

BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA

IN THE MATTER OF:

ADMINISTRATIVE RULES GOVERNING) Administrative Cause
DEER HUNTING) Number: 23-FW-031
)
) LSA Document #24-49(F)

REPORT ON RULE PROCESSING, PUBLIC HEARING, AND HEARING
OFFICER ANALYSES WITH RECOMMENDATIONS REGARDING FINAL ACTION

1. RULE PROCESSING

For consideration as to final action is the proposed rule adding 312 IAC 9-1-17 to define the term “youth,” and to amend 312 IAC 9-2-15 regarding hunter orange on ground blinds, 312 IAC 9-3-2 governing deer hunting licenses, 312 IAC 9-3-3 governing equipment used for deer hunting, 312 IAC 9-3-4 governing deer hunting season dates and bag limits, and 312 IAC 9-4-11 governing wild turkey hunts. The proposed final rule is attached hereto as Exhibit A.

A. OFFICE OF MANAGEMENT AND BUDGET AND STATE BUDGET AGENCY APPROVAL:

David Bausman, General Counsel for the Department of Natural Resources (Department) submitted the proposed rule language and regulatory analysis to the Indiana Office of Management and Budget (OMB) and Indiana State Budget Agency (SBA) for review and approval on October 27, 2023. By letter dated December 20, 2023, Cristopher Johnston, OMB Director, and Zachary Q. Jackson, SBA Director, authorized the Department to proceed with the proposed rule as follows:

Pursuant to the provision of IC 4-22-2-22.8, the Office of Management and Budget and State Budget Agency have reviewed the proposed rule that amends 312 IAC 9-1, 312 IAC 9-2, 312 IAC 9-3, and 312 IAC 9-4 (OMB # 2023-25R), which you submitted on October 27, 2023. After reviewing the proposed rule, the recommendation of OMB and SBA is that the rule changes be approved. DNR is authorized to commence the public comment period(s).

Furthermore, if you revise the proposed rule after this approval, you must resubmit the rule and obtain a new approval pursuant to IC 4-22-2-22.8(e).

Indiana Department of Natural Resources may proceed with the rule proposed in its submission.

The Natural Resources Commission granted preliminary adoption of the rule on January 23, 2024.

As explained more fully below, the rule was revised to make technical and conforming changes suggested by the Legislative Services Agency (LSA). David Bausman submitted the revised rule to OMB and SBA for approval on June 20, 2024. By letter dated June 27, 2024 Christopher Johnston, OMB Director, and Zachary Q. Jackson, SBA Director, authorized the Department to proceed with the proposed rule as follows:

Pursuant to the provision of IC 4-22-2-22.8, the Office of Management and Budget and State Budget Agency have previously reviewed the proposed rule that amends 312 IAC 9-1, 312 IAC 9-2, 312 IAC 9-3, and 312 IAC 9-4 (OMB # 2023-25R), which was initially submitted on October 27, 2023. After receiving approval, Indiana Department of Natural Resources made changes to the proposed rule language and resubmitted an updated draft for review on June 20, 2024. It is the recommendation of OMB and SBA that the rule changes be approved.

IDNR may proceed with the updated rule draft proposed in its June 20, 2024 submission.

B. AUTHORIZATIONS TO PROCEED AND PUBLICATION:

The Commission received Authorization to Proceed for the first public comment period from the Legislative Services Agency (LSA) on January 30, 2024. The **Notice of First Comment Period** to adopt a rule was published in the Indiana Register at DIN: 20240214-IR-312240049FNA on February 14, 2024. The **Notice of Public Hearing** was published at DIN: 20240214-IR-312240049PHA on February 14, 2024. Substantive comments were received during the first comment period, requiring a second public comment period be initiated.

The Commission received Authorization to Proceed for the second public comment period from the LSA on April 4, 2024. The **Notice of Second Public Comment Period** was published at DIN: 20240417-IR-312240049SNA on April 17, 2024. The **Notice of Second Public Hearing** was published at DIN 20240417-IR-312240049PHA on April 17, 2024.

After the first public comment period was closed and before the second public comment period was opened, the rule was revised by the Department to incorporate technical and conforming changes suggested by LSA. The revised rule was submitted to the OMB and SBA for additional approval after the

second public comment period closed. An additional public comment period was initiated and an additional public hearing was held after receiving approval of the revised rule from OMB and SBA.

The Commission received Authorization to Proceed on the additional public comment period on July 12, 2024. The **Notice of Additional Public Comment Period** was published at DIN: 20240724-IR-312240049APA on July 24, 2024. The **Notice of Additional Public Hearing** was published at DIN: 20240724-IR-312240049PHA on July 24, 2024.

The Commission posted all notices of the comment periods and notices of public hearings, with the Regulatory Analysis and other information required under IC 4-22-2-22.5, on the Commission's rulemaking docket maintained on its website at <https://www.in.gov/nrc/rules/rulemaking-docket/>. The rulemaking docket was updated periodically as the rule adoption process progressed. Each Notice of Public Hearing identified Linnea Petercheff as the "Small Business Regulatory Coordinator" for purposes of IC 4-22-2-28.1.

2. PUBLIC HEARINGS AND COMMENT

Public hearings were held on March 20, 2024 at the Fort Harrison State Park Inn, Roosevelt Ballroom, 5830 North Post Road, Indianapolis Indiana, and on May 20, 2024 and August 26, 2024 at the Atterbury Fish and Wildlife Area, 79470 Rowe Street, Edinburgh, Indiana. Each meeting was live streamed via Microsoft Teams, providing members of the public the opportunity to appear in person or through the Teams application and to provide comments. The public was able to make comments through the Commission's rulemaking docket, by email and by United States mail during the public comment periods of February 14, 2024 through March 20, 2024; April 17, 2024 through May 20, 2024; and July 24, 2024 through August 26, 2024. Several comments were received through the Commission's rulemaking docket while only a few were received at the public hearings.

Several comments were received in support of the rule and in opposition to the rule. Other comments were not applicable to the proposed changes. A summary of the comments and the Department's responses to the comments was prepared by Linnea Petercheff and is attached to this report as Exhibit B.

3. HEARING OFFICER ANALYSES WITH RECOMMENDATIONS REGARDING FINAL ADOPTION

Indiana Code 4-22-2-19.5 provides the following standards for rules:

(a) To the extent possible, a rule adopted under this article or [IC 13-14-9](#) shall comply with the following:

(1) Minimize the expenses to:

(A) regulated entities that are required to comply with the rule;

(B) persons who pay taxes or pay fees for government services affected by the rule;
and

(C) consumers of products and services of regulated entities affected by the rule.

(2) Achieve the regulatory goal in the least restrictive manner.

(3) Avoid duplicating standards found in state or federal laws.

(4) Be written for ease of comprehension.

(5) Have practicable enforcement.

(b) Subsection (a) does not apply to a rule that must be adopted in a certain form to comply with federal law.

The proposed final rule meets these standards. No additional costs are incurred by the Department or regulated entities by this proposed rule. Further, the rules achieve the regulatory goals of managing a natural resource and simplifying deer hunting requirements in the least restrictive manner possible. For example, the proposed final rule simplifies antlerless bag limits by imposing a bag limit of six deer and converting county quotas to county antlerless bag limits. Crossbow and bow and arrow hunting are combined under a single permit, rather than two separate permits. Also, changes were made to the deer bundle license to allow hunters to harvest one buck and two does. The rule also allows a hunter to take a replacement doe when a harvested buck or doe is unfit for human consumption. If a buck is unfit for human consumption, the hunter may keep the antlers but may take another doe to replace the meat from the buck.

The rule also meets the challenge created by the passage of HEA 1623-2023 which prohibits the use of temporary rules to establish deer reduction zones and the antlerless quota each year. Surveys of the major changes contained in the rule indicated that sportsmen favored the changes.

Upon consideration of the rule, the public comments to the rule, and the Department's responses to those comments, the Hearing Officer recommends final adoption of the proposed final rule.



DATED: September 4, 2024

Elizabeth Gamboa, Director
Natural Resources Commission Division of
Hearings, Hearing Officer

EXHIBIT A

PROPOSED RULE

SECTION 1. 312 IAC 9-1-17 IS ADDED TO READ AS FOLLOWS:

312 IAC 9-1-17 "Youth" defined

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

Affected: IC 14-22

Sec. 17. "Youth" means an individual less than eighteen (18) years of age on the date of a hunt. *(Natural Resources Commission; 312 IAC 9-1-17)*

SECTION 2. 312 IAC 9-2-15 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-2-15 General requirements for hunter orange on ground blinds

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

Affected: IC 14-22-38-7

Sec. 15. An ~~occupied~~ **individual may not occupy a ground blind unless the blind has** at least one hundred forty-four (144) square inches of hunter orange ~~that is~~ visible on each side of the blind ~~from beginning~~ one-half (1/2) hour before sunrise ~~to and ending~~ one-half (1/2) hour after sunset when the hunter is required to wear hunter orange ~~in accordance with~~ **under** IC 14-22-38-7 or ~~312 IAC 9-3-2(t)~~. **312 IAC 9-3-2.** *(Natural Resources Commission; 312 IAC 9-2-15; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)*

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

312 IAC 9-3-2 General requirements and licenses for hunting deer

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

Affected: IC 14-22-11; IC 14-22-12; IC 35-47

Sec. 2. (a) This section and sections 3, 4, 8, 9, and 10 of this rule govern: ~~the:~~

- (1) hunting;
- (2) ~~transportation;~~ **transporting;** and
- (3) ~~disposal;~~ **disposing of;**

of white-tailed deer (*Odocoileus virginianus*).

~~(b) Species of deer other than white-tailed deer (*Odocoileus virginianus*) are exempted from the following:~~

- ~~(1) This section.~~
- ~~(2) Sections 3, 4, 8, 9, and 10 of this rule.~~

(b) "Deer license bundle" means a deer hunting license that replaces a valid deer hunting license and allows an individual to take one (1) antlered deer and two (2) antlerless deer, under this section and sections 3 and 4 of this rule, during the following seasons combined during one (1) license year:

- (1) Special youth season.**
- (2) Archery season.**
- (3) Firearms season.**
- (4) Muzzleloader season.**

(c) **"Multiple season antlerless deer license" means a deer hunting license that allows an individual to take one (1) antlerless deer using the equipment authorized for that season under section 3 of this rule.**

(d) An individual who claims ~~the exemption provided under this subsection~~ **must a deer taken is not a white-tailed deer (Odocoileus virginianus) shall prove the deer is other than not a white-tailed deer.**

~~(e) The licenses identified in this section are nonexclusive.~~ (e) An individual may apply for ~~one (1) or more of these multiple licenses to hunt deer under this section.~~

- ~~(f)~~ (f) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, an individual ~~must may~~ not hunt a deer:
- (1) unless the individual possesses a valid ~~completed, and signed~~ license **authorized to hunt a deer** under this section bearing the ~~individual's name~~ **of the individual**; or
 - (2) with a ~~deer~~ license **to hunt a deer under this section** issued to another individual.

