4) Attend scheduled public hearing.

## COMMENT PERIOD DEADLINE

All comments must be postmarked or time stamped not later than November 14, 2024.

The rule, Regulatory Analysis, appendices referenced in the Regulatory Analysis, and materials incorporated by reference (if applicable) are on file at the Natural Resources Commission, Indiana Government Center North, 100 North Senate Avenue, Room N103, Indianapolis, Indiana and are available for public inspection. Copies of the rule, Regulatory Analysis, and appendices referenced in the Regulatory Analysis are available at the Natural Resources Commission office.

If the commission does not receive substantive comments during the public comment period or public hearing, the rule may be adopted with text that is the same as or does not substantially differ from the text of the proposed rule published in this notice.

## PROPOSED RULE

SECTION 1. [312 IAC 9-2-3](#) IS AMENDED TO READ AS FOLLOWS:

### **312 IAC 9-2-3 Applicability to wild animal parts**

Authority: [IC 14-22-2-6](#)

Affected: [IC 14-8-2-108](#); [IC 14-22](#)

Sec. 3. (a) Except as provided in subsection (b), a prohibition against the: **person may not:**

(1) possession; **possess**;

(2) sale; **sell**;

(3) offer for sale;

(4) **(3)** purchase;

(5) offer for purchase;

(6) shipment; **(4)** ship;

(7) transportation; **(5)** transport;

(8) delivery; **(6)** deliver; or

(9) receipt; **(7)** receive;

of a wild animal. also **This section** applies to any part or portion of that a wild animal.

(b) The prohibition established under Subsection (a) does not apply to the following: parts of wild animals taken lawfully:

(1) **A** tanned hides. **hide**.

(2) Any portion of a furbearing mammal, **as defined by [IC 14-8-2-108](#)**.

(3) Cured feathers.

(4) **A** squirrel tails. **tail**.

(5) **An** untanned deer hides. **hide**.

(6) Antlers.

(7) Hooves.

(8) Any portion **part** of a river otter.

(9) **An** untanned squirrel hides. **hide**.

**(10) Any part of a bobcat.**

(Natural Resources Commission; [312 IAC 9-2-3](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2700; filed May 28, 1998, 5:14 p.m.: 21 IR 3712; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Feb 26, 2015, 2:01 p.m.: [20150325-IR-312140341FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))

SECTION 2. [312 IAC 9-3-9](#) IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-3-9 Disposition of certain wild animals**

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-8-2-108](#); [IC 14-22](#)

Sec. 9. (a) This section governs the **disposition of the** following species of wild animals that die **are killed** following a **motor vehicle** collision with a motor vehicle or are found dead:

- (1) White-tailed **A** deer.
- (2) **A** fox. or
- (3) **A** gray squirrel.
- (3) (4) **An** eastern cottontail rabbit.
- (4) (5) **A** furbearing mammal, **as defined by** [IC 14-8-2-108](#).
- (5) (6) **A** river otter.
- (6) (7) **A** wild turkey.
- (7) (8) **A** bobwhite quail.
- (8) (9) **A** ring-necked pheasant.
- (10) **A** bobcat.

(b) **An individual** **A person** may possess a species of wild animal listed **in** **under** subsection (a) with a special purpose salvage permit issued **in accordance with** **under** [312 IAC 9-10-13.5](#) or a permit issued by **a**:

- (1) a conservation officer;
- (2) a district wildlife biologist for the department;
- (3) a property manager or assistant property manager for the department; or
- (4) an individual **law enforcement officer** designated by the conservation officer **under subdivision (1)**.

