

312 IAC Natural Resources Commission

Regulatory Analysis LSA Document #XX-XXX

I. Description of Rule

a. History, Background, and Scope of the Rule

312 IAC 9-2-3: The proposed permanent rule changes are needed to allow for the sale of bobcats, including any part of a bobcat, lawfully taken in the state. The General Assembly passed SEA 241-2024, which established a proposed season to take bobcats in the state. Due to this legislative change, trappers need the ability to sell bobcat hides and parts. The proposed permanent rule changes will allow trappers to sell the hides and parts of bobcats.

312 IAC 9-3-9: The proposed permanent rule changes allow an individual to keep a bobcat that is found dead if the individual holds a permit to possess a wild animal found dead from the department of natural resources (department). These changes are consistent with the rules permitting other wild animals that may be kept if an individual finds the wild animal dead. There is not a fee for this permit.

312 IAC 9-3-18.1: The General Assembly passed SEA 241-2024 which requires the department to adopt rules to establish a license to take a bobcat not later than July 1, 2025. Currently, an individual may only take a bobcat with a nuisance wild animal control permit or scientific purposes license under 312 IAC 9-3-18.1.

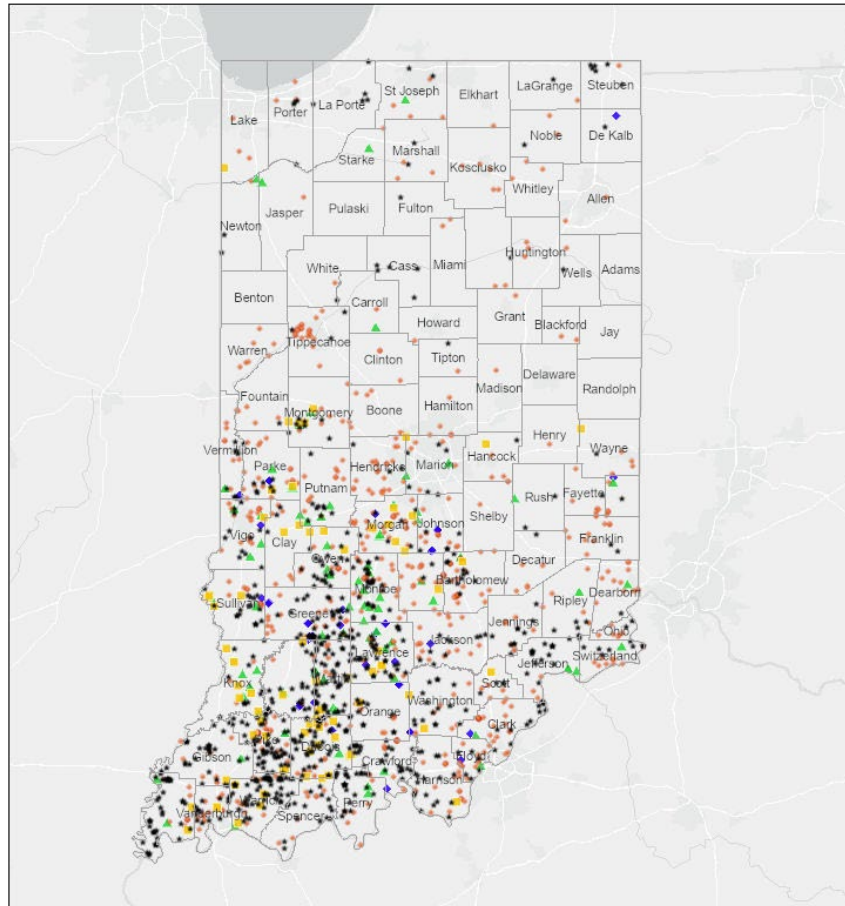
The bobcat population has expanded during the last two decades, incidental takings have increased with more than one hundred thirty (130) mortalities reported annually since 2010, and the population continues to expand. The department believes the population in the southern part of the state is sufficient to withstand a regulated harvest. There is an increase in the number of bobcats accidentally taken in vehicle collisions and traps set for other species, including coyote and raccoons. Additionally, the number of landowners requesting a permit to take bobcats that are killing livestock increased from fourteen (14) in 2018 to twenty-eight (28) in 2023. There is an increase in costs for businesses and landowners who have experienced loss from bobcats. At this time, an individual may not keep or sell a bobcat that is accidentally captured in a trap set for another species. Allowing individuals to take bobcats by trapping the bobcat will allow trappers to sell the hide and other parts of the bobcat. Because hide prices average one hundred dollars (\$100) per animal, the proposed permanent rule changes give licensed trappers and fur buyers the ability to sell the hides.

Illinois, Kentucky, Michigan, Kentucky, and Wisconsin currently have seasons to take bobcats. Additionally, the counties listed in the proposed permanent rule changes to be open for taking bobcats by trapping are the counties where the habitat analysis done by Purdue University shows good coverage of quality habitats that can support a healthy, self-sustaining bobcat population and regular documentation of bobcats in department records. The department is proposing to have an open season only in those counties where there is a healthy, reproductive population with habitats shown to be able to support the growing bobcat population. There are counties that have suitable habitats, but fewer documented bobcats. The department considers the counties where there are fewer documented bobcats to be emerging bobcat populations; therefore, the department is not proposing to open additional counties to trapping currently.

Figure 1 below shows all documented bobcats since 1970, and Figure 2 below shows public reports of bobcats that are confirmed from the Large Mammal Report (2015–2020) and confirmed or credible on the Report-A-Mammal website through March of 2024.