~~(g)~~ (g) A youth hunter may take a deer during the youth deer season ~~established in~~ **under section 4(b) 4** of this rule ~~only if the youth hunter:~~

- (1) ~~is~~ issued a license to hunt deer ~~with:~~ **under:**
 - (A) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (B) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);
 - (C) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);
 - (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
 - ~~(E) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(32);~~
 - ~~(F)~~ (E) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - ~~(G)~~ (F) a nonresident youth extra deer ~~bonus~~ **multiple season antlerless** license under IC 14-22-12-1(a)(32);
 - ~~(H)~~ (G) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;
 - ~~(I)~~ (H) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
 - ~~(J)~~ (I) an apprentice license of the types identified in clauses (A) through ~~(G)~~ (F) under IC 14-22-12-1.7; or
- (2) ~~hunting takes~~ deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(h)~~ (h) An individual may take a deer with a long bow, a recurve bow, ~~or a~~ compound bow, **or crossbow** during the archery season ~~established in~~ **under section 4(c) 4** of this rule ~~only if the individual:~~

- (1) ~~is~~ issued a license to hunt deer by bow and ~~arrows with~~ **arrow or crossbow under:**
 - (A) a resident deer archery license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
 - (B) a nonresident deer archery license under IC 14-22-12-1(a)(17);
 - (C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
 - ~~(E)~~ (E) **a resident extra deer multiple season antlerless license under IC 14-22-12-1(a)(18);**
 - ~~(F)~~ (F) **a nonresident extra deer multiple season antlerless license under IC 14-22-12-1(a)(19);**
 - ~~(G)~~ (G) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
 - ~~(H)~~ (H) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
 - ~~(I)~~ (I) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - ~~(J)~~ (J) **a nonresident youth extra deer multiple season antlerless license under IC 14-22-12-1(a)(32);**
 - ~~(K)~~ (K) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;
 - ~~(L)~~ (L) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
 - ~~(M)~~ (M) an apprentice license of the types identified in clauses (A) through ~~(G)~~ (J) under IC 14-22-12-1.7; or
- (2) ~~hunting takes deer~~ without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(g) An individual may take a deer with a crossbow during the archery season established in section 4(c) of this rule only if:~~

- (1) issued a license to hunt deer with:

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- ~~(A) a resident extra deer crossbow license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);~~
- ~~(B) a nonresident extra deer crossbow license under IC 14-22-12-1(a)(17);~~
- ~~(C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);~~
- ~~(D) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(31);~~
- ~~(E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);~~
- ~~(F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);~~
- ~~(G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);~~
- ~~(H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;~~
- ~~(I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or~~
- ~~(J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or~~
- ~~(2) hunting without a license under IC 14-22-11-1 and 312 IAC 9-2-14.~~

~~(H)~~ **(i) Except as provided in subsection (v), an individual may take a deer with a firearm during the firearms season established in under section 4(e) 4 of this rule only if the individual:**

(1) is issued a license to hunt deer by with firearms with: under:

- (A) a resident deer firearms license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(12);**
- (B) a nonresident deer firearms license under IC 14-22-12-1(a)(15);**
- (C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);**
- (D) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);**
- (E) a resident extra deer multiple season antlerless license under IC 14-22-12-1(a)(18);**
- (F) a nonresident extra deer multiple season antlerless license under IC 14-22-12-1(a)(19);**
- ~~(G) a resident extra deer license bundle under IC 14-22-12-1(a)(18);~~
- ~~(H) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);~~
- ~~(I) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);~~
- (J) a nonresident youth extra deer multiple season antlerless license under IC 14-22-12-1(a)(32);**
- ~~(H) (K) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;~~
- ~~(I) (L) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or~~
- ~~(J) (M) an apprentice license of the types identified in clauses (A) through (G) (J) under IC 14-22-12-1.7; or~~

(2) hunting takes deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(H)~~ **(j) An individual may take a deer with a muzzleloader during the muzzleloader season established in under section 4(f) 4 of this rule only if the individual:**

(1) is issued a license to hunt deer by a muzzleloader with:

- (A) a resident deer muzzleloader license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(13);**
- (B) a nonresident deer muzzleloader license under IC 14-22-12-1(a)(16);**
- (C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);**
- (D) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);**
- (E) a resident extra deer multiple season antlerless license under IC 14-22-12-1(a)(18);**
- (F) a nonresident extra deer multiple season antlerless license under IC 14-22-12-1(a)(19);**
- ~~(G) a resident extra deer license bundle under IC 14-22-12-1(a)(18);~~
- ~~(H) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);~~
- ~~(I) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);~~
- (J) a nonresident youth extra deer multiple season antlerless license under IC 14-22-12-1(a)(32);**
- ~~(H) (K) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;~~
- ~~(I) (L) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or~~
- ~~(J) (M) an apprentice license of the types identified in clauses (A) through (G) (J) under IC 14-22-12-1.7; or~~

(2) hunting takes deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(H)~~ **(k) An individual may take a deer during the deer reduction season established in under section 4(d) 4 of this rule only if the individual:**

(1) is issued a license to hunt deer with:

- (A) a resident extra deer reduction zone license under IC 14-22-12-1(a)(18);**
- (B) a nonresident extra deer reduction zone license under IC 14-22-12-1(a)(19);**

- (C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth extra deer reduction zone license under IC 14-22-12-1(a)(32);
- (E) an apprentice license of the types identified in clauses (A) through (D) under IC 14-22-12-1.7;
- (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal; or
- (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
- (2) ~~hunting takes~~ deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(k)~~ **(l)** An individual may take ~~a~~ **an antlerless** deer during ~~the special antlerless~~ a deer **hunting** season ~~established in~~ **under** section ~~4(h)~~ **4** of this rule ~~only if the individual:~~

- (1) **is** issued a license to hunt deer with:
 - (A) a resident extra deer ~~bonus~~ **multiple season** antlerless license under IC 14-22-12-1(a)(18);
 - (B) a nonresident extra deer ~~bonus~~ **multiple season** antlerless license under IC 14-22-12-1(a)(19);
 - (C) a resident youth consolidated hunting, trapping, and fishing license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (D) a nonresident youth extra deer ~~bonus~~ **multiple season** antlerless license under IC 14-22-12-1(a)(32);
 - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
 - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
 - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - (H) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7;
 - (I) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal; or
 - (J) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
- (2) ~~hunting takes~~ deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

~~(h)~~ **(m)** An individual may take an antlerless deer ~~in a designated county, by authority of~~ **with** an extra deer ~~bonus~~ **multiple season** antlerless license ~~only as~~ **during the special youth, archery, firearm, and muzzleloader seasons as authorized under** ~~by~~ section ~~4(g)~~ ~~and~~ ~~4(h)~~ **4** of this rule.

(n) An individual may take one (1) antlerless deer using equipment authorized for a season under section 3 of this rule with an extra deer multiple season antlerless deer license.

~~(m)~~ ~~An individual must,~~ **(o)** Immediately ~~upon~~ **after** taking a deer, **an individual shall** record ~~on a piece of paper~~ the following **on a piece of paper:**

- (1) The name and address of the individual who took the deer.
- (2) The license number ~~(if applicable)~~ of the **hunting license issued to the** individual who took the deer, **if applicable.**
- (3) The sex of the deer.
- (4) The month and day the deer was taken.

~~The~~ **An individual that who** takes ~~the~~ a deer ~~must~~ **shall** retain possession of the ~~completed~~ piece of paper **under this subsection** until the **piece of paper** is attached to the deer. **The individual shall attach** the piece of paper ~~must be attached~~ to the deer ~~if the~~ **that** individual ~~who takes the deer~~ does not maintain direct physical control of, and constant visual contact with, the deer carcass.

~~(n)~~ **(p)** An individual who takes a deer ~~must cause delivery of~~ **shall ensure** the deer carcass **is delivered** to an official checking station ~~for registration in the name of the individual who took to register~~ the deer, or ~~cause the reporting of~~ **report** the take ~~by providing~~ **and provide** true and accurate information required ~~on~~ **by** the department's electronic harvest reporting system on the ~~occurrence of the~~ earlier of the following:

- (1) ~~Within~~ **Not later than** forty-eight (48) hours ~~of the~~ **after** taking ~~of~~ the deer.
- (2) Before the deer is removed from ~~this~~ **the** state.

The individual who delivers ~~the~~ a deer carcass to an official checking station ~~for registration or reports the take on the department's~~ **electronic harvest reporting system must shall** provide true and accurate information that includes the information ~~on~~ **from** the piece of paper described in subsection ~~(m)~~ **(o).**

~~(o)~~ **(q)** The head of a deer must remain attached to the **deer** carcass until the deer is registered either at an official checking station or through the ~~department's~~ electronic harvest reporting system.

~~(p)~~ **(r)** When a deer is registered:

- (1) at an official deer checking station, the checking station operator ~~must~~ **shall**:
 - (A) record the information from the piece of paper described in subsection ~~(m)~~; **(o)**;
 - (B) report the take on the department's electronic harvest reporting system; and
 - (C) give the individual the confirmation number, which ~~must be recorded~~ **the individual shall record** on the piece of paper described in subsection ~~(m)~~; **(o)**; or
- (2) using the department's electronic harvest reporting system, the individual who ~~took~~ **takes** the deer ~~must shall~~ record the confirmation number on the piece of paper described in subsection ~~(m)~~; **(o)**.

~~(q) The department's electronic harvest confirmation number must be maintained with a deer~~ **(s) An individual who takes deer shall maintain the confirmation number provided under subsection (r) with the deer** until processing of the deer processing begins.

~~(t) An individual must not~~ **may** hunt a deer ~~except from~~ **beginning** one-half (1/2) hour before sunrise ~~to and ending~~ one-half (1/2) hour after sunset.