(Natural Resources Commission; [312 IAC 9-3-9](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2706; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Nov 3, 2009, 3:34 p.m.: [20091202-IR-312090044FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))

SECTION 3. [312 IAC 9-3-18.1](#) IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-3-18.1 Bobcats**

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#)

Affected: [IC 14-22](#)

Sec. 18.1. (a) A person must not **An individual may** take a bobcat (*Lynx rufus*) except with one (1) of the following:

- (1) **A scientific purposes** license under [312 IAC 9-10-6](#).
- (2) **A nuisance wild animal control** permit under [312 IAC 9-10-11](#). **beginning November 8 and ending:**
  - (1) **January 31 of the following calendar year**; or
  - (2) **the date on which the statewide quota** under subsection (g) **is reached**; **whichever is earlier**.

(b) Except as provided under [IC 14-22-11-1](#), an individual may not trap a bobcat unless the individual possesses at least one (1) of the following licenses:

- (1) **A resident license to take a bobcat** under [IC 14-22-12-1\(a\)\(36\)](#).
- (2) **A nonresident youth license to take a bobcat** under [IC 14-22-12-1\(a\)\(37\)](#).

(3) A resident youth consolidated license to hunt and trap under [IC 14-22-12-1\(a\)\(24\)](#) or [IC 14-22-11-10\(b\)](#).

(4) A nonresident license to take a bobcat under [IC 14-22-12-1\(a\)\(38\)](#).

(5) A lifetime basic trapping license under [IC 14-22-12-7\(a\)\(6\)](#) before its repeal.

(c) An individual may not take more than one (1) bobcat in a bobcat trapping season.

(d) An individual who captures a bobcat alive and does not include it in the bag limit for the individual under subsection (c) shall release the bobcat into the wild in the location where the bobcat is captured immediately after discovering the bobcat.

(e) An individual may trap a bobcat in the following counties:

- (1) Bartholomew County.
- (2) Brown County.
- (3) Clark County.
- (4) Clay County.
- (5) Crawford County.
- (6) Daviess County.
- (7) Dearborn County.
- (8) Dubois County.
- (9) Floyd County.
- (10) Franklin County.
- (11) Gibson County.
- (12) Greene County.
- (13) Harrison County.
- (14) Jackson County.
- (15) Jefferson County.
- (16) Jennings County.
- (17) Johnson County.
- (18) Knox County.
- (19) Lawrence County.
- (20) Martin County.
- (21) Monroe County.
- (22) Morgan County.
- (23) Ohio County.
- (24) Orange County.
- (25) Owen County.
- (26) Parke County.
- (27) Perry County.
- (28) Pike County.
- (29) Posey County.
- (30) Putnam County.
- (31) Ripley County.
- (32) Scott County.
- (33) Spencer County.
- (34) Sullivan County.
- (35) Switzerland County.
- (36) Vanderburgh County.
- (37) Vermillion County.
- (38) Vigo County.
- (39) Warrick County.
- (40) Washington County.

(f) An individual may trap a bobcat with a:

- (1) cage trap;

- (2) foothold trap permitted under section 18 of this rule; or
- (3) snare permitted under section 18 of this rule with a relaxing snare lock.

(g) The statewide quota for the bobcat trapping season is two hundred and fifty (250) bobcats. The department shall track the statewide quota for trapping bobcats on the website of the department.

(h) An individual who takes a bobcat shall:

- (1) report the taking; or
- (2) ensure the taking is reported;

by registering the bobcat with the electronic harvest reporting system of the department not later than twenty-four (24) hours after taking the bobcat. An individual reporting a take under this subsection shall provide true and accurate information to the department. An individual shall keep the confirmation number provided by the electronic harvest reporting system of the department with the bobcat until the individual checks in the bobcat with a designated department employee or at an official bobcat checking station under subsection (i).

(i) An individual who takes a bobcat during the bobcat trapping season shall possess the bobcat and deliver the skinned hide of the bobcat to a designated department employee or official bobcat checking station not later than fifteen (15) days after the calendar month in which the bobcat is harvested. A department employee shall issue a tag to the individual.