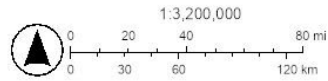
Figure 1

Bobcat Records 2024



4/18/2024

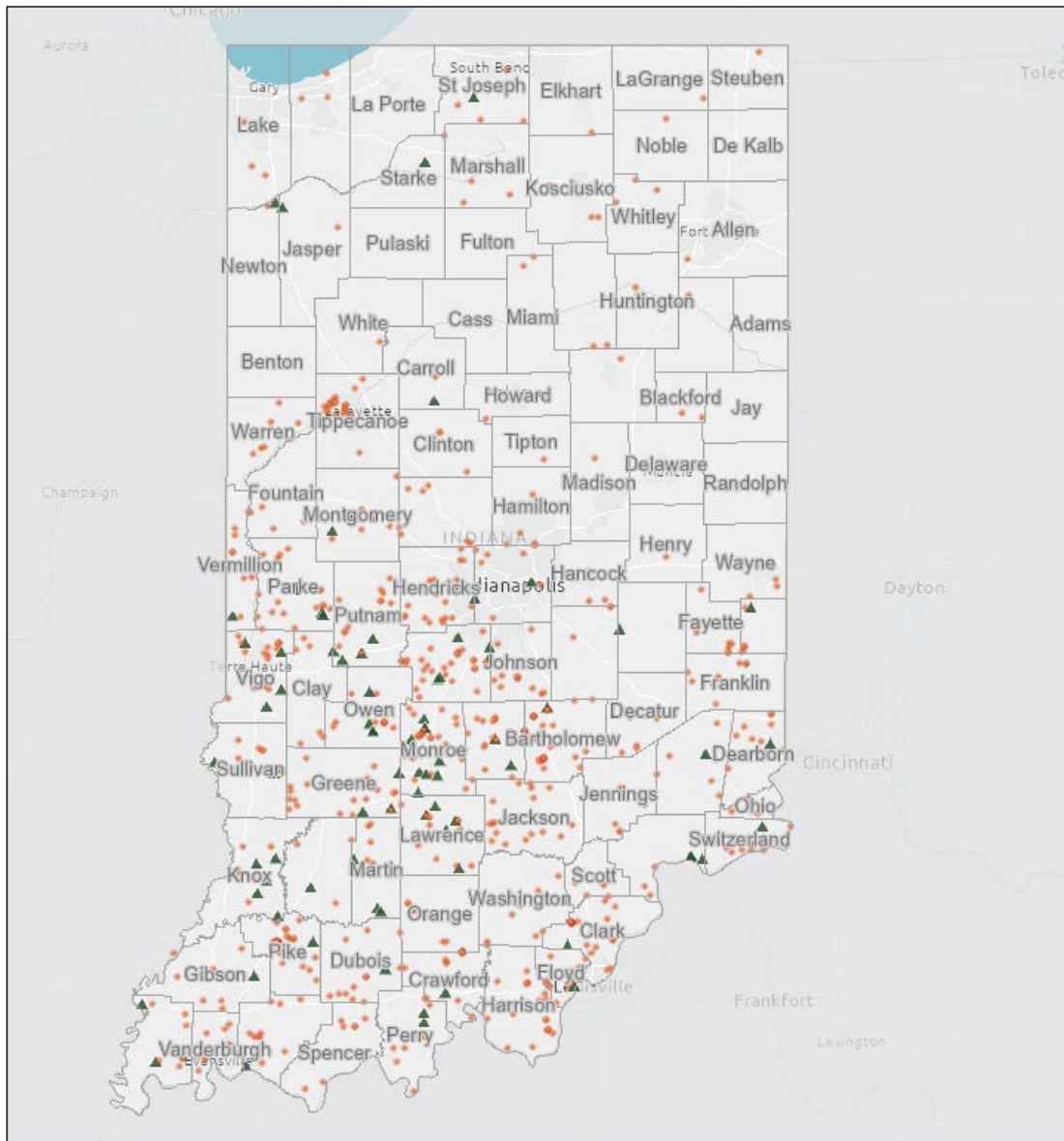
- Counties
- ★ Bobcat Records 1970-2017
- Bobcat Records_post2017
- Report-A-Mammal (credible/confirmed) 2020-2024
- ▲ Confirmed Large Mammal Report bobcats 2015-2020
- ◆ Snapshot Indiana detections 2015-2020







City of Indianapolis Marion Co. Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS

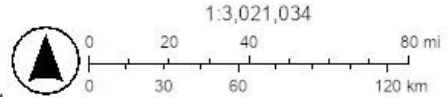
Figure 2

Bobcat Records 2024



4/8/2024

-  Counties
-  Report-A-Mammal (credible/confirmed) through March 2024
-  Confirmed Large Mammal Report bobcats 2015-2020
-  MASK

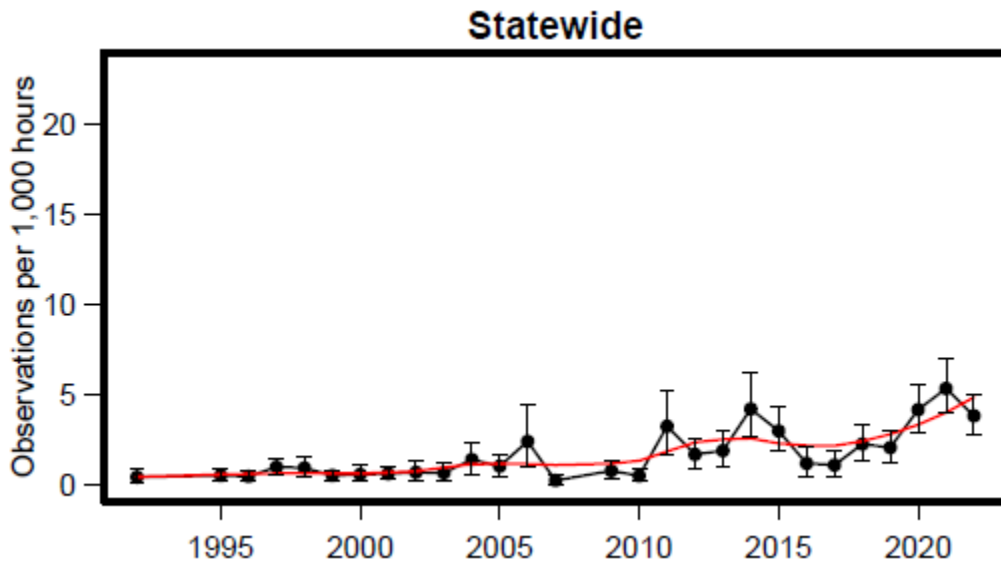


City of Indianapolis Marlon Co. Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS

The public assists the department to understand when bobcats may be expanding into new counties by reporting bobcat sightings. Beginning in 2015, the online Large Mammal Report collected reports of bobcat sightings. In 2021, the revamped Report-A-Mammal online report form has collected reports of bobcat sightings. The reports are reviewed by department staff and marked as “confirmed” or “unconfirmed” for the Large Mammal Report, and “Unconfirmed”, “Credible”, or “Confirmed” for the Report-A-Mammal online report. Reports are confirmed by photographic or video evidence. Credible reports typically have details in the descriptions to support reliable identification.

The Archer’s Index is a population trend survey the department uses to monitor population trends. Volunteer bowhunters sign up in advance and report the hours, the county, and each species observed while hunting during the October and early November archery season. The survey began in 1992. Typically, at least two thousand (2,000) and not more than three thousand (3,000) days, and at least ten thousand (10,000) and not more than fifteen thousand (15,000) hours hunted are reported by volunteers. Average bobcat observations on the Archer’s Index increased from an average of less than one (1) bobcat seen for each one thousand (1,000) hours hunted in the 1990s, to four (4) bobcats seen for each one thousand (1,000) hours hunted beginning in 2020. The observations on the Archer’s Index can be found in Figure 3 below.

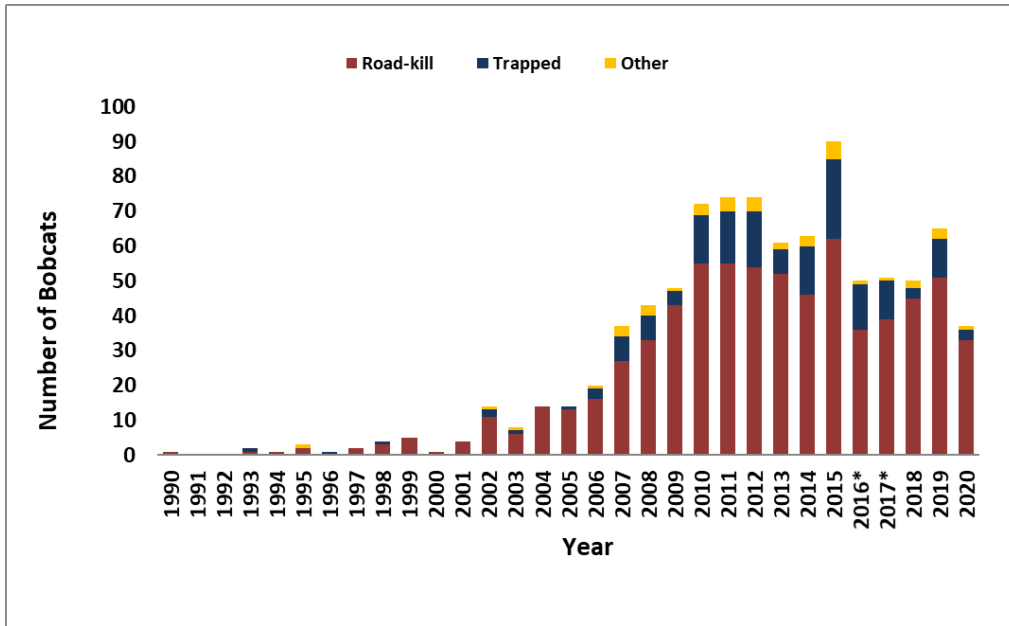
Figure 3



Bobcats were collared and tracked by capturing them in traps in the state during the late 1990’s and early 2000’s. Collaring occurred in the southern part of the state, primarily in Daviess, Greene, Lawrence, and Martin Counties. Multiple aspects of bobcat life history were collected, including information about survival and mortality. The information was summarized in an American Midland Naturalist publication in 2020.

Motor vehicle accidents are the leading cause of death for bobcats collared for research. Fifty-three percent (53%) of bobcats collared for research were taken because the bobcat was struck by a motor vehicle. The annual bobcat mortality survey conducted until 2020, which found motor vehicle accidents were the leading cause of bobcat mortality in the state, reflects similar percentage. See Figure 4.