- ~~(s) (u) An individual must shall~~ wear hunter orange:
 - (1) in a season ~~set forth in~~ **under** section 4(b), 4(e), ~~and 4(f) and 4(h)~~ of this rule;
 - (2) in ~~that portion of~~ the archery season ~~set forth in~~ **under** section 4(e) ~~4~~ of this rule that overlaps a season ~~set forth in~~ **under** section 4(b), 4(e), 4(f), and ~~4(h)~~ **4(g)** of this rule;
 - (3) when ~~firearms are use of a firearm is~~ **authorized** under section ~~8(b)~~ **4** of this rule; ~~or~~
 - (4) in ~~that portion of~~ the deer reduction season ~~set forth in~~ **under** section 4(d) ~~4~~ of this rule when ~~firearms are use of a firearm is~~ **authorized** under section 3(f) of this rule. ~~and~~
 - (5) ~~in the special antlerless season in the locations where the season is authorized in section 4(h) of this rule.~~

~~(v) An individual must may~~ not take more than one (1) antlered deer ~~and six (6) antlerless deer statewide~~ during the special youth, archery, firearm, and muzzleloader seasons ~~authorized in~~ **collectively under** section 4 of this rule ~~from~~ **beginning** the first day of the special youth deer season of one (1) calendar year ~~through and ending~~ the last day of the archery season in the following calendar year. **An individual may not take more than the number of antlerless deer permitted by each county under section 4(g) of this rule during the special youth, archery, firearm, and muzzleloader seasons collectively.**

(w) An individual may not take an antlerless deer with a firearm during the firearm season on the following properties operated by the department:

- (1) A property operated by the division of fish and wildlife.**
- (2) Mississinewa Lake.**
- (3) Salamonie Lake.**
- (4) Patoka Lake.**

~~(x) An individual must may~~ not ~~hunt~~ **take** a deer with the use or aid of:

- (1) bait, which includes:
 - (A) a food ~~that is~~ transported and placed for consumption, including ~~but not limited to,~~ **piles a pile** of corn ~~and apples placed or an apple in the a field;~~
 - (B) a prepared solid or liquid ~~that is~~ manufactured and intended for consumption by livestock or wild deer, including ~~but not limited to,~~ commercial baits ~~and bait or a food supplements; supplement;~~
 - (C) salt; or
 - (D) ~~a mineral supplements; supplement;~~
- (2) ~~snares; a snare;~~
- (3) ~~dogs; a dog;~~ or
- (4) ~~any other domesticated animals. animal.~~

~~The An individual may use of a manufactured scents and lures scent or lure, or a similar chemical or natural attractants is not prohibited. attractant.~~

~~(y) An area is considered baited for ten (10) days after the removal of the bait and the baited soil~~ **Hunting are removed. An individual may hunt** an area ~~such as an orchard, which that~~ may be attractive to deer as the result of normal agricultural activity. ~~is not prohibited.~~

~~(w)~~ **(z)** Notwithstanding subsection ~~(u)~~; **(x)**, an individual may use ~~dogs only while a dog~~ on a leash to track or trail a wounded deer.

~~(x)~~ **(aa)** Notwithstanding subsection ~~(u)~~; **(x)**, an individual may use **a:**

- (1) ~~donkeys; donkey;~~
- (2) ~~mules; and mule; or~~
- (3) ~~horses; horse;~~

~~for transportation to and from a hunt but not to transport deer. An individual may not use a donkey, mule, or horse under this subsection while hunting.~~

~~(y)~~ **(bb)** An individual may possess a handgun ~~in accordance with~~ **under** IC 35-47 while hunting a deer.

~~(z) "Deer license bundle" means a multiple privilege deer license that replaces a valid deer hunting license and allows an individual to take one (1) antlered deer and two (2) antlerless deer or three (3) antlerless deer in accordance with this section and sections 3 and 4 of this rule in the following seasons combined in one (1) year:~~

- ~~(1) Special youth.~~
- ~~(2) Archery.~~
- ~~(3) Firearms.~~
- ~~(4) Muzzleloader.~~
- ~~(5) Special antlerless only.~~

(cc) An individual who takes a deer believed to be unfit for human consumption by an authorized department biologist, a property manager, or an Indiana conservation officer may be issued an authorization to take an antlerless deer that will not count toward the statewide antlerless deer bag limit under subsection (v), or the county bag limit under section 4 of this rule. *(Natural Resources Commission; 312 IAC 9-3-2; filed May 12, 1997, 10:00 a.m.: 20 IR 2702; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1528; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 536; filed May 12, 2006, 10:38 a.m.: 29 IR 3344; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; errata filed Jul 21, 2006, 1:56 p.m.: 20060802-IR-312050214ACA; filed Jul 10, 2007, 2:09 p.m.: 20070808-IR-312060572FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; errata filed Jan 10, 2012, 1:19 p.m.: 20120125-IR-312120006ACA; filed Jul 9, 2012, 3:00 p.m.: 20120808-IR-312120065FRA; filed Dec 18, 2012, 2:00 p.m.: 20130116-IR-312120115FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; 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; filed Nov 16, 2020, 9:30 a.m.: 20201216-IR-312200069FRA)*

SECTION 4. 312 IAC 9-3-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-3 Equipment for deer hunting

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

Affected: IC 14-22; IC 35-47-1-6

Sec. 3. (a) During the youth special deer season established ~~in~~ **by** section ~~4(b)~~ **4** of this rule, a youth hunter ~~must~~ **may** hunt deer ~~only~~ with the following equipment:

- (1) A bow and arrow as described in subsection (b)(1) through ~~(b)(5)~~; **(b)(4)**.
- (2) A crossbow as defined in 312 IAC 9-1-5.3.
- (3) A shotgun as described in subsection (d)(1).
- (4) A muzzleloading long gun as described in subsection (d)(3). ~~and (d)(5)~~.
- (5) A rifle, with the use of cartridges described in subsection (d)(4).
- (6) An air gun as defined in 312 IAC 9-1-1.2.

(b) During the archery season ~~established in~~ **under** section 4(e) 4 of this rule, an individual ~~must~~ **may** hunt deer ~~only~~ with **the following** equipment: ~~as follows:~~

(1) ~~With~~ A long bow, recurve bow, or compound bow that has at least thirty-five (35) pounds pull, ~~with and a valid license identified at~~ **to hunt deer under** section 2(f) 2 of this rule.

(2) ~~With~~ A crossbow ~~with and a valid license identified at~~ **to hunt deer under** section 2(g) 2 of this rule.

(3) ~~Arrows~~ **An arrow** or bolts ~~must be a bolt~~ equipped with:

(A) a metal or metal-edged; (or flint, chert, or obsidian napped) broadheads.

(B) a flint;

(C) a chert; or

(D) an obsidian napped;

broadhead.

(4) ~~Poisoned or explosive arrows or bolts are unlawful.~~

(5) ~~For~~ (4) A long bows, ~~bow,~~ recurve bows, ~~and bow,~~ or compound bows, ~~no portion of the bow's riser (handle) or any:~~ **bow with:**

(A) a track;

(B) a trough;

(C) a channel;

(D) an arrow rest; or

(E) any other device;

that attaches to the bow's riser ~~shall~~ **of the bow must not** contact, support, or guide the arrow from a point rearward of the bow's brace height **of the bow. Use of a poisoned or an explosive arrow or bolt is unlawful.**

(c) During the firearms season ~~established in~~ **under** section 4(e) 4 of this rule, ~~and the special antlerless season established in section 4(h) of this rule,~~ an individual ~~must hunt~~ **may take** deer ~~only~~ with any of the following equipment:

(1) A shotgun.

(2) A shotgun with rifled barrel.

(3) A handgun.

(4) A muzzleloading long gun.

(5) A muzzleloading handgun.

(6) A rifle, with the use of ~~cartridges~~ **a cartridge** described in subsection (d)(4). ~~only.~~

(7) An air gun as defined in 312 IAC 9-1-1.2.

(d) As used in ~~section 2~~ **sections 2, 4, and 8** of this rule ~~and this section, and sections 4 and 8 of this rule,~~ a firearm must meet the following specifications:

(1) A shotgun must have a ~~gauge~~ **bore of:**

(A) 10 gauge;

(B) 12 gauge;

(C) 16 gauge;

(D) 20 gauge;

(E) 28 gauge; or

(F) .410 ~~bore;~~ **caliber;**

loaded with a single projectile.

(2) A handgun must:

(A) conform to the requirements of IC 35-47-1-6;

(B) have a barrel at least four (4) inches long;

(C) fire a bullet ~~of~~ **at least** two hundred forty-three thousandths (.243) **of an inch in diameter;** ~~or larger;~~ and

(D) not be a rifle that has a barrel less than eighteen (18) inches.

~~The~~ **A handgun cartridge case, without a bullet, must be at least one and sixteen-hundredths (1.16) inches long. Use of a full metal jacketed bullets are bullet is unlawful. All .25/20, .32/20, Use of .25-20 Winchester, .32-20 Winchester, .30 Carbine, and or .38 Special ammunition is prohibited. unlawful.**

(3) A muzzleloading long gun must be ~~.44~~ **at least .40** caliber, ~~or larger,~~ loaded with a bullet at least three hundred fifty-seven thousandths (.357) **of an inch. or larger.** A muzzleloading handgun must be single shot, **at least .50** caliber, ~~or larger,~~ loaded with ~~bullets~~ **a bullet** at least .44 caliber, and have a barrel at least twelve (12) inches long. The length of a muzzleloading handgun barrel is determined by measuring from the base of the breech plug ~~excluding tangs and other projections,~~ to the end of the barrel, including the muzzle crown, **excluding a tang or another projection. During the**

muzzleloading season under section 4 of this rule, a muzzleloading gun must be capable of ~~being loaded~~ **loading** only from the muzzle, including ~~both the powder and bullet~~.

(4) A rifle must fire a cartridge that meets the following specifications:

- (A) Fire a bullet of **at least** three hundred fifty-seven thousandths (.357) of an inch **in diameter**. ~~or larger.~~
- (B) Have a ~~minimum~~ case length of **at least** one and sixteen-hundredths (1.16) inches.
- (C) Have a ~~maximum~~ case length of **not more than** one and eight-tenths (1.8) inches.

Use of a full metal jacketed bullets are bullet is unlawful.

(5) ~~A muzzleloading long gun, as described in subsection (3), except that it may be capable of having the bullet loaded from the muzzle and the powder loaded from the breech.~~

(e) During the muzzleloader season ~~established in~~ **under** section 4(~~f~~) **4** of this rule, an individual ~~must hunt~~ **may take** deer ~~only~~ with a:

- (1) muzzleloading long gun as described in subsection (d)(3); or
- (2) muzzleloading handgun as described in subsection (d)(3).

