

**Request for preliminary adoption of amendments to 312 IAC 9 governing bobcats, including adding a bobcat trapping season. Admin. Cause No. 24-FW-010**

In March 2024, the Indiana General Assembly passed legislation (SEA 241-2024) that directs the Indiana DNR, by July 1, 2025, to establish rules to have a bobcat season.

Proposed changes include allowing bobcats and their parts that are legally acquired to be able to be sold under 312 IAC 9-2-3. This would include their hides as well as other parts.

The proposed changes in 312 IAC 9-3-9 would allow bobcats that are found dead to be kept by people with a permit.

The proposed changes in 312 IAC 9-3-18.1 set forth a bobcat trapping season in 40 counties in southern Indiana.

The proposed changes to 312 IAC 9-3-18.4 remove bobcats from this rule, including removing the additional requirements for documentation for bobcats since they would be able to be legally harvested in Indiana under the proposal in 312 IAC 9-3-18.1.

The department is also requesting to add bobcats to the list of species for which a game breeder's license is required in 312 IAC 9-10-4, as well as clarify application requirements and make other changes to conform with the Indiana Rule Drafting Manual.

Additional changes are also proposed to 312 IAC 9-10-12 governing the Fur Buyer's license to clarify application requirements and remove requirements that bobcats be obtained from outside Indiana.

Title 312 Natural Resources Commission

### Proposed Rule

#### DIGEST

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

#### PROPOSED PERMANENT RULE

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

312 IAC 9-2-3 Application of this article **Applicability** to wild animal parts

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Authority: IC 14-22-2-6

Affected: IC 14-22

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

- (1) ~~possession;~~ **possess;**
- (2) ~~sale;~~ **sell or**
- (3) offer for sale;
- (4) ~~(3) purchase or~~
- (5) offer for purchase;
- (6) ~~shipment;~~ **(4) ship;**
- (7) ~~transportation;~~ **(5) transport;**
- (8) ~~delivery;~~ **(6) deliver;** or
- (9) ~~receipt;~~ **(7) receive;**

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

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

- (1) A tanned ~~hides.~~ **hide.**
- (2) Any portion of a furbearing mammal **(as defined by IC 14-8-2-108).**
- (3) Cured feathers.
- (4) A squirrel ~~tails.~~ **tail.**
- (5) **An** untanned deer ~~hides.~~ **hide.**
- (6) Antlers.
- (7) Hooves.

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

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

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

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

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

312 IAC 9-3-9 **Disposition of certain** wild animals ~~killed by other means; disposition~~

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

Affected: IC 14-22

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

(1) ~~White-tailed~~ **A** deer.

(2) ~~A~~ fox. ~~or~~

**(3) A** gray squirrel.

~~(3)~~ **(4) An** eastern cottontail rabbit.

**(4) (5) A** furbearing mammal **(as defined by IC 14-8-2-108)**.

~~(5)~~ **(6) A** river otter.

~~(6)~~ **(7) A** wild turkey.

~~(7)~~ **(8) A** bobwhite quail.

~~(8)~~ **(9) A** ring-necked pheasant.

**(10) A bobcat.**

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

(1) **a** conservation officer;

(2) ~~a district~~ wildlife biologist for the department;

(3) **a** property manager or assistant property manager for the department; or

(4) ~~an individual~~ **law enforcement officer** designated by the conservation officer **under subdivision (1)**.

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

SECTION 3. 312 IAC 9-3-18.1 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-18.1 Bobcats

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

Affected: IC 14-22

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

~~(1) A scientific purposes license under 312 IAC 9-10-6.~~

~~(2) A nuisance wild animal control permit under 312 IAC 9-10-11. beginning November 8 and ending:~~

**(1) January 31 of the following calendar year; or**

**(2) the date on which the statewide quota under subsection (g) is reached;**

**whichever is earlier.**

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

- (1) A resident license to take a bobcat under IC 14-22-12-1(a)(36).
- (2) A nonresident youth license to take a bobcat under IC 14-22-12-1(a)(37).
- (3) A resident youth consolidated license to hunt and trap under IC 14-22-12-1(a)(24) or IC 14-22-11-10(b).
- (4) A nonresident license to take a bobcat under IC 14-22-12-1(a)(38).
- (5) A lifetime basic trapping license under IC 14-22-12-7(a)(6) before its repeal.

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

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

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

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

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

- (1) cage trap;
- (2) foothold trap permitted under 312 IAC 9-3-18; or
- (3) snare permitted under 312 IAC 9-3-18 with a relaxing snare lock.

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

(h) An individual who takes a bobcat shall:

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

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

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

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

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

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

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

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

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

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

(m) An individual may not trap a bobcat:

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

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

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

- (1) during the bobcat trapping season after the individual bag limit under subsection (c) is reached;
- (2) after the statewide quota is reached;
- (3) in a county where the bobcat trapping season is not open;

**(4) outside the bobcat trapping season; or**

**(5) without a license to take a bobcat under IC 14-22-12-1 or is exempt from the licensure requirement under IC 14-22-11-1;**

**shall notify the department not later than twenty-four (24) hours after taking the bobcat. The individual shall arrange to deliver the bobcat to the department.**

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

(1) With a wild animal rehabilitation permit under 312 IAC 9-10-9.

(2) With a scientific purposes license under 312 IAC 9-10-6.

(3) With a nuisance wild animal control permit under 312 IAC 9-10-11.

(4) With a wild animal possession permit under 312 IAC 9-11.