Figure 4

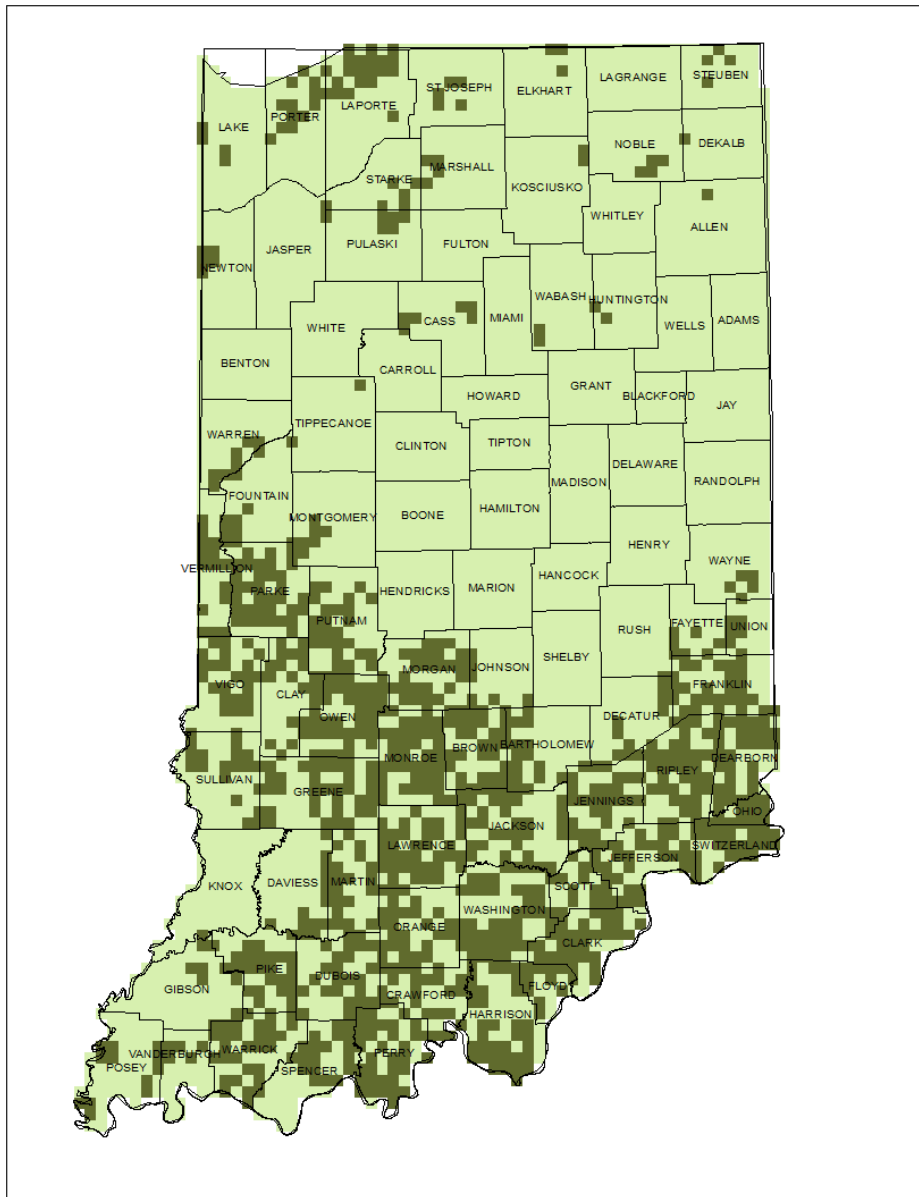


Seventy-five percent (75%) of adult bobcats survive from one (1) year to the next, and ninety-five percent (95%) of bobcats less than two (2) years of age survived from one (1) year to the next. The numbers in Figure 4 do not reflect the survival rates of a bobcat less than one (1) year of age, or a bobcat that is at least one (1) year of age and not more than two (2) years of age.

Purdue University also determined bobcat habitat selection and home range size from collaring bobcats. Bobcats in the state preferred forest edges and somewhat avoided agriculture when selecting habitats. Adult, female bobcats need approximately nine (9) square miles to successfully raise their young. Male bobcats are not monogamous and do not pair with one (1) female bobcat mate, so male bobcat home ranges typically overlap multiple female bobcat habitats and were an estimated ninety-one (91) square miles. The home range numbers are representative of the time beginning in the early 2000s and ending in the mid 2000s when populations in the southern part of the state were still emerging and growing in many areas. The numbers are likely to shift as bobcat populations and densities change.

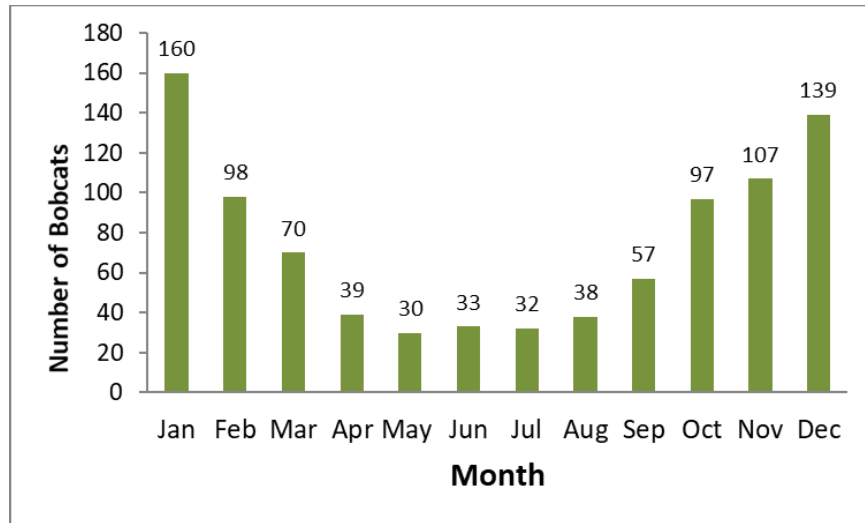
From this habitat and home range research, Purdue University made a map of the available bobcat habitats, see Figure 5. Figure 5 shows the calculation of the areas that are suitable for an adult, female bobcat to find nine (9) square miles to successfully raise their young. Figure 5 shows a conservative estimate of bobcat habitats. Figure 5 assumes that anywhere that does not provide nine (9) square miles of habitat is not a bobcat habitat. This estimate is calculated based on adult female bobcat needs. However, young bobcats will disperse through other habitats, live in the habitats while waiting for territories to be available, and adult female bobcats will also live in habitats that are less than ideal to raise their young when required to do so. This system is a binary yes or no regarding whether a block is suitable for a bobcat and does not account for the possibility of larger or smaller home ranges, male home range needs, or dispersing bobcats. The dark green squares represent quality habitats of blocks of nine (9) square miles with habitats suitable for adult female bobcats to raise their young.