(f) During the deer reduction season established in section 4(~~d~~) **4** of this rule, an individual ~~may hunt~~ **take** deer with a:

- (1) ~~bows bow and arrows arrow or crossbow and bolt~~ described in subsection (b) ~~from beginning~~ **beginning** September 15 ~~through and ending~~ January 31; ~~of the following year, or with firearms~~
- (2) ~~firearm~~ described in ~~subsections~~ **subsection** (c) ~~and or (d) from beginning~~ the first Saturday after November 11 ~~through and ending~~ January 31. ~~of the following year.~~

(g) An individual ~~must may~~ not erect, place, or hunt from a permanent tree or ground blind on ~~state land owned lands.~~ **A or leased by the state. An individual may erect, place, or hunt from a temporary tree or ground blind that may be left overnight and placed on a:**

- (1) ~~a DNR department~~ property as defined at 312 IAC 8-1.5-6;
- (2) U.S. Forest Service ~~lands;~~ **land;** or
- (3) ~~any~~ national wildlife refuge;

~~must be portable and may be left overnight only between~~ **beginning at noon on** September 15 and **ending** January 10, **A or beginning at noon September 1 and ending February 8 on a department property within a deer reduction zone under section 4 of this rule. An individual may not use a fastener used in conjunction with a tree blind and a tree or pole climber that penetrates a tree more than one-half (1/2) inch. is prohibited. Each A tree or ground blind must be legibly marked with the name, address, and telephone number of the owner of the tree or ground blind in the English language, or the individual's customer identification number issued to the owner by the department.**

(h) An individual ~~must may~~ not use ~~an infrared sensors sensor to locate or take aid in taking a deer. An individual must not hunt or retrieve deer with the aid of an infrared detector.~~

(i) An individual ~~must may~~ not ~~possess or~~ use an electronic deer call while hunting deer. *(Natural Resources Commission; 312 IAC 9-3-3; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 13, 1997, 12:09 p.m.: 21 IR 1272; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; errata filed Dec 6, 2013, 11:12 a.m.: 20140101-IR-312130537ACA; 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; filed Nov 16, 2020, 9:30 a.m.: 20201216-IR-312200069FRA; filed May 11, 2021, 1:07 p.m.: 20210609-IR-312200602FRA)*

SECTION 5. 312 IAC 9-3-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-4 Season dates and bag limits

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

Affected: IC 14-22-11-1; IC 35-47-2

Sec. 4. (a) **Except as provided in section 2 of this rule**, an individual ~~must not~~ **may take not** more than one (1) deer with ~~each deer~~ **a license to hunt a deer.**

(b) The special youth deer season is two (2) consecutive days beginning ~~on~~ the Saturday immediately before October 1, or as approved annually by the director as follows:

(1) The seasonal limit for ~~hunting~~ **taking** deer under this subsection is one (1) antlered deer, and the number of antlerless deer ~~established~~ under subsection (g). ~~for the county being hunted. If the county being hunted is designated as an "A" county under subsection (g), the youth hunter may take no more than one (1) antlerless deer under this subsection.~~ **A youth hunter may take not more than one (1) antlerless deer under this subsection on the following properties operated by the department:**

- (A) A property operated by the division of fish and wildlife.
- (B) Salamonie Lake.
- (C) Mississinewa Lake.
- (D) Patoka Lake.

(2) A youth hunter who takes an antlered deer under this subsection may not take another antlered deer during the:

- (A) archery ~~seasons established in~~ **season under** subsection (c);
- (B) firearm season ~~established in~~ **under** subsection (e); or
- (C) muzzleloader season ~~established in~~ **under** subsection (f).

~~(3) As used in this section, "youth" means an individual who is less than eighteen (18) years of age by the date of the hunt.~~

~~(4)~~ **(3)** A youth **hunter** who ~~hunts~~ **takes** a deer under this subsection must be accompanied by an ~~adult~~ **individual** at least eighteen (18) years of age who:

- (A) does not possess a firearm, bow and arrow, or crossbow while in the field, except for a handgun carried lawfully ~~in accordance with~~ **under** IC 35-47-2;
- (B) possesses a ~~valid hunting license of any type to hunt a wild animal~~ that is not an apprentice license, unless **the individual is exempt from needing a hunting license to hunt** under IC 14-22-11-1 and 312 IAC 9-2-14;
- (C) ~~must~~ **may** not accompany more than two (2) youth hunters at ~~any~~ one (1) time; and
- (D) ~~must be~~ **is** in close proximity and able to communicate with the youth hunter ~~at all times.~~ **during the hunt.**

~~(c) The archery deer season is from~~ **begins** October 1 ~~through~~ **and ends** the first Sunday in January. An individual ~~must~~ **may** take not more than ~~two (2) deer of which only one (1) may be antlered~~ **the number of deer permitted under section 2 of this rule** under this subsection.

(d) The deer reduction season is as follows:

(1) ~~From~~ **Begins** September 15 ~~through~~ **and ends** January 31 ~~of the following year~~ in a deer reduction zone.

(2) Under this subsection, **an individual:**

- (A) ~~An individual must~~ **may** take not more than ten (10) deer, of which only one (1) ~~deer~~ **may be an antlered deer; and**
- (B) **shall take** at least one (1) antlerless deer ~~must be taken~~ in a deer reduction zone ~~prior to~~ **before** taking an antlered deer.

(3) A deer taken under this subsection does not count against a bag limit for deer ~~set elsewhere in~~ **under** this rule.

~~(4) Deer reduction zones subject to the deer reduction season shall be established on an annual basis by a temporary rule authorized by the director.~~

(4) The Evansville deer reduction zone is the portion of Vanderburgh County south of East Boonville-New Harmony Road, except for the following areas:

- (A) The area south of Interstate 164/Veterans Memorial Parkway from the Warrick County line to the east to where it intersects Main Street along the Ohio River Shore to the west.
- (B) The area south of the intersection of Broadway Avenue and the Posey County line to the west, extending east to Bayou Creek Road and east to the Ohio River with Bayou Creek Road and extending east to the Ohio River.

(5) The Lafayette deer reduction zone is the portion of Tippecanoe County as follows:

- (A) The area to the east, beginning at the intersection of Interstate 65 and County Road 600 North following Interstate 65 south to the junction with State Road 38.
- (B) The area along State Road 38 from the intersection of Interstate 65 and State Road 38 west to Veterans Memorial Parkway/County Road 350 South, then south along Veterans Memorial Parkway west to the junction with U.S. Highway 231/State Road 52.
- (C) The area from the intersection of Veterans Memorial Parkway/County Road 350 South and U.S. Highway 231 following U.S. Highway 231/State Road 52 north to the junction with State Road 25.

- (D) The area from the intersection of State Road 25 and U.S. Highway 231 south along State Road 25 to the intersection of County Road 300 South and State Road 25 South.
 - (E) The area from the intersection of State Road 25 South and County Road 300 South to the west along County Road 300 South to the intersection of County Road 300 South and County Road 700 West.
 - (F) The area from the intersection of County Road 700 West and County Road 300 South to the north along County Road 700 West to the intersection of County Road 700 West and Division Road/South River Road.
 - (G) The area from the intersection of County Road 700 West and Division Road/South River Road to the east along Division Road/South River Road to the intersection of Division Road/South River Road and South Newman Road.
 - (H) The area from the intersection of South Newman Road and Division Road/South River Road to the north along South Newman Road to the intersection of South Newman Road and State Road 26/State Street.
 - (I) The area from the intersection of South Newman Road and State Road 26/State Street to the east along State Road 26/State Street to the intersection of State Road 26/State Street and U.S. Highway 231/State Road 52.
 - (J) The area to the north along U.S. Highway 231 from the intersection of State Road 26/State Street and U.S. Highway 231/State Road 52 to the intersection of U.S. Highway 231/State Road 52 and State Road 52/U.S. Highway 231.
 - (K) The area to the west along State Road 52 from the intersection of State Road 52 and U.S. Highway 231/State Road 52 to the intersection of State Road 52 and County Road 400 West.
 - (L) The area to the north along County Road 400 West from the intersection of State Road 52/U.S. Highway 231 to the intersection of County Road 400 West and County Road 375 West.
 - (M) The area to the north along County Road 375 West from the junction with County Road 400 West to the intersection of County Road 375 West and County Road 600 North.
 - (N) The area to the east along County Road 600 North from the junction with County Road 375 West to the intersection of County Road 600 North and Interstate 65.
- (6) The Michigan City/LaPorte deer reduction zone is the portion of LaPorte County between Lake Michigan and the following boundary:
- (A) The area from the junction of the Porter/LaPorte County line and Interstate 94 to the east to the intersection of Interstate 94 and Johnson Road.
 - (B) The area from the intersection of Interstate 94 and Johnson Road to the south to the intersection of Johnson Road and County Road 500 West.
 - (C) The area from the south along County Road 500 West from the intersection at Johnson Road to the intersection of County Road 500 West and State Road 2.
 - (D) The area from the east along State Road 2 from the intersection at County Road 500 West to the intersection of State Road 2 and State Road 39/Longwood Drive.
 - (E) The area to the south along State Road 39/Longwood Drive from the intersection at State Road 2 to the intersection at County Road 400 South.
 - (F) The area to the east along County Road 400 South from the intersection at State Road 2 to the intersection at County Road 300 East.
 - (G) The area to the north along County Road 300 East from the intersection at County Road 400 South to the intersection at Division Road.
 - (H) The area to the west along Division Road from the intersection at County Road 300 East to the intersection at County Road 250 East.
 - (I) The area to the north along County Road 250 East from the intersection at Division Road to the intersection at County Road 150 North.
 - (J) The area to the west along County Road 150 North from the intersection at County Road 250 East to the intersection at Fail Road.
 - (K) The area to the north along North Fail Road from the intersection at County Road 150 North to the intersection at U.S. Highway 20.
 - (L) The area to the west along U.S. Highway 20 from the intersection at North Fail Road to the intersection of U.S. Highway 20 and Interstate 94.
 - (M) The area to the north along Interstate 94 from the intersection at U.S. Highway 20 to the junction with the Indiana/Michigan state line.
- (7) The Muncie deer reduction zone is the portion of Delaware County as follows:

- (A) The area at the intersection of Yorktown-Gaston Pike/County Road 600 West, extending east along State Road 332 East to the intersection at Nebo Road.
 - (B) The area to the north along Nebo Road from the intersection at State Road 332 to the intersection at County Road 500 North/Royerton Road.
 - (C) The area to the east along County Road 500 North/Royerton Road from the intersection at North Nebo Road to the intersection at U.S. Highway 35.
 - (D) The area to the south along U.S. Highway 35 from the intersection at County Road 500 North/Royerton Road to the intersection at State Road 67.
 - (E) The area to the south along State Road 67 from the intersection at U.S. Highway 35 to the intersection at County Road 400 South.
 - (F) The area to the west along County Road 400 South from the intersection at State Road 67 to the intersection at South Marsh Avenue/County Road 600 West.
 - (G) The area to the north along Marsh Avenue/County Road 600 West from the intersection at County Road 400 South to intersection at State Road 32.
 - (H) The area to the east along State Road 32 from the intersection at Marsh Avenue to the intersection at Tiger Drive/County Road 575 West.
 - (I) The area to the north along Tiger Drive/County Road 575 West from the intersection at State Road 32 to the intersection at River Road.
 - (J) The area to the west along River Road from the intersection at Tiger Drive to the intersection at Yorktown-Gaston Pike/County Road 600 West.
 - (K) The area to the north along Yorktown-Gaston Pike/County Road 600 West to the intersection at State Road 332.
- (8) The South Bend/Mishawaka/Elkhart deer reduction zone is the portion of St. Joseph County and Elkhart County south of the Michigan state line as follows:
- (A) The area at the junction of U.S. Highway 31 and the Indiana/Michigan state line to the south along U.S. Highway 31 to the intersection at U.S. Highway 20.
 - (B) The area to the east along U.S. Highway 20/U.S. Highway 31 to the intersection at County Road 17.
 - (C) The area to the north along County Road 17 from the intersection at U.S. Highway 20 to the junction with the Indiana/Michigan state line.
- (9) The Warsaw deer reduction zone is the portion of Kosciusko County as follows:
- (A) The area at the intersection of State Road 15 and Levi Lee Road, extending east to the intersection of Levi Lee Road and County Road 100 East.
 - (B) The area to the south along County Road 100 East from the intersection at Levi Lee Road to the intersection at County Road 450 North.
 - (C) The area to the east along County Road 450 North from the intersection at County Road 100 East to the intersection at Chapman Lake Drive.
 - (D) The area to the south along Chapman Lake Drive from the intersection at County Road 450 North to the intersection at County Road 300 East.
 - (E) The area to the south along County Road 300 East from the intersection at Chapman Lake Road to the intersection at Old U.S. Highway 30/E. Old Road 30.
 - (F) The area to the east on Old U.S. Highway 30/E. Old Road 30 from the intersection at County Road 300 East to the intersection at County Road 450 East.
 - (G) The area to the south along County Road 450 East from the intersection at Old U.S. Highway 30/E. Old Road 30 to the intersection at U.S. Highway 30.
 - (H) The area to the east on U.S. Highway 30 from the intersection at County Road 450 East to the intersection at Van Ness Road.
 - (I) The area to the south along Van Ness Road from the intersection at U.S. Highway 30 to the intersection at Wooster Road.
 - (J) The area to the west along Wooster Road from the intersection at Van Ness Road to the intersection at County Road 500 East.
 - (K) The area to the south along County Road 500 East from the intersection at Wooster Road to the intersection at County Road 350 South.
 - (L) The area to the west along County Road 350 South from the intersection at County Road 500 East to the intersection at County Road 450 East.
 - (M) The area to the south along County Road 450 East from the intersection at County Road 350 South to the intersection at County Road 400 South.

- (N) The area to the west along County Road 400 South from the intersection at County Road 450 East to the intersection at State Road 15.
 - (O) The area to the north along State Road 15 from the intersection at County Road 400 South to the intersection at County Road 350 South.
 - (P) The area to the west along County Road 350 South from the intersection at State Road 15 to the intersection at County Road 450 West.
 - (Q) The area to the north along County Road 450 West from the intersection at County Road 350 South to the intersection at County Road 400 West.
 - (R) The area to the north along County Road 400 West from the intersection at County Road 450 West to the intersection at Crystal Lake Road.
 - (S) The area to the east along Crystal Lake Road from the intersection at County Road 400 West to the intersection at Zimmer Road.
 - (T) The area to the north along Zimmer Road from the intersection at Crystal Lake Road to the intersection at Lincoln Highway/Old U.S. Highway 30.
 - (U) The area to the west along Lincoln Highway/Old U.S. Highway 30 from the intersection at Zimmer Road to the intersection at County Road 350 West.
 - (V) The area to the north along County Road 350 West from the intersection at Lincoln Highway/Old U.S. Highway 30 to the intersection at U.S. Highway 30.
 - (W) The area to the east along U.S. Highway 30 from the intersection at County Road 350 West to the intersection at County Road 150 West/Silveus Crossing.
 - (X) The area to the north along County Road 150 West/Silveus Crossing from the intersection at U.S. Highway 30 to the intersection at County Road 400 North.
 - (Y) The area to the east along County Road 400 North from the intersection at County Road 150 West/Silveus Crossing to the intersection at State Road 15.
 - (Z) The area to the north along State Road 15 from the intersection at County Road 400 North to the intersection at Levi Lee Road.
- (10) The Allen County deer reduction zone is the portion of Allen County as follows:
- (A) The area between Interstate 69 and Interstate 469.
 - (B) The area to the west of Interstate 69 that extends north of Lafayette Center Road and south of State Road 14.
 - (C) The area west of Interstate 69 to the:
 - (i) north of U.S. Highway 30;
 - (ii) east of O Day Road to the intersection at State Road 33;
 - (iii) south of State Road 33 to the intersection at Johnson Road;
 - (iv) east of Johnson Road north to the intersection at West Shoaff Road;
 - (v) south of West Shoaff Road east to the intersection at State Road 3; and
 - (vi) east of State Road 3 north to the junction with the DeKalb County line.
 - (D) The area to the east of Interstate 69, to the north of Interstate 469, to the west of the St. Joseph River, and to the south of Schlatter Road.
- (11) The Cordry-Sweetwater deer reduction zone is the portion of Brown County contained within the Cordry-Sweetwater Conservancy District.
- (12) The Brown County deer reduction zone is the portion of Brown County as follows:
- (A) The area not more than one-half (½) mile on either side of the centerline of State Road 46 from the Monroe County line to the Bartholomew County line.
 - (B) The area of Monroe Lake located not more than one-half (1/2) mile from the centerline of State Road 46.
 - (C) The area that is the management units of Yellowwood State Forest contained within the following tracts:
 - (i) Compartment 2, Tracts 2 and 40.
 - (ii) Compartment 3, Tracts 1 and 2.
 - (iii) Compartment 4, Tract 2.
 - (iv) Compartment 5, Tracts 5, 9, 10, 11, and 15.
 - (v) Compartment 8, Tract 27.
 - (vi) Compartment 9, Tract 1.
- The Brown County deer reduction zone does not include any portion of Brown County State Park.

(13) The Dearborn County deer reduction zone is the portion of Dearborn County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of the following road segments:

- (A) The area of U.S. 50 from the Dearborn/Ripley County line east to the Indiana state line.
- (B) The area of State Road 148 from the intersection at State Road 48, extending south to the intersection at U.S. 50.
- (C) The area of State Road 48 from the intersection at State Road 148, extending south to the intersection at U.S. 50.

(14) The DeKalb County deer reduction zone is the portion of DeKalb County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of Interstate 69 from the DeKalb/Steuben County line south to the DeKalb/Allen County line.

(15) The Fulton County deer reduction zone is a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of U.S. Highway 31 from the Fulton/Marshall County line to the south to the intersection at State Road 14.

(16) The LaGrange County deer reduction zone is a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of the following road segments:

- (A) The area of U.S. Highway 20 from the intersection at State Road 9 to the east to the LaGrange/Steuben County line.
- (B) The area of State Road 9 from the intersection at U.S. Highway 20 to the south to the LaGrange/Noble County line.
- (C) The area of State Road 3 from the intersection at U.S. Highway 20 to the south to the LaGrange/Noble County line.

(17) The Lake County deer reduction zone is the portion of Lake County as follows:

- (A) The area from north of the junction of the Indiana state line and 151st Avenue.
- (B) The area from 151st Avenue east to the intersection at U.S. Highway 41.
- (C) The area from U.S. Highway 41 south to the intersection at State Road 2.
- (D) The area from State Road 2 east to the intersection at Interstate 65.
- (E) The area from Interstate 65 north to the intersection at 145th Avenue.
- (F) The area from 145th Avenue east to the intersection at U.S. Highway 231.
- (G) The area from U.S. Highway 231 south to the junction with the Porter County line.

(18) The Madison County deer reduction zone is the portion of Madison County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of Interstate 69 from the Madison/Hamilton County line east to the Madison/Delaware County line.

(19) The Griffy Lake Nature Preserve deer reduction zone is the portion of Monroe County contained in the Griffy Lake Nature Preserve.

(20) The Monroe County deer reduction zone is the portion of Monroe County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of State Road 37 from the Interstate 69 split south to the junction with the Monroe/Lawrence County line.

(21) The Porter County deer reduction zone is the portion of Porter County as follows:

- (A) The area from north of the junction of U.S. Highway 231 and the Porter/Lake County line.
- (B) The area to the east along U.S. Highway 231 to the intersection at State Road 2.
- (C) The area to the north along State Road 2 north to the intersection at Division Road.
- (D) The area to the east along Division Road to the junction with the LaPorte County line.

(22) The Steuben County deer reduction zone is the portion of Steuben County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of the following road segments:

- (A) The area of Interstate 69 from the Indiana state line south to the junction with the Steuben/DeKalb County line.
- (B) The area of Interstate 80/90 Toll Road from the Steuben/LaGrange County line east to the intersection at Interstate 69.
- (C) The area of U.S. Highway 20 from the Steuben/LaGrange County line east to the intersection at Interstate 69.

(23) The Wabash County deer reduction zone is the portion of Wabash County that includes a privately owned parcel of land that has a portion located not more than one-half (1/2) mile on either side of the centerline of State Road 114 from the junction with the Wabash/Fulton County line east to the intersection at State Road 13.