(j) A bobcat, including the hide and any other part of the bobcat, taken during the bobcat trapping season may not be:

- (1) sold;
- (2) traded;
- (3) bartered;
- (4) gifted;
- (5) transferred to a taxidermist or any other person; or
- (6) shipped;

until the bobcat is registered with the electronic harvest system for the department and issued a tag by a department employee under subsection (i).

(k) After registering a bobcat and obtaining a tag from the department under this section, an individual who takes a bobcat may:

- (1) sell;
- (2) trade;
- (3) barter;
- (4) ship; or
- (5) otherwise transfer;

the hide of the bobcat under this section and federal law.

(l) An individual may possess an untanned bobcat hide if the bobcat hide is lawfully obtained.

(m) An individual may not trap a bobcat:

- (1) after the individual bag limit under subsection (c) is reached;
- (2) after the statewide quota for the bobcat trapping season is reached;
- (3) after the bobcat trapping season ends; or
- (4) in a county not listed under subsection (e).

This subsection does not apply to an individual who takes a bobcat under a scientific purposes license under [312 IAC 9-10-6](#), or a nuisance wild animal control permit under [312 IAC 9-10-11](#).

(n) An individual who takes a bobcat with a trap that captures and immediately kills the bobcat:

- (1) during the bobcat trapping season after the individual bag limit under subsection (c) is reached;
- (2) after the statewide quota is reached;

(3) in a county where the bobcat trapping season is not open;  
(4) outside the bobcat trapping season; or  
(5) without a license to take a bobcat under [IC 14-22-12-1](#) or is exempt from the licensure requirement under [IC 14-22-11-1](#);  
shall notify the department not later than twenty-four (24) hours after taking the bobcat. The individual shall arrange to deliver the bobcat to the department.

(b) An individual must (o) **A person may** not possess a live bobcat except as follows:

- (1) With a wild animal rehabilitation permit under [312 IAC 9-10-9](#).
- (2) With a scientific purposes license under [312 IAC 9-10-6](#).
- (3) With a nuisance wild animal control permit under [312 IAC 9-10-11](#).
- (4) With a wild animal possession permit under [312 IAC 9-11](#).
- (5) By a registered or licensed educational or scientific institution, with the United States Department of Agriculture in accordance with 9 CFR, Chapter 1, Subchapter A, Parts I through IV. **person under IC 14-22-26-1**.
- (6) By a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV.

(c) (p) An individual must **may** not sell a live bobcat unless that person has **the individual obtains** a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV **game breeder's license under 312 IAC 9-10-4**.

(Natural Resources Commission; [312 IAC 9-3-18.1](#); filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))

SECTION 4. [312 IAC 9-3-18.4](#) IS AMENDED TO READ AS FOLLOWS:

#### **312 IAC 9-3-18.4 Possession and sale of badgers**

Authority: [IC 14-22-2-6](#)

Affected: [IC 14-22](#)

Sec. 18.4. (a) A person **must** **may** not possess or sell a carcass, hide, or any part of a bobcat or badger unless the person meets **at least** one (1) of the following requirements:

(1) The person possesses satisfactory documentation that the **badger** carcass, hide, or part was lawfully acquired. Satisfactory documentation **must** **includes** **at least** one (1) or more of the following:

- (A) A legible copy of any of the following:
  - (i) A tag.
  - (ii) A receipt.
  - (iii) A hunting license **to hunt**.
  - (iv) A trapping license **to trap**.
  - (v) A permit **to take or possess a badger**.
- (vi) **Other Another** appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired.

(B) A receipt from **either** of the following:

- (i) A fur buyer licensed under [312 IAC 9-10-12](#).
- (ii) A taxidermist licensed under [312 IAC 9-10-5](#).

(2) The person obtains the **badger**:

- (A) carcass;
- (B) hide; or
- (C) part;

from the director or his or her a designee of the director with written permission.

(b) In addition to subsection (a), a person ~~must~~ **may** not possess a ~~the~~ carcass or untanned hide of a ~~bebeat~~ or badger for more than fourteen (14) days unless the person is a fur buyer licensed under [312 IAC 9-10-12](#).