Figure 5



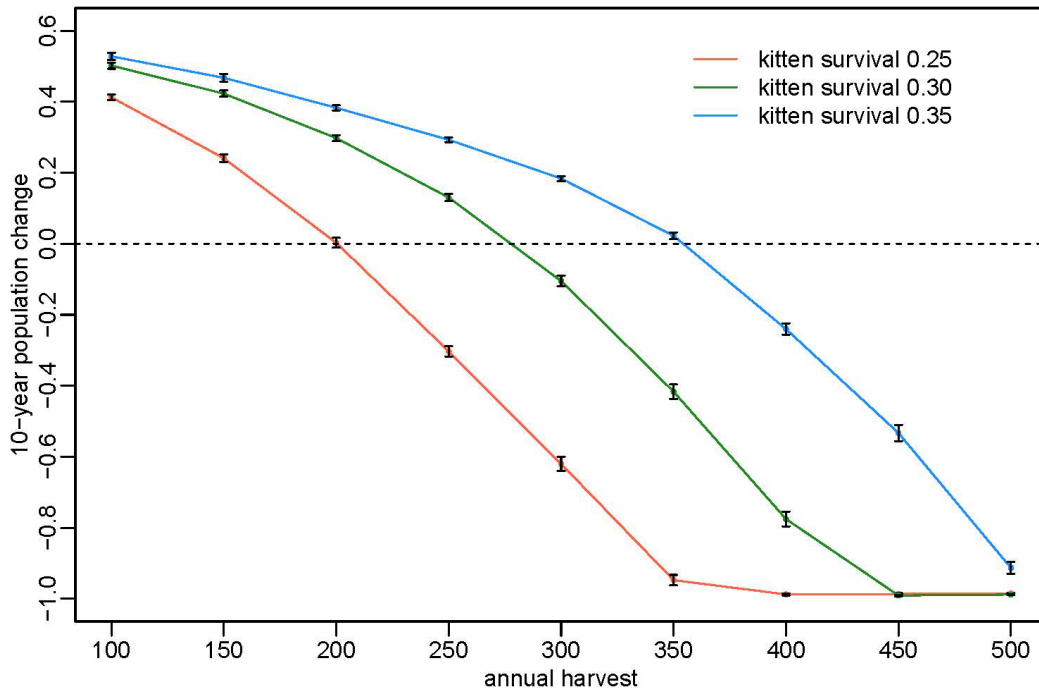
Purdue University researchers developed a population model in the program Net Logo for department staff to utilize should management of a harvest season be required. The population model incorporates the basic aspects of bobcat life history and simulates bobcat population dynamics in the state. The population model is conservative and assumes adult female bobcats do not raise young in habitats less than nine (9) square miles. The population model also assumes existing mortality sources remain at the same level and harvest mortality is added to those mortalities. Figure 6 shows the months when bobcat mortalities were reported on the Annual Bobcat Mortality Survey concluded in 2021. The highest number of mortalities were reported in November, December, and January.

Figure 6



Additionally, Figure 7 illustrates bobcat harvest simulations from the population model at three (3) different levels of survival for bobcats less than one (1) year of age. Any points above the dotted line show a stable to increasing bobcat population. If the points fall below the line, there may be a downward trend in the bobcat population over time.

Figure 7



Purdue University is continuing to collaborate with the department regarding habitat models and will continue to improve and build upon the models with additional data as the data becomes available.

312 IAC 9-3-18.4: The proposed permanent rule changes remove the specified documentation requirements for bobcats since bobcats may be trapped during the season to take a bobcat under 312 IAC 9-3-18.1.

312 IAC 9-10-4: The proposed permanent rule changes add bobcats to the list of species for which a game breeder's license is required. Under IC 14-22-20-1, a game breeder's license is required to propagate in captivity; and possess, buy, or sell wild animals. IC 14-22-20-2 also allows an individual to possess wild animals that are legally taken in an open season to apply for a game breeder's license not later than five (5) days after the last day of the open season for the wild animal. A bobcat may be permitted to be kept alive, and the game breeder's license is required to keep the bobcat in captivity outside the bobcat season. There is only one (1) known bobcat breeder in the state. Currently, a wild animal possession permit is required under 312 IAC 9-11 to possess a bobcat as a pet. It is imperative that bobcats sold in the state are acquired legally and housed in a safe and humane manner. Requiring a license to sell bobcats, which requires documentation of legal acquisition for each wild animal and an annual inspection by a conservation officer, helps ensure the conservation of the bobcat population.

312 IAC 9-10-12: The proposed permanent rule changes remove the references to bobcats to eliminate the need for additional documentation to purchase bobcat hides since bobcats may be legally taken and sold under the proposed permanent rule changes under 312 IAC 9-3-18.1.

b. Statement of Need – The proposed permanent rule changes are the result of a state statutory change under SEA 241-2024 that requires the department to establish a season for taking a bobcat

not later than July 1, 2025. The individual bag limit and statewide quota are needed to ensure that the bobcat population remains stable or continues to increase. The changes to 312 IAC 9-2-3, 312 IAC 9-3-9, 312 IAC 9-3-18.4, and 312 IAC 9-10-12 are needed to allow for the legal sale of bobcat hides and parts that are lawfully taken and remove additional requirements for documentation for bobcats in possession or sold to a licensed fur buyer. The proposed permanent rule changes to 312 IAC 9-10-4 are needed to allow bobcats that are acquired legally for sale and to ensure bobcats are acquired legally.

c. Statutory Authority for the Proposed Rule – The department is required to establish a season and license to take a bobcat under IC 14-22-6-17 and has the statutory authority to establish the methods for taking a wild animal under IC 14-22-2-6. The department is also required to develop rules that are based upon the following under IC 14-22-2-6: “(A) The welfare of the wild animal. (B) The relationship of the wild animal to other animals. (C) The welfare of the people.”. “Wild animal” is defined under IC 14-8-2-318 and includes mammals. The Natural Resources Commission (commission) has the statutory authority to adopt rules under IC 14-10-2-4.

d. Fees, Fines, and Civil Penalties – The proposed permanent rule changes do not add or increase a fee, fine, or civil penalty. The proposed rule changes add a cross-reference to the location in the Indiana Administrative Code for the fee for a game breeder’s license. However, the fee is already established, and the cross-reference is added so the customer knows the location of the fee amount. This is a fee that is already established and is not a new fee.