(24) The Warrick County deer reduction zone is the portion of Warrick County extending south of State Road 62 from the junction with the Warrick/Vanderburgh County line, then to the intersection at State Road 61 as follows:

- (A) The area to the south along State Road 61 to the intersection at State Road 66.
 - (B) The area to the west along State Road 66 to the intersection at the French Island Trail.
 - (C) The area to the west along the French Island Trail to the intersection at Jennings Street.
 - (D) The area to the west along Jennings Street to the intersection at Old State Road 662.
 - (E) The area to the west along Old State Road 662 to the intersection at State Road 662.
 - (F) The area to the west along State Road 662 to the junction with the Warrick/Vanderburgh County line.
- (25) The deer reduction zones in central Indiana are as follows:
- (A) Marion County.
 - (B) The area in Johnson County to the south from the Marion County line as follows:
 - (i) The area to the west of Interstate 65 and south to the intersection of Interstate 65 and Whiteland Road.
 - (ii) The area to the west along Whiteland Road to the intersection at State Road 144.
 - (iii) The area to the west along State Road 144 to the intersection at State Road 37.
 - (iv) The area to the south along State Road 37 to the junction with the Johnson/Morgan County line.
 - (C) The area in Morgan County to the north of the junction of State Road 37 and the Morgan/Johnson County line as follows:
 - (i) The area to the west of State Road 37 South to the intersection of State Road 37 and State Road 39/Morton Avenue.
 - (ii) The area to the north along State Road 39/Morton Avenue from the intersection at State Road 37 to the intersection at State Road 67.
 - (iii) The area to the north along State Road 67 from the intersection at State Road 39 to the intersection at Indiana Street/State Road 267.
 - (iv) The area to the north along Indiana Street/State Road 267 from the intersection at State Road 67 to the intersection at State Road 42/High Street.
 - (v) The area to the west along State Road 42/High Street from the intersection at Indiana Street/State Road 267 to the intersection at State Road 267.
 - (vi) The area to the north along State Road 267 to the junction with the Morgan/Hendricks County line.
 - (D) The area in Hendricks County to the east of State Road 267 from the Morgan County line north to the Boone County line.
 - (E) The area in Boone County to the east of State Road 267 from the Hendricks County line north to the intersection at Interstate 65 as follows:
 - (i) The area from Interstate 65 south to the intersection at State Road 334.
 - (ii) The area to the east to the intersection at Ford Road/County Road 975 East/Pleasantview Road.
 - (iii) The area to the north to the intersection at County Road 300 South.
 - (iv) The area from County Road 300 South east to the junction with the Hamilton County line.
 - (F) The area in Hamilton County to the south of State Road 32 from the Boone County line east to the junction with U.S. Highway 31 as follows:
 - (i) The area to the north along U.S. Highway 31 to the intersection at 236th Street.
 - (ii) The area to the east along 236th Street to the intersection at State Road 19.
 - (iii) The area to the south along State Road 19 to the intersection at State Road 32.
 - (iv) The area to the east along State Road 32 to the junction with the Madison County line.

(e) The firearms deer season ~~is from~~ **begins** the first Saturday after November 11 and ~~continues for~~ **ends after** an additional fifteen (15) days. An individual ~~must~~ **may** take not more than one (1) antlered deer under this subsection **with a firearms license.**

(f) The deer hunting season ~~for only using~~ **to use** a muzzleloading long gun or muzzleloading handgun ~~is from~~ **begins** the first Saturday after the closing day of the firearms season ~~as established in~~ **under** subsection (e) and ~~continues for~~ **ends after** an additional fifteen (15) days. An individual ~~must not~~ **may** take ~~not~~ **not** more than ~~one (1) deer of either sex~~ **the number of deer authorized by section 2 of this rule** under this subsection.

(g) The ~~season and bag limit for hunting by county to take an~~ antlerless deer ~~in a designated county, by authority of an extra deer bonus antlerless license shall be established on an annual basis by a temporary rule authorized by the director is as follows:~~

- (1) Two (2) deer in Adams County.
- (2) Three (3) deer in Allen County.
- (3) Three (3) deer in Bartholomew County.
- (4) Two (2) deer in Benton County.
- (5) Two (2) deer in Blackford County.
- (6) Three (3) deer in Boone County.
- (7) Four (4) deer in Brown County.
- (8) Three (3) deer in Carroll County.
- (9) Three (3) deer in Cass County.
- (10) Three (3) deer in Clark County.
- (11) Three (3) deer in Clay County.
- (12) Three (3) deer in Clinton County.
- (13) Four (4) deer in Crawford County.
- (14) Three (3) deer in Daviess County.
- (15) Four (4) deer in Dearborn County.
- (16) Two (2) deer in Decatur County.
- (17) Three (3) deer in DeKalb County.
- (18) Three (3) deer in Delaware County.
- (19) Three (3) deer in Dubois County.
- (20) Three (3) deer in Elkhart County.
- (21) In Fayette County:
 - (A) one (1) deer beginning October 1, 2024; and
 - (B) two (2) deer beginning October 1, 2025.
- (22) Four (4) deer in Floyd County.
- (23) Three (3) deer in Fountain County.
- (24) In Franklin County:
 - (A) one (1) deer beginning October 1, 2024; and
 - (B) two (2) deer beginning October 1, 2025.
- (25) Three (3) deer in Fulton County.
- (26) Three (3) deer in Gibson County.
- (27) Three (3) deer in Grant County.
- (28) Three (3) deer in Greene County.
- (29) Three (3) deer in Hamilton County.
- (30) Two (2) deer in Hancock County.
- (31) Four (4) deer in Harrison County.
- (32) Three (3) deer in Hendricks County.
- (33) Three (3) deer in Henry County.
- (34) Three (3) deer in Howard County.
- (35) Three (3) deer in Huntington County.
- (36) Four (4) deer in Jackson County.
- (37) Three (3) deer in Jasper County.
- (38) Two (2) deer in Jay County.
- (39) Four (4) deer in Jefferson County.
- (40) Four (4) deer in Jennings County.
- (41) Three (3) deer in Johnson County.
- (42) Three (3) deer in Knox County.
- (43) Three (3) deer in Kosciusko County.
- (44) Three (3) deer in LaGrange County.
- (45) Three (3) deer in Lake County.
- (46) Three (3) deer in LaPorte County.
- (47) Four (4) deer in Lawrence County.
- (48) Three (3) deer in Madison County.
- (49) Three (3) deer in Marion County.
- (50) Three (3) deer in Marshall County.
- (51) Three (3) deer in Martin County.
- (52) Three (3) deer in Miami County.
- (53) Four (4) deer in Monroe County.

- (54) Three (3) deer in Montgomery County.
- (55) Four (4) deer in Morgan County.
- (56) Three (3) deer in Newton County.
- (57) Three (3) deer in Noble County.
- (58) Three (3) deer in Ohio County.
- (59) Four (4) deer in Orange County.
- (60) Four (4) deer in Owen County.
- (61) Three (3) deer in Parke County.
- (62) Four (4) deer in Perry County.
- (63) Three (3) deer in Pike County.
- (64) Three (3) deer in Porter County.
- (65) Three (3) deer in Posey County.
- (66) Three (3) deer in Pulaski County.
- (67) Three (3) deer in Putnam County.
- (68) Two (2) deer in Randolph County.
- (69) Four (4) deer in Ripley County.
- (70) Two (2) deer in Rush County.
- (71) Three (3) deer in St. Joseph County.
- (72) Four (4) deer in Scott County.
- (73) Two (2) deer in Shelby County.
- (74) Three (3) deer in Spencer County.
- (75) Three (3) deer in Starke County.
- (76) Three (3) deer in Steuben County.
- (77) Three (3) deer in Sullivan County.
- (78) Three (3) deer in Switzerland County.
- (79) Three (3) deer in Tippecanoe County.
- (80) Two (2) deer in Tipton County.
- (81) Three (3) deer in Union County.
- (82) Three (3) deer in Vanderburgh County.
- (83) Three (3) deer in Vermillion County.
- (84) Three (3) deer in Vigo County.
- (85) Three (3) deer in Wabash County.
- (86) Three (3) deer in Warren County.
- (87) Three (3) deer in Warrick County.
- (88) Four (4) deer in Washington County.
- (89) Three (3) deer in Wayne County.
- (90) Two (2) deer in Wells County.
- (91) Three (3) deer in White County.
- (92) Three (3) deer in Whitley County.

~~(h) The special antlerless deer season is from December 26 through the first Sunday in January of the following year in counties with an antlerless quota of four (4) or more deer. An individual may take only antlerless deer under this subsection and may take only the number established under subsection (g) for the county being hunted. (Natural Resources Commission; 312 IAC 9-3-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 5, 1997, 3:25 p.m.: 21 IR 930; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed May 25, 2005, 10:15 a.m.: 28 IR 2945; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; filed Jul 10, 2007, 2:09 p.m.: 20070808-IR-312060572FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Nov 12, 2009, 3:53 p.m.: 20091209-IR-312090060FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA; 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 6. 312 IAC 9-4-11 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-4-11 Wild turkeys

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

Affected: IC 14-22-11; IC 14-22-12; IC 35-47

Sec. 11. (a) Except as provided in subsection (c), an individual may hunt wild turkeys (*Meleagris gallopavo*) in the spring ~~from~~ **beginning** the first Wednesday after April 20 and ~~continuing for~~ **ending after** an additional eighteen (18) consecutive days. On property managed by the division of fish and wildlife, an individual may hunt wild turkeys under this subsection only until noon (central time) or 1:00 p.m. (Eastern time).

(b) An individual may hunt wild turkeys (*Meleagris gallopavo*) during the fall as follows:

(1) With firearms ~~from~~ **beginning** the first Wednesday after October 14 and ~~continuing for~~ **ending after** an additional eleven (11) consecutive days in the following counties only:

- (A) Bartholomew.
- (B) Brown.
- (C) Clark.
- (D) Clay
- (E) Crawford.
- (F) Daviess.
- (G) Dearborn.
- (H) DeKalb.
- (I) Dubois.
- (J) Elkhart.
- (K) Fayette.
- (L) Floyd.
- (M) Fountain.
- (N) Franklin.
- (O) Gibson.
- (P) Greene.
- (Q) Harrison.
- (R) Jackson.
- (S) Jefferson.
- (T) Jennings.
- (U) Knox.
- (V) Kosciusko.
- (W) LaGrange.
- (X) LaPorte.
- (Y) Lawrence.
- (Z) Marshall.
- (AA) Martin.
- (BB) Monroe.
- (CC) Morgan.
- (DD) Noble.
- (EE) Ohio.
- (FF) Orange.
- (GG) Owen.
- (HH) Parke.
- (II) Perry.
- (JJ) Pike.
- (KK) Posey.
- (LL) Putnam.
- (MM) Ripley.
- (NN) Scott.
- (OO) Spencer.
- (PP) St. Joseph.
- (QQ) Starke.
- (RR) Steuben.
- (SS) Sullivan.
- (TT) Switzerland.
- (UU) Union.

- (VV) Vanderburgh.
- (WW) Vermillion.
- (XX) Vigo.
- (YY) Warren.
- (ZZ) Warrick.
- (AAA) Washington.

(2) With a bow and arrows ~~from~~ **beginning**:

- (A) October 1 to the end of the fall turkey season with firearms as established in subdivision (1); and
- (B) the first Saturday after the closing day of deer firearms season as established in ~~312 IAC 9-3-4(c) through~~ **312 IAC 9-3-4 and ending** the first Sunday in January.

(c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury ~~shall be~~ **are** determined by the director on an annual basis to prevent interference with military training exercises.

(d) An individual may take one (1):

- (1) bearded or male wild turkey during the spring season; and
- (2) wild turkey of either sex during the fall season.