(c) A fur buyer licensed under [312 IAC 9-10-12](#), or a taxidermist licensed under [312 IAC 9-10-5](#), who sells:  
(1) a carcass;  
(2) a hide; or  
(3) any part;

of a ~~bebeat~~ or badger must provide the purchaser with the documentation described in **under** subsection (a). A purchaser who relies in good faith upon the documentation may offer it as an affirmative defense to an infraction or civil penalty alleging a violation of **under** subsection (a).

(Natural Resources Commission; [312 IAC 9-3-18.4](#); filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Feb 26, 2015, 2:01 p.m.: [20150325-IR-312140341FRA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))

SECTION 5. [312 IAC 9-10-4](#) IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-10-4 Game breeder's licenses**

Authority: [IC 14-10-2-4](#); [IC 14-22-2-6](#); [IC 14-22-20](#)  
Affected: [IC 4-21.5](#); [IC 14-8-2-108](#); [IC 14-22-20](#)

Sec. 4. (a) A person shall apply for a **game breeder's** license as a game breeder on a departmental ~~in a form and manner prescribed by the department that includes the following information:~~

- (1) The name of the applicant.
- (2) The address of the applicant.
- (3) The county of residence for the applicant.
- (4) The location where wild animals are kept if not at the applicant's address under subdivision (2).
- (5) The phone number of the applicant.
- (6) The species of wild animal to be kept under the game breeder's license.

(b) A **person holding a game breeder's** license holder under this section may possess **at least** one (1) or more of the following:

- (1) Ring-necked pheasant (*Phasianus colchicus*).
- (2) Bobwhite quail (*Colinus virginianus*).
- (3) Eastern cottontail rabbit (*Sylvilagus floridanus*).
- (4) Gray squirrel (*Sciurus carolinensis*).
- (5) Fox squirrel (*Sciurus niger*).
- (6) Beaver (*Castor canadensis*).
- (7) Coyote (*Canis latrans*).
- (8) Gray fox (*Urocyon cinereoargenteus*).
- (9) Red fox (*Vulpes vulpes*).
- (10) Mink (*Mustela (Neovison vison)*).
- (11) Muskrat (*Ondatra zibethicus*).
- (12) Opossum (*Didelphis marsupialis*) **virginiana**.
- (13) Raccoon (*Procyon lotor*).
- (14) Striped skunk (*Mephitis mephitis*).
- (15) Long-tailed weasel (*Mustela (Neogale frenata)*).
- (16) Least weasel (*Mustela nivalis* or *Mustela rixosa*).
- (17) **Bobcat** (*Lynx rufus*).

(c) A **person holding a game breeder's** license holder under subsection (a) may lawfully acquire and possess the following:

- (1) **A** furbearing mammals ~~and or an~~ eastern cottontail rabbits **rabbit** that ~~must have been one (1) of the following is:~~  
(A) lawfully taken ~~in~~ during a season **to take the wild animal**; or

- (B) born in captivity.
- (2) Fox squirrels and **A squirrel or a** gray squirrels **squirrel** that have been **is** born in captivity.
- (3) **A** ring-necked pheasants and **pheasant or a** bobwhite quail that have been hatched in captivity.

(d) A **person holding a game breeder's** license holder under subsection (a) may possess the following:

(1) **A** furbearing mammals, squirrels, and **mammal, as defined by** [IC 14-8-2-108](#), **squirrel, or** eastern cottontail rabbits **rabbit** for breeding purposes under [IC 14-22-20](#).

(2) **A** ring-necked pheasants and **pheasant or a** bobwhite quail for:

- (A) breeding; purposes
- (B) food; or
- (C) release.