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The anticipated effective date of the proposed permanent rule changes is July 1, 2025. Preliminary adoption with the commission is expected in October 2024. The public hearings are not anticipated to take place until January and February 2025, then final adoption by the commission would not likely take place until May 2025. Final adoption, after review by the Attorney General’s Office and Governor’s Office, and publishing with the Indiana Register, is likely to be in July 2025.

b. Estimated Fiscal Impact on State and Local Government –The department anticipates there will be no fiscal impact on local government. The department expects approximately two thousand (2,000) trappers to purchase a license to take a bobcat. The anticipated revenue for the license to take a bobcat is approximately thirty thousand dollars (\$30,000) in the first year. The approximate numbers are based on the number of trappers in the state, approximately four thousand (4,000), the open counties, and the number of persons who applied to participate in a similar opening of a bobcat season in Illinois, approximately six thousand five hundred (6,500) persons, of which thirty-five percent (35%) were licensed trappers. No additional fur buyer licenses or game breeder licenses are expected to be sold as the result of the proposed permanent rule changes because there is only one (1) known breeder for bobcats that is issued a game breeder license for other species of wild animals. There are likely not any additional fur buyer licenses to justify the purchase of bobcat hides in the state. There will be some additional administrative costs for department staff, and there will be no costs to local governments.

There are expected to be minimal expenditures out of the Fish and Wildlife Fund (39745) to do administrative work, including updating the website and sending out news releases. Website updates, news releases, and updates to the Hunting and Trapping Regulations Guidebook are part of routine business for the department. Administrative duties are paid for out of the Fish and Wildlife Fund (39745) and are considered part of normal operating costs.

There is not expected to be any significant change in revenue from the proposed permanent rule changes.

c. Sources of Expenditures or Revenues Affected by the Rule –There will be no need for an appropriation because of the proposed permanent rule changes, and no changes in the distribution of revenue because of these proposed permanent rule changes. Administrative work to provide public information about the proposed permanent rule changes will be made through the Division of Fish and Wildlife website, news releases, emails, and the annual Hunting and Trapping Regulations Guidebook, all of which are paid for out of the Fish and Wildlife Fund (39745) and are part of normal operating costs.

III. Impacted Parties

The proposed permanent rule changes will affect approximately two thousand (2,000) licensed trappers. Landowners and other residents that have experienced damage from bobcats to their livestock will likely be helped indirectly by allowing bobcats to be taken in counties with open trapping during the season to take a bobcat.

IV. Changes in Proposed Rule

The primary benefits are to individual trappers who will be able to trap bobcats and sell their hides, and other parts of the bobcat. A bobcat sells for approximately one hundred dollars (\$100) and can be higher depending upon the world market for hides. Licensed fur buyers will be directly affected because they buy and sell bobcat hides and, depending on their location, may have more hides to sell. Licensed taxidermists may also see an increase in business. Bobcats legally harvested in other states are already allowed to be taxidermied, and taxidermists will likely see an increase initially when hunters or trappers harvest their first bobcat in the state. Indirect benefits are to those who have livestock taken by bobcats. Trapping equipment vendors may see a slight increase in sales from trappers in the newly opened counties obtaining some additional equipment and lures or baits to trap bobcats.

| 312 IAC 9-2-3 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------|
| Allows any portion of a bobcat to be sold | Trappers may sell hides and other parts of bobcats that are trapped lawfully | Landowners who have experienced losses of domestic animals from bobcats | None known | Businesses may sell lawfully acquired bobcat pelts and other parts |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | The language is clearer and more consistent | None known | None known |
| 312 IAC 9-3-9 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |
| Allows bobcats to be picked up if found dead and kept under a permit issued by department staff | Individuals who find a dead bobcat and want to keep it for display or make a tanned hide | None known | May cause more permits to be issued each year | May increase the number of bobcats taken to taxidermists |
| Subsection (a)(1) removes changes “white-tailed deer” to “deer” | Deer and white-tailed deer are used interchangeably under 312 IAC 9 Because white-tailed deer are the only species of wild deer found in Indiana, the rule language removes “white-tailed” as extra words | None known | None known | None known |
| Subsection (b)(4) clarifies that a conservation officer may designate a law enforcement officer with another law enforcement agency to issue a permit to possess certain species of wild animal | Clarifies the current practice of the department for who a conservation officer may appoint to issue a permit to possess certain wild animals | None known Current practice | None known | None known |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | None known Current practice | None known | None known |