(e) An individual must not do the following:

- (1) Hunt wild turkeys except between one-half (1/2) hour before sunrise and sunset.
- (2) Take a wild turkey except ~~with the use of~~ **by using** any of the following:

- (A) A shotgun or muzzleloading shotgun with a barrel length of **at least** 18 inches (forty-six (46) cm):
 - (i) of 28, 20, 16, 12, and 10 gauge; or
 - (ii) .410 caliber;

loaded only with shot of size 4, 5, 6, 7, 7 1/2, or smaller. Shot size smaller than size 7 1/2 must be comprised of tungsten super shot or equivalent pellet density only. Shot sizes of equal or greater diameter than six (6) shot (diameter equal to eleven-hundredths (0.11) inch) up through and including four (4) shot (diameter equal ~~thirteen-hundredths to thirteen-hundredths~~ (0.13) inch) must have a density composition equal to or less than fifteen (15) grams per cubic centimeter.

(B) A bow and arrows, including crossbows as defined in 312 IAC 9-1-5.3, with the following restrictions:

(i) An individual must not use a:

- (AA) long bow; or
- (BB) compound bow;

of less than thirty-five (35) pounds pull.

(ii) Arrows must be equipped with metal or metal-edged, ~~or~~ flint, chert, or obsidian napped broadheads.

(iii) An individual ~~must~~ **shall** not use: ~~a:~~

- (AA) **a** crossbow of less than one hundred twenty-five (125) pounds pull;
- (BB) **a** crossbow without a mechanical safety; or
- (CC) **a** poisoned or **an** explosive arrow.

(iv) No ~~portion~~ **part** of a bow's riser (handle) or:

- (AA) track;
- (BB) trough;
- (CC) channel;
- (DD) arrow rest; or
- (EE) other device;

that attaches to the bow's riser ~~shall~~ **may** contact, support, or guide the arrow from a point rearward of the bow's brace height.

(3) Hunt wild turkeys in the fall season that takes place during the deer muzzleloader season as established in ~~312 IAC 9-3-4(f) or during the deer special late antlerless season in a location where authorized as established in 312 IAC 9-3-4(h)~~ **312 IAC 9-3-4** unless that individual wears hunter orange.

(4) Call wild turkeys for another individual unless licensed ~~in accordance with~~ **under** subsection (j) or (k). The individual who calls the wild turkey may have already harvested a wild turkey.

(f) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning ~~on~~ the Saturday immediately before the ~~start~~ **beginning** of the spring turkey season established in subsection (a). ~~As used in this subsection, "youth" means an individual who is less than eighteen (18) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. An adult accompanying~~

a youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field. The seasonal limit for hunting wild turkeys under this subsection is one (1) bearded or male wild turkey. A youth hunter who takes a wild turkey under this subsection must not take another wild turkey during the spring turkey season in the same year.

- (g) An individual must not use or possess:
 - (1) a dog;
 - (2) another domesticated animal;
 - (3) a live decoy;
 - (4) a recorded call;
 - (5) an electronically powered or controlled decoy; or
 - (6) bait;

while hunting a wild turkey. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

- (h) An individual may possess a handgun while hunting wild turkeys ~~in accordance with~~ **under** IC 35-47.

- (i) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, an individual must not hunt:
 - (1) wild turkeys unless possessing a completed and signed license bearing the individual's name; or
 - (2) with a wild turkey license issued to another individual.

- (j) An individual may take a wild turkey during the spring season established under subsection (a) only if:

- (1) issued a license to hunt wild turkeys with:
 - (A) a resident youth consolidated hunting license under IC 14-22-11-10(b);
 - (B) a resident spring turkey license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(20);
 - (C) a nonresident spring turkey license under IC 14-22-12-1(a)(21);
 - (D) a resident youth consolidated hunting license under IC 14-22-12-1(a)(24);
 - (E) a nonresident youth spring turkey license under IC 14-22-12-1(a)(27);
 - (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;
 - (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
 - (H) an apprentice spring turkey hunting license under IC 14-22-12-1.7; or
- (2) hunting under IC 14-22-11-1.

- (k) An individual may take a wild turkey during the fall season established under subsection (b) only if:

- (1) issued a license to hunt wild turkeys with:
 - (A) a resident youth consolidated hunting license under IC 14-22-11-10(b);
 - (B) a resident fall turkey license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(22);
 - (C) a nonresident fall turkey license under IC 14-22-12-1(a)(23);
 - (D) a resident youth consolidated hunting license under IC 14-22-12-1(a)(24);
 - (E) a nonresident youth fall turkey license under IC 14-22-12-1(a)(28);
 - (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4) before its repeal;
 - (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5) before its repeal; or
 - (H) an apprentice fall turkey hunting license under IC 14-22-12-1.7; or
- (2) hunting under IC 14-22-11-1.

(l) Immediately after taking a wild turkey, an individual ~~must~~ **shall** attach a piece of paper to a leg of the turkey directly above the spur stating the following:

- (1) The name and address of the individual who took the turkey.
- (2) The ~~license number (if applicable)~~ **of the hunting license issued to the individual who took the turkey, if applicable.**
- (3) The date the wild turkey was taken.
- (4) The sex of the wild turkey taken.

(m) An individual who takes a wild turkey ~~must~~ **shall** do one (1) of the following:

- (1) ~~Cause delivery of~~ **Ensure** the wild turkey ~~is delivered~~ **is delivered** to an official turkey checking station within forty-eight (48) hours of taking as follows:
 - (A) Register the wild turkey in the name of the individual who took the wild turkey.
 - (B) Provide the check station with true and accurate information that includes the information on the piece of paper described in subsection (l).

(C) Record the confirmation number provided by the department's electronic harvest reporting system on the piece of paper described in subsection (1).

(2) ~~Cause the reporting of~~ **Ensure the take is reported** by providing true and accurate information required on the department's electronic harvest reporting system within forty-eight (48) hours of taking. The individual who took the wild turkey or the individual reporting the take ~~of the turkey must~~ **shall** record the department's electronic harvest confirmation number on the piece of paper described in subsection (1). This confirmation number must be maintained with the turkey until processing of the turkey begins.

(n) The department's electronic harvest confirmation number must be maintained with a wild turkey ~~that is~~ gifted to another individual until processing of the wild turkey begins.

(o) The official wild turkey checking station operator shall accurately report the taking of ~~the a~~ wild turkey on the department's electronic harvest reporting system and give the individual the confirmation number.

(p) The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(q) As used in this section, "bait" means to:

- (1) place;
- (2) expose;
- (3) deposit;
- (4) distribute; or
- (5) scatter;

grain, salt, or other feed to lure, attract, or entice a wild turkey to an area where ~~a person~~ **an individual** may take the wild turkey. *(Natural Resources Commission; 312 IAC 9-4-11; filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-312060193FRA; filed Sep 6, 2007, 12:20 p.m.: 20071003-IR-312070023FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Apr 3, 2009, 1:48 p.m.: 20090429-IR-312080740FRA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; filed Aug 27, 2010, 10:52 a.m.: 20100922-IR-312090984FRA; filed Dec 18, 2012, 2:00 p.m.: 20130116-IR-312120115FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA; filed May 11, 2021, 1:07 p.m.: 20210609-IR-312200602FRA)*

EXHIBIT B

DEPARTMENT RESPONSE TO COMMENTS:

The Division of Fish and Wildlife (DFW) is requesting approval of the proposed changes to the deer hunting rule amendments. The DFW asked hunters in the 2022 Deer Management Survey their opinion of the proposed rule changes and survey results are included in the responses to the comments below. The DFW believes the proposed rule changes will help deer hunters find the rules easier to understand, including combining the crossbow and archery license into one (1) license, changing “bonus antlerless” deer to an antlerless bag limit, and limiting the number of total deer that may be taken statewide. Hunters will be permitted to use additional equipment to hunt (.40 caliber muzzleloader) and retrieve deer (infrared sensors).

Many comments were received in support of the proposed rule changes. Below are responses to the comments received that were not supportive:

Comments on the use of crossbows under 312 IAC 9-3-2(g) and 312 IAC 9-3-3(b): Comments were received opposing the use of a crossbow throughout the entire archery season and allowing crossbows to be used under an archery license.

Response: Crossbows became legal equipment to use throughout the entire archery season in 2011 and there is no amendment proposed by the department of natural resources (department) to remove their use during the entire archery season. The DFW is proposing to eliminate only the requirement of the crossbow license by allowing hunters who use either a bow and arrow or a crossbow to purchase an archery license and use either equipment. The proposed rule changes will help reduce confusion among deer hunters and give an individual an additional equipment option with the one (1) multiple season license. The licenses can be used during the entire deer archery season, so there is not a proposed change to the timeframe in which the licenses may be used. A recent survey showed that most hunters are supportive of the proposed rule change, although some do not consider crossbows to be "traditional" archery equipment. Most hunters use either a bow and an arrow or a crossbow to hunt, but not both.

Comments on the limit of six (6) antlerless deer statewide: Comments were received regarding a concern for a potential overharvest of antlerless deer in certain counties as well as concerns regarding limiting hunters to only six (6) antlerless deer statewide if the deer are harvested legally.

Response: The proposed rule changes set a statewide bag limit of six (6) deer in addition to the county antlerless limit because the current county bonus antlerless quota system may be perceived to allow hunters to shoot excessive numbers of antlerless deer across multiple counties if hunters in each county were to take the maximum number of antlerless deer available in each county. The proposed rule change does not remove the limit of antlerless deer that may be taken per county under 312 IAC 9-3-4(g). For example, a hunter may take three (3) antlerless deer in Elkhart County and three (3) antlered deer in Fulton County but may not take additional antlerless deer during the regular deer seasons that year because the hunter took six (6) deer, the statewide individual bag limit. There are only a few hunters who take the permitted six (6) antlerless deer under the current rules. Only thirty-one (31) hunters during the 2022-2023 season took more than six (6) antlerless deer, twenty-four (24) hunters took more than six (6) antlerless deer during the 2021-2022 season, and thirty-seven (37) hunters took more than six (6) antlerless deer during the 2020-2021 season. The division sought feedback regarding limiting the total number of antlerless deer that each hunter may take in the state to six (6) antlerless deer in the 2022 Deer Management Survey. Of the seventeen thousand one hundred ninety-five (17,195) responses, seventy-four percent (74%) supported the bag limit to some degree with forty-eight percent (48%) of the responses strongly supporting the bag limit. Twelve percent (12%) of the responses were neutral to the statewide bag limit, and fourteen percent (14%) opposed the bag limit.

Comments opposed changing the deer bundle license to allow only one (1) antlered deer and two (2) antlerless deer to be taken under 312 IAC 9-3-2(b).

Response: The proposed rule changes the bundle license to allow individuals to take one (1) antlered deer and two (2) antlerless deer. The change was supported by sixty-two percent (62%) of respondents, opposed by eighteen percent (18%) of respondents, and found neutral by nineteen percent (19%) of respondents of the sixteen thousand three hundred seventy-four (16,374) respondents to a 2022 survey. The DFW believes that the proposed rule change makes the license bundle easier to understand and helps simplify regulations for hunters. Landowners and tenants of farmland who are exempt from needing a license to hunt deer on their own property would not be affected by this change, as well as resident youth license holders and lifetime license holders. The deer license bundle may be used for all deer hunting seasons, except for the deer reduction zone season.