(e) A person **must shall** apply for a **game breeder's** license under this section:

(1) **within not later than** five (5) days after the acquisition of **an acquiring a wild animal within Indiana in the state;**

(2) **within not later than** five (5) days after the importation of **an importing a wild animal into Indiana to the state;** or

(3) **if it the wild animal** is a raccoon, red fox, gray fox, or coyote and obtained **within the in a** trapping season for that **the** species of animal, **within not later than** five (5) days of **after** the close of the season for that **the** species.

Each (f) An enclosure for **these** animals **a wild animal** must be inspected by a conservation officer before a **game breeder's** license may be issued.

(f) A (g) A **person holding a game breeder's** license holder under this section may add a species other than **those a species** identified in the application upon:

- (1) an inspection by a conservation officer; or
- (2) approval by the division of fish and wildlife

A **person holding game breeder's license shall notify** a conservation officer **must be notified within not later than** five (5) days of acquisition of the **after acquiring** a new species.

(g) (h) A **person holding a game breeder's** license holder under this section **who that** imports:

- (1) any **a** live animal; **under this license;** or
- (2) the eggs of birds **covered under this license;** **a bird;**

**must shall** secure a certificate of veterinary inspection from an accredited veterinarian in the state of origin or certificate of compliance as specified at [under 345 IAC 1-3-24](#) before the **live** animal or egg is shipped into **Indiana to the state.** Documentation in the form of a copy of a valid game breeder **breeder's** license or valid dated receipt that establishes lawful acquisition or ownership must accompany any transportation of wild animals **the live animal or egg.**

(h) A (i) A **person holding a game breeder's** license holder under this section **must shall** present at least one (1) of the following for inspection upon the request of a conservation officer for each animal possessed **by the person holding a game breeder's license:**

- (1) A receipt.
- (2) An invoice.
- (3) Other satisfactory evidence of lawful acquisition. **including documentation of natural birth.**

(i) For ring-necked pheasants, bobwhite quail, furbearing mammals, eastern cottontail rabbits, fox squirrels, and gray squirrels (j) The following requirements apply **to possession of a wild animal under subsection (b):**

(1) **Confine** a wild animal **must be confined in** to a cage or other enclosure that:

- (A) makes escape of the **wild** animal unlikely; and
- (B) prevents the entrance of a free-roaming **wild** animal of the same species.

(2) **The Provide a** cage or enclosure **shall be large enough to:**

- (A) allow the wild animal to turn about freely; and

- (B) make normal postural adjustments.
- (3) ~~All~~ **Provide** a chainlink or welded wire edges shall be:
  - (A) smoothly secured to prevent injury to the animals; **wild animal**; and
  - (B) kept properly repaired **maintained**.
- (4) ~~Provide~~ a night quarters **quarter**, a holding pens and **pen**, or a nesting boxes **box** may not be used as primary housing.
- (5) ~~The following shall be provided~~ **Provide the following** as required for the comfort of the particular species of **wild animal**:
  - (A) Fresh water.
  - (B) Rainproof dens.
  - (C) Nest boxes.
  - (D) Windbreaks.
  - (E) Shelters.
  - (F) Shade.
  - (G) Bedding.
- (6) ~~Each animal shall be handled, housed, Handle, house, and transported~~ **transport a wild animal** in a sanitary and humane manner.
- (7) ~~An enclosure must be provided~~ **Provide enclosures** with sufficient drainage to prevent standing water from accumulating.
- (8) ~~The cages~~ **Make a cage** or other enclosures must be made **enclosure** available upon request for inspection by a conservation officer.

**(j) An (k) A wild animal** possessed under this section may be administered a pharmaceutical product in accordance with ~~under~~ state and federal laws **law** and approved by a state or federal agency for the purpose of prevention **preventing** or treatment of any of treating the following:

- (1) Malnutrition.
- (2) Illness.
- (3) Disease.
- (4) Injury.
- (5) Stress.

A licensed veterinarian may administer to an animal an immobilizing agent, a tranquilizer, or a drug for euthanasia to a **wild animal** in compliance with all state and federal laws.