| 312 IAC 9-3-18.1 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Allows taking a bobcat by trapping in forty (40) southern counties of the state | Trappers may take bobcats in forty (40) southern counties of the state | Fur buyers may have access to additional bobcat pelts Taxidermists may have more bobcats to work on Trapping equipment vendors may have additional sales to trappers in counties that are open to trapping | Thirty thousand dollars (\$30,000) | Fur buyers may have more bobcat pelts to buy and sell Taxidermists may have more bobcats to work on Trapping equipment vendors may have additional revenue due to new trappers in additional counties open |
| Subsection (o)(5) changes who may possess a live bobcat to a registered or licensed person under IC 14-22-26-1 which was changed in 2022 | Makes the rule language consistent with the Indiana code | None known Current practice | None known | None known |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | None known Current practice | None known | None known |
| 312 IAC 9-3-18.4 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |
| Removes requirements for additional documentation to possess or sell a bobcat or their parts | Individuals who take bobcats in other states as well taxidermists and others who sell them | None known | None known | Reduces the paperwork required to sell bobcat pelts or their parts |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | None known Current practice | None known | None known |
| 312 IAC 9-10-4 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |

| | | | | |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adds bobcats to the list of species for which a game breeder's license is required | Individuals who want to sell bobcats in the state | Helps prevent illegal take and sale from the wild | Insignificant; current breeder already has a license for other species | Additional paperwork required to breed and sell bobcats The license costs thirty dollars (\$30) per year to sell them and only one known breeder is in the state |
| Subsection (a) Adds application requirements for a game breeder's license | Clarifies the required items found on the application for a game breeder's license | None known Current practice | None known | None known |
| Subsection (u) adds a cross-reference to the game breeder's license fee under 312 IAC 1.5-4-11 | Provides those who read the rule with the exact location of the fee for a game breeder's license in the Indiana Administrative Code | None known Current practice | None known | None known |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | None known Current practice | None known | None known |
| 312 IAC 9-10-12 | Direct Effects | Indirect Effect | Fiscal Impact to DNR | Business Impacts |
| Removes additional documentation required for bobcats | Fur buyers will not need to have additional documentation to purchase bobcat pelts | None known | None known | Less paperwork will be required, which may save money and time |
| Subsection (c) Adds application requirements for a fur buyer's license | Clarifies the required items found on the application for a fur buyer's license | None known Current practice | None known | None known |
| Makes technical and conforming changes under the Administrative Rules Drafting Manual | Puts the current rules into compliance with the Administrative Rules Drafting Manual | None known Current practice | None known | None known |

V. Benefit Analysis

a. Estimate of Primary and Direct Benefits of the Rule – The direct benefits of the proposed permanent rule changes are that trappers may trap bobcats in forty (40) counties in the state and may sell hides and other parts of the bobcats.

b. Estimate of Secondary or Indirect Benefits of the Rule – Indirect benefits of the proposed permanent rule changes are described above and include landowners who live in the counties that are open for taking bobcats and have livestock and other domestic animals. Taxidermists may be indirectly affected by having additional bobcat hides to work on. Fur buyers and trapping equipment vendors will also be indirectly affected by having more bobcat pelts to purchase or additional equipment sales in these counties.

c. Estimate of Any Cost Savings to Regulated Industries – There will be no cost savings for trappers due to the proposed permanent rule changes. There will be a cost savings for fur buyers who will not have to keep as much documentation for bobcat pelts purchased.

VI. Cost Analysis

a. Estimate of Compliance Costs for Regulated Entities – Trappers will need a license to take a bobcat under in IC 14-22-12-1 to trap a bobcat. An individual who holds a game breeder's license may have a few additional administrative costs to keep the required paperwork to breed and sell bobcats. Outside of these requirements, there are no new costs for regulated entities to comply with the proposed permanent rule changes.

b. Estimate of Administrative Expenses Imposed by the Rules – There is expected to be only minimal expenses for licensed game breeders to comply with the addition of the bobcat to the game breeder's license. There is also expected to be additional expenditures out of the Fish and Wildlife Fund (39745) for administrative work, including updating the website and sending out news releases. Website updates, news releases, and updates to the Hunting and Trapping Regulations Guidebook are part of routine business. Administrative duties are paid out of the Fish and Wildlife Fund (39745) and are part of normal operating costs.

c. The fees, fines, and civil penalties analysis required by IC 4-22-2-19.6 –The rules do not add or increase a fee, fine, or civil penalty.

VII. Sources of Information

a. Independent Verifications or Studies – The number of licensed trappers was obtained from the number of trappers that purchase trapping licenses from the department. The bobcat habitat model was developed by Purdue University. The number of expected trappers is based upon data from Illinois regarding how many people trapped bobcats the first year Illinois had a bobcat season.

Additional studies relied upon are as follows:

Jones LR, Johnson SA, Hudson CM, Zollner PA, Swihart RK (2022) Habitat selection in a recovering bobcat (*Lynx rufus*) population. PLoS ONE 17(8): e0269258. <https://doi.org/10.1371/journal.pone.0269258>

Jones, Landon R., Zollner, Patrick A., Swihart, Robert K., Godollei, Emily, Hudson, Cassie M. and Johnson, Scott A. Survival and Mortality Sources in a

Recovering Population of Bobcats *Lynx Rufus*) in South-central Indiana.
American Midland Naturalist. 184(2): 222-232

b. Sources Relied Upon in Determining and Calculating Costs and Benefits –

The benefits and costs of the proposed permanent rule changes were obtained from staff of the division of fish and wildlife of the department.

VIII. Regulatory Analysis

IC 14-22-6-17 requires the department to adopt rules to establish a season to take a bobcat not later than July 1, 2025. Trappers will be able to harvest bobcats in the state, allowing them to sell their hides and parts. Landowners and businesses who have experienced loss of domestic animals will benefit from an expected reduction in the bobcat population with the opening of the season to take bobcats by trapping. The department believes that with the expected benefits for trappers and fur buyers, and few administrative costs for the department, the proposed permanent rule changes are warranted.