Comments on not allowing a firearm to be used on department properties under 312 IAC 9-3-2(v) and allowing a youth hunter to take one (1) antlerless deer in the youth deer season under 312 IAC 9-3-4(b): One (1) comment was opposed to the proposed restriction for youth hunters during the special youth deer season and additional comments were received which opposed the restriction for other hunters. Another comment asked for clarification about the properties for which the restrictions would apply.

Response: The department has historically prohibited the use of taking "bonus antlerless" deer at Fish and Wildlife Areas, as well as Salamonie Lake, Mississinewa Lake, and Patoka Lake (the state property) under emergency rules prior to HEA 1623-2023. The restrictions are still needed to allow for quality deer hunting opportunities on the properties due to the number of individuals who hunt the properties by prohibiting the take of antlerless deer with a firearm. Individuals who hunt deer may still harvest antlerless deer on the properties with archery equipment, including crossbows, and muzzleloaders during those seasons. In a survey of hunters in 2022, hunters were asked their opinion regarding prohibiting taking antlerless deer at Fish and Wildlife Areas with a firearm. Out of sixteen thousand four hundred seventy-eight (16,478) responses, fifty-four percent (54%) supported the proposed rule changes, with thirty-three percent (33%) strongly supporting, and twenty-one percent (21%) somewhat supporting. Twenty-nine percent (29%) of the responses were neutral, and seventeen percent (17%) of the responses opposed the proposed rule changes with nine percent (9%) strongly opposing and eight percent (8%) somewhat opposed. In response to the comment seeking clarification on the rule prohibiting taking an antlerless deer with a firearm on properties managed by the DFW, the department did not list each property because of the number of properties, and potential for changes that would require an amendment to the rules. Listing the properties would require every Fish and Wildlife Area, wildlife management area, conservation area, and any other property where deer hunting is authorized to be listed. If a new property is acquired or the name of a property is changed, the rule would have to be amended. Therefore, the department is proposing to keep the language the same as is currently written; the list of properties managed by the DFW can be found on the website at wildlife.in.gov

Comments opposed to the department allowing a replacement deer to be taken if a deer harvested is determined to be unfit for human consumption under 312 IAC 9-3-2(cc).

Response: A hunter taking a deer that is unfit for human consumption occurs often during deer season, with a peak during firearms season. Currently, department staff examines photographs, evaluates the meat condition based on observations by biologists, conservation officers, or both. A decision is made whether to allow a hunter to take another deer if the staff determines the deer is unfit for human consumption based on department guidelines. If a hunter is concerned with the condition of an antlerless deer, and there is evidence of systemic infection, department staff allows the hunter to take another antlerless deer on the current license used to hunt deer. The only issue determined by the department is the usability of the meat to the hunter. However, when a hunter calls with a buck that is judged to be unfit for human consumption, currently the antlers must be turned into the department so the hunter can comply with the rule regarding taking one (1) antlered deer. Because only the meat is affected by the disease, allowing the hunter to keep the antlers while offering to replace the meat with an antlerless deer privilege, makes the solution more equitable. The proposed rule change does not apply to deer that are harvested and not handled properly resulting in spoilage. If the department suspects a disease, such as bovine tuberculosis, department staff confiscates the deer and allows the hunter to take another deer on the same license. This process is different from the current process and will remain in place for a deer the department confiscates due to disease.

Comments on muzzleloaders under 312 IAC 9-3-3(d): Comments were received both in support of and opposition to the change in the muzzleloader caliber. Comments were also received requesting that the department allow muzzleloaders that would allow both the powder and bullet to be loaded from the breech end during the muzzleloader season.

Response: The proposed rule changes allow the use of a .40 caliber muzzleloader, which will allow more hunters to use equipment they currently use to hunt deer. The deer program has received requests from individuals who hunt during the muzzleloader season for the proposed rule change. The department examined the muzzle velocity and energy and found that an example of a .40 caliber muzzleloader (CVA Paramount HTR) loaded to the recommended powder specifications with a 225-grain bullet is capable of a muzzle velocity of greater than two thousand six hundred (2,600) feet per second with an energy of greater than three thousand five hundred (3,500) foot-pounds of kinetic energy remaining. At two hundred (200) yards, the velocity is still greater than two thousand two hundred (2,200) feet per second with approximately two thousand three hundred (2,300) foot-pounds of kinetic energy remaining. This is more than enough velocity and energy to take a deer effectively at more than two hundred (200) yards with an expanding bullet. The department did not propose a change to allow the use of the NitroFire™ Firestick™ muzzleloader during the muzzleloader season, which allows both the powder and bullet to be loaded from the breech end and is not proposing to do so under the proposed rule changes. Comments were received on a proposal to allow this equipment a few years ago and the majority of the comments were not supportive of allowing the equipment during the muzzleloader season.

Comments were received both in support of and opposition to the proposed rule changes to allow hunters to retrieve deer using thermal or infrared detectors under 312 IAC 9-3-3.

Response: Over the past several years, hunters asked if the department will allow the use of thermal and infrared detectors to locate and retrieve dead deer. SEA 189-2024 authorizes the use of unmanned aerial vehicles with infrared sensors to retrieve deer that are legally taken. This is consistent with IC 14-22-6-16, which prohibits the use of unmanned aerial vehicles to aid in hunting but allows their use to retrieve a dead wild animal. Therefore, the department proposes to change the rule to allow the use of thermal or infrared detectors to retrieve dead deer, but not used when hunting deer, under state law.

Comments on repealing the special antlerless season under 312 IAC 9-3-4(h): Comments were received both in support of and opposition to keeping the special antlerless only season that was open from December 26 through the first Sunday in January in counties with an antlerless quota of at least four (4) deer.

Response: The purpose of the special antlerless season was to try to significantly increase the harvest of antlerless deer, but research found that hunters take antlerless deer later in the season but did not harvest more antlerless deer in total. Therefore, the late season did not have an impact on the total number of antlerless deer harvested.

Comments opposed allowing a second antlered deer to be taken under the deer reduction zone bag limit under 312 IAC 9-3-4(d): A comment was received to not allow an additional antlered deer to be taken in the deer reduction zone, formerly called the urban deer zone, as well as to shorten the reduction zone season.

Response: The proposed rule changes do not change the reduction zone season dates, when firearms are allowed during this season, or the number and type of deer that may be taken during the season. The DFW is not proposing to change the reduction zone season dates at this time. A deer reduction zone provides hunters with additional opportunities to take deer in that area and the possibility of harvesting an additional antlered deer provides an incentive for hunters to hunt in these areas. Allowing firearms during the limited time also provides an additional opportunity for deer hunters to take deer in these zones. The goal is to reduce conflict between deer and humans, not to eliminate the deer population. Incorporating or increasing hunting in these areas helps manage deer populations and increases deer wariness of humans, which can also reduce conflict.

Comments opposed to the current deer firearm season dates. Two (2) comments were received which suggested changing the start date of the deer firearm season in 312 IAC 9-3-4(e).

Response: The department did not propose a change to the dates when the firearm season starts and ends and is not proposing to change these dates at this time.

Comments requesting a limit of three (3) deer for nonresident hunters.

Response: The department did not propose a rule changing the number of deer a resident or nonresident may take and is not proposing to do so. The limit to the number of antlered and antlerless deer under this rule includes both residents and nonresidents.

Comments regarding the cost of license fees and bringing back the lifetime hunting license.

Response: Comments were received requesting to lower deer hunting license fees and bring back the lifetime license, but the department may not establish fees for licenses or establish lifetime licenses under this rule.

Comments requesting that only veterans be allowed to hunt on state land.

Response: The department did not propose a change regarding limiting who can hunt on state property and is not proposing to do so under this rule.

Comments regarding bag limits on antlerless deer.

Response: The DFW is required to manage the white-tailed deer resource for future generations. This requires the DFW to balance ecological, recreational, and economic benefits. Proper management of the deer resource requires the cooperative actions of the DFW and residents to produce healthy deer in a healthy environment as an indefinitely renewable resource. Within the above constraints, the DFW is committed to maximizing the public's range of choices for both consumptive recreation (hunting) and nonconsumptive recreation, such as viewing, photographing, aesthetic appreciation of presence, etc. The goal of the DFW deer management program is to maintain a healthy deer herd at a level that provides satisfactory hunting and viewing opportunities while minimizing vehicle accidents involving deer, agricultural crop damage, and other conflicts between deer and humans.

Comments about deer limits per license.

Response: IC 14-22-12-1 requires a deer hunting license to take one (1) deer. Therefore, the department's deer licenses can only allow one (1) deer to be taken per license, with the exception for the deer license bundle that is a combination of deer licenses permitted by law.

Comments about the number of bullets or cartridges a hunter may carry while hunting deer.

Response: IC 14-22-2-8 limits the number of rifle cartridges that a hunter may carry while hunting deer with a rifle on private land. Therefore, the department and the natural resources commission do not have the ability to make the requested rule change.

Comments related to deer control (depredation) permits.

Response: Under state law, the DFW is required to provide for the management and survival of deer in Indiana. The DFW is committed to managing the white-tailed deer resource for future generations; balancing ecological, recreational, and economic benefits. Proper management of the deer resource requires the cooperative actions of the DFW and residents to produce healthy deer in a healthy environment as an indefinitely renewable resource. Within the above constraints, the department is committed to maximizing the public's range of choices for both consumptive recreation (hunting) and nonconsumptive recreation, such as viewing and photographing. The goal of the DFW deer management program is to maintain a healthy deer herd at a level that provides satisfactory hunting and viewing opportunities while minimizing deer-vehicle accidents, agricultural crop damage, and other deer-human conflicts. Deer management in Indiana is a dynamic process of repeated surveys of farm operators, of deer hunters, and of the general public followed by adjustment of deer population levels to comply with the evolving desires of the residents. Deer control permits are available to landowners, farmers, and other experiencing economic loss due to deer damage outside the deer hunting season. The permits are free of charge and can be requested when damage starts occurring in accordance with 312 IAC 9-10-25. Changes to requirements of the deer control permit are outside the scope of the proposed rule changes.

Additional comments about rule language for which no changes are proposed: The department received several comments outside the scope of the proposed rule changes, including comments about deer hunting in general, allowing a second antlered deer to be taken, the draw weight of bows, and rifle cartridge requirements.

Response: The proposed rule changes do not deal with these topics. At this time, the department is only moving forward with the proposed rule changes in the rule package.