**(k) A (l) A person holding a game breeder's** license holder under this section shall not release animals ~~an~~ animal possessed under this section except for a bobwhite quail and **or a ring-necked pheasants pheasant**. A **person holding a game breeder's** license holder under this section shall not release a known diseased bobwhite quail and **or a ring-necked pheasants pheasant**.

**(l) A (m) A person holding a game breeder's** license holder under this section must **shall** not sell an **a wild animal** possessed under this section if the **wild animal** is known to be diseased.

**(m) A (n) A person holding a game breeder's** license holder under this section must **shall** comply with all applicable state, local, or other federal laws that govern the possession and sale of the animals **a wild animal** possessed under this section.

**(n) A (o) A person holding a game breeder's** license holder under this section shall do the following:

- (1) Maintain an inventory of all wild animals possessed under this section.
- (2) Record all additions and deletions to the inventory for every wild animal that is:
  - (A) born or has died;
  - (B) sold;
  - (C) traded;
  - (D) loaned;
  - (E) bartered; or
  - (F) given to another person;

on a signed departmental form or computerized record with a signature that is either electronic or in ink. If recorded on a departmental form, the person must complete the in a form in ink. and manner prescribed by the department.

(3) Keep a copy of the complete and accurate inventory on the premises of the game breeder.

(4) Provide a copy of the inventory to a conservation officer upon request.

(5) Issue a valid, dated receipt prepared in ink for all animals a wild animal or their products product that are is sold, traded, bartered, or gifted and include the following information:

(A) The game breeder breeder's license number.

(B) The buyer and seller name and address.

(C) The number of animals or products sold.

(D) The species of animal sold.

A copy of all of the receipts issued must be on the premises of the game breeder for at least five (5) years after the year of the transaction.

(e) (p) A game breeder's license expires on December 31 of the year the license is issued. The A person holding a game breeder's license holder must shall file an application with the division by not later than January 31 of each calendar year in order to renew the game breeder's license. The An annual report must accompany the renewal application and shall must include for each species possessed under this the game breeder's license the number of wild animals:

(1) bought;

(2) sold;

(3) born;

(4) traded;

(5) gifted;

(6) of deaths; that died; and

(7) on hand.

(p) (q) A conservation officer may enter the premises of the a person holding a game breeder's license holder at all a reasonable hours time to conduct an inspection in accordance with subsections (q) (r) and (r). (s).

(q) (r) During an inspection, the a person holding a game breeder's license holder or the license holder's designee shall of the person holding the game breeder's license shall comply with both of the following:

(1) Meet the conservation officer at the time of inspection to provide access to all enclosures where wild animals possessed under a the game breeder's license issued under this section are housed.

(2) Provide access to all records relative to the game breeder's license issued under this section

(r) (s) While conducting an inspection, the conservation officer must shall comply with the following:

(1) Upon request of the person holding the game breeder's license holder or the license holder's designee of the person holding a game breeder's license, and prior to entering the enclosure where wild animals are housed, follow appropriate sanitation practices to prevent the spread of disease if the person holding the game breeder's license holder provides sanitation supplies or protective equipment.

(2) Give due consideration to the safety and welfare of the wild animals.

(3) Notify the person holding the game breeder's license holder if the inspection reveals a violation of under this section or [IC 14-22-20](#). The conservation officer may make a second inspection after no sooner not earlier than fifteen (15) days after the reported violations unless critical conditions exist as determined at the reasonable discretion of the conservation officer. The wild animals may be confiscated if the person holding a game breeder's license holder fails to correct the violations of the game breeder's license requirements.

(s) (t) A game breeder's license may be suspended, denied, or revoked under [IC 4-21.5](#) if the person holding a game breeder's license holder fails to comply with any of the following:

(1) A provision of a game breeder's license issued under this section.

(2) [IC 14-22-20](#).

(3) All Applicable state, local, or other federal laws.

(u) A person shall pay the fee for a game breeder's license under [312 IAC 1.5-4-11](#).