[Text to be added by the Register]

First Notice of Public Comment Period [link to document with proposed rule]

LSA Document #XX-XXX

Notice of Determination Received: [date]

Proposed Permanent Rule
LSA Document #XX-XXX

DIGEST

Amends 312 IAC 9-2-3 to allow any part of a bobcat to be sold. Amends 312 IAC 9-3-9 which permits a person to possess a bobcat the person finds dead. Amends 312 IAC 9-3-18.1 to allow an individual to trap a bobcat during the bobcat season. Amends 312 IAC 9-3-18.4 to remove bobcats from the possession and sale requirements of the state. Amends 312 IAC 9-10-4 to add bobcats to the list of species for which a game breeder's license is required. Amends 312 IAC 9-10-12 to remove the specific requirements for bobcat hides and other parts purchased by licensed fur buyers. Makes technical and conforming changes under the Administrative Rules Drafting Manual. Effective 30 days after the permanent rule is accepted for filing by the publisher.

HISTORY

Notice of First Public Comment Period: *[date in regular type]*, Indiana Register (DIN: 20XX IR XXXX).
Notice of First Public Hearing: *[date published]*, Indiana Register (DIN: 20XX IR XXXX).
Date of First Public Hearing: *[date]*.

SUMMARY/RESPONSE TO COMMENTS

Natural resources commission (commission) requested public comment from *[date]*, through *[date]*, and during the public hearing on *[date of hearing or dates of hearings]*. **[Alt 1]:** *[Agency name]* received no comments in response to the Notice of First Public Comment Period. **[Alt 2]:** *[Agency name]* received comments from the following parties by the comment period deadline:*[summarizes the comments and response to comments]*.

PROPOSED PERMANENT RULE

SECTION 1. 312 IAC 9-2-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-2-3 ~~Application of this article~~ **Applicability** to wild animal parts
Authority: IC 14-22-2-6
Affected: 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 or**
- (3) offer for sale;
- (4) ~~(3)~~ **purchase or**
- (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.: 21IR 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 ~~killed by other means; disposition~~

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: 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, 12:00p.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 312 IAC 9-3-18; or
- (3) snare permitted under 312 IAC 9-3-18 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) (o) An individual must~~ **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.~~

~~(e) (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; 312IAC 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 ~~bobcats and~~ 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 include~~ **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 ~~bobcat 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 ~~bobcat 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-IR312140017RFA; filed Feb 26, 2015, 2:01 p.m.: 20150325-IR-312140341FRA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR312170436FRA; 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 14-22

Sec. 4. (a) A person shall apply for a game breeder's license 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** may lawfully acquire and possess the following:

- (1) A furbearing or an eastern cottontail rabbit that is:
 - (A) lawfully taken ~~in~~ during a season **to take the wild animal**; or
 - (B) born in captivity.
- (2) A squirrel or a gray squirrel that is born in captivity.
- (3) A ring-necked pheasant or a bobwhite quail hatched in captivity.

(d) A **person holding a game breeder's license holder** under subsection (a) may possess the following:
(1) A furbearing mammal (**as defined by IC 14-8-2-108**), squirrel, or eastern cottontail rabbit for breeding purposes under IC 14-22-20.

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

(A) breeding;

(B) food; or

(C) release.

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

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

(2) not later than five (5) days after importing ~~an~~ a **wild** animal ~~in~~ to the state; or

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

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

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

(1) inspection by a conservation officer; or

(2) approval by the division.

A **person holding** game breeder's license ~~holder~~ shall notify a conservation officer not later than five (5) days **after** acquiring a new species.

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

(1) a live animal; ~~under this license; or~~

(2) the eggs of a bird; ~~covered by a game breeder's license;~~

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~~ 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 ~~a wild~~ the **live animal or egg**.

~~(h)~~ (i) A **person holding a game breeder's license holder** 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: holder:**

(1) A receipt.

(2) An invoice.

(3) Other satisfactory evidence of lawful acquisition.

~~(i)~~ (j) The following requirements apply ~~for to possession of a ring-necked pheasant, a bobwhite quail, a furbearing mammal, an eastern cottontail rabbit, a fox squirrel, and a gray squirrel~~ **wild animal under subsection (b):**

(1) **Confine** a wild animal ~~must be confined~~ 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 ~~must be~~ large enough to:

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

(B) make normal postural adjustments.

(3) **Provide** a chain link or welded wire edge must be:

(A) smoothly secured to prevent injury to the ~~animals;~~ **wild animal;** and

(B) kept properly maintained.

(4) **Provide** a night quarter, a holding pen, ~~and~~ or a nesting 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) An animal must be handled, housed, and transported~~ **Handle, house, and 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) Make a cage or other enclosure must be made~~ **Make** a cage or other 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 law and approved by a state or federal agency for the purpose of preventing or treating the following:

(1) Malnutrition.

(2) Illness.

(3) Disease.

(4) Injury.

(5) Stress.

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

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

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

~~(n) A~~ **(o) A person holding a game breeder's license holder** 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 in a signed form from and manner prescribed by the department. in ink or a computerized record with a signature that is either electronic or in ink.~~

(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 ~~an~~ **a wild animal** or product that is sold, traded, bartered, or gifted and include the following information:

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

~~(p)~~ (p) A game breeder's license expires on December 31 of the year the license is issued. 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 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.

~~(q)~~ (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).

~~(r)~~ (r) During an inspection, ~~the~~ **a person holding a** game breeder's license ~~holder~~ or the designee of the **person holding the** game breeder's license **shall** comply with 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 are housed.
- (2) Provide access to all records relative to the game breeder's license.

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

- (1) Upon request of the **person holding the** game breeder's license ~~holder~~ or the designee of the **person holding a** game breeder's license, ~~holder~~ 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.

~~(t)~~ (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) An 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 buyers' licenses **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'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'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'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'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*)

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Notice of First Public Comment Period: [DIN]

Public Hearing Held: [date]

Notice of Second Public Comment Period: [DIN] [if applicable]

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