(Natural Resources Commission; [312 IAC 9-10-4](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2728; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jan 26, 2004, 10:45 a.m.: 27 IR 1789; filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Apr 8, 2010, 1:49 p.m.: [20100505-IR-312090486FRA](#); filed Dec 10, 2010, 10:36 a.m.: [20110105-IR-312100104FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR312190325RFA)

SECTION 6. [312 IAC 9-10-12](#) IS AMENDED TO READ AS FOLLOWS:

**312 IAC 9-10-12 Fur buyer's license**

Authority: [IC 14-11-2-1](#); [IC 14-22-2-6](#); [IC 14-22-19](#)

Affected: [IC 14-22-19-3](#)

Sec. 12. (a) This section applies to a person ~~who~~ **that** is issued a fur buyer's license under [IC 14-22-19-3](#).

(b) A **person shall obtain a** fur buyer's license ~~must be obtained~~ under this section before a person engages in the business of buying furbearing mammals, river otters, badgers, and bobcats or the untanned hides, skins, or furs of furbearing mammals, river otters, badgers, and bobcats in Indiana. **the state**.

(c) A person shall make application for a **fur buyer's** license under this section ~~on~~ **in** a departmental form **and** manner prescribed by the department that includes the following information:

- (1) The name of the applicant.
- (2) The address of the applicant.
- (3) The county of residence for the applicant.
- (4) The location where wild animal carcasses or hides are purchased.
- (5) The phone number of the applicant.
- (6) The names of any agents of the applicant, if applicable.

(d) Except as otherwise provided in this subsection, a licensed **person holding a** fur buyer **buyer's license** may possess the carcasses **carcass** and untanned hides **hide** of:

- (1) a furbearing mammals **mammal, as defined by** [IC 14-8-2-108](#);
- (2) a river otters; **otter**;
- (3) badgers; **a badger**; and
- (4) bobcats; **a bobcat**;

that are lawfully taken until June 30 of the year the **fur buyer's** license expires.

(e) A licensed **person holding a** fur buyer **buyer's license** must do the following:

- (1) Not Possess the carcass or untanned hide or any part of a bobcat or badger unless **if** the carcass, untanned hide, or part was lawfully acquired outside Indiana. **the state**.
- (2) Document the date and method of lawful acquisition of each untanned hide or carcass of a bobcat and badger by obtaining from the seller a legible copy of: any:
  - (A) a tag;
  - (B) a receipt;
  - (C) a hunting license;
  - (D) a trapping license;
  - (E) a permit **to take or possess a badger**; or
  - (F) **any** other appropriate record;

from the state or country where the **wild** animal, including any part or portion of the **wild** animal, **was is** acquired.

- (3) Record the date and method of lawful acquisition of each untanned hide or carcass of a wild animal other than a bobcat and badger.

(f) A licensed **person holding a** fur buyer **buyer's license** may possess a carcass or untanned hide after June 30 of the year the **fur buyer's** license expires ~~upon~~ **when** the **submission** of **person submits** a signed

report to the department by **not later than** June 30 **of the year the fur buyer's license expires** identifying the species, number, and location of furs or carcasses kept.

(g) A licensed **person holding a fur buyer buyer's license** must issue a valid, dated receipt for **any a wild** animal that is sold, traded, bartered, or gifted. The receipt must include the following information:

- (1) The fur buyer's license number.
- (2) The buyer's and the seller's names and addresses.
- (3) The:
  - (A) number; and
  - (B) species;

of **wild** animals sold.

(h) A conservation officer may, at **any a reasonable time**, inspect the records, hides, and carcasses of wild animals possessed by a licensed **person holding a fur buyer buyer's license**.

*(Natural Resources Commission; [312 IAC 9-10-12](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2732; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Feb 26, 2015, 2:01 p.m.: [20150325-IR-312140341FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))*

Posted: 10/09/2024 by Legislative Services Agency