~~(5) By a registered or licensed educational or scientific institution, with the United States Department of Agriculture in accordance with 9 CFR, Chapter 1, Subchapter A, Parts I through IV.~~ **person under IC 14-22-26-1.**

~~(6) By a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV.~~

~~(e) (p) An individual must~~ **may** not sell a live bobcat unless ~~that person has~~ **the individual obtains a breeder, dealer, or exhibitor license issued by the United States Department of Agriculture under 9 CFR, Chapter 1, Subchapter A, Parts I through IV** **game breeder's license under 312 IAC 9-10-4.** *(Natural Resources Commission; 312IAC 9-3-18.1; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)*

SECTION 4. 312 IAC 9-3-18.4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-18.4 Possession and sale of ~~bobcats and~~ badgers

Authority: IC 14-22-2-6

Affected: IC 14-22

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

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

(A) A legible copy of ~~any of~~ the following:

(i) A tag.

(ii) A receipt.

(iii) A ~~hunting~~ **license to hunt.**

(iv) A ~~trapping~~ **license to trap.**

(v) A **permit to take or possess a badger.**

(vi) ~~Other~~ **Another** appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired.

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

(i) A fur buyer licensed under 312 IAC 9-10-12.

(ii) A taxidermist licensed under 312 IAC 9-10-5.

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

(A) carcass;

(B) hide; or

(C) part;

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

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

(c) A fur buyer licensed under 312 IAC 9-10-12, or a taxidermist licensed under 312 IAC 9-10-5, who sells:

- (1) a carcass;
- (2) a hide; or
- (3) any part;

of a ~~bobcat or~~ badger must provide the purchaser with the documentation ~~described in~~ **under** subsection (a). A purchaser who relies in good faith upon the documentation may offer it as an affirmative defense to an infraction or civil penalty alleging a violation ~~of~~ **under** subsection (a). (*Natural Resources Commission; 312 IAC 9-3-18.4; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR312140017RFA; filed Feb 26, 2015, 2:01 p.m.: 20150325-IR-312140341FRA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA*)

SECTION 5. 312 IAC 9-10-4 IS AMENDED TO READ AS FOLLOWS:

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

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-20

Affected: IC 4-21.5; IC 14-22

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

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

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

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

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

- (1) A furbearing or an eastern cottontail rabbit that is:
  - (A) lawfully taken ~~in~~ during a season **to take the wild animal;** or

(B) born in captivity.

(2) A squirrel or a gray squirrel that is born in captivity.

(3) A ring-necked pheasant or a bobwhite quail hatched in captivity.

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

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

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

(A) breeding;

(B) food; or

(C) release.

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

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

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

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

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

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

(1) inspection by a conservation officer; or

(2) approval by the division.

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

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

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

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

shall secure a certificate of veterinary inspection from an accredited veterinarian in the state of origin or certificate of compliance ~~as specified at~~ **under** 345 IAC 1-3-24 before the **live** animal or egg is shipped ~~into~~ to the state.

Documentation in the form of a copy of a valid game ~~breeder~~ breeder's license or valid dated receipt that establishes lawful acquisition or ownership must accompany ~~any~~ transportation of ~~a~~ **wild the live animal or egg**.

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

(1) A receipt.

(2) An invoice.

(3) Other satisfactory evidence of lawful acquisition.

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

**(b):**

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

(A) makes escape of the **wild** animal unlikely; and

(B) prevents the entrance of a free-roaming **wild** animal of the same species.

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

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

(B) make normal postural adjustments.

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



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

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

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

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

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

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

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

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

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

~~on in a signed form from and manner prescribed by the department. in ink or a computerized record with a signature that is either electronic or in ink.~~

- (3) Keep a copy of the complete and accurate inventory on the premises of the game breeder.
- (4) Provide a copy of the inventory to a conservation officer upon request.

(5) Issue a valid, dated receipt prepared in ink for ~~an~~ **a wild** animal or product that is sold, traded, bartered, or gifted and include the following information:

- (A) The game breeder's license number.
- (B) The buyer and seller name and address.
- (C) The number of animals or products sold.
- (D) The species of animal sold.

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

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

- (1) bought;
- (2) sold;
- (3) born;
- (4) traded;
- (5) gifted;
- (6) ~~of deaths;~~ **that died;** and
- (7) on hand.

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

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

- (1) Meet the conservation officer at the time of inspection to provide access to all enclosures where **wild** animals possessed under ~~a the~~ **the** game breeder's license are housed.
- (2) Provide access to all records relative to the game breeder's license.

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

- (1) Upon request of the **person holding the** game breeder's license holder or the designee of the **person holding a** game breeder's license, ~~holder~~ and prior to entering the enclosure where **wild** animals are housed, follow appropriate sanitation practices to prevent the spread of disease if the **person holding the** game breeder's license holder provides sanitation supplies or protective equipment.
- (2) Give due consideration to the safety and welfare of the **wild** animals.
- (3) Notify the **person holding the** game breeder's license holder if the inspection reveals a violation ~~of~~ **under** this section or IC 14-22-20. The conservation officer may make a second inspection ~~after no sooner~~ **not earlier** than fifteen (15) days after the reported violations unless critical conditions exist as determined at the reasonable discretion of the conservation officer. The wild animals may be confiscated if the **person holding a** game breeder's license holder fails to correct the violations of the game breeder's license requirements.

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

- (1) A provision of a game breeder's license issued under this section.
- (2) IC 14-22-20.
- (3) ~~All~~ Applicable state, local, or other federal laws.

**(u) An person shall pay the fee for a game breeder's license under 312 IAC 1.5-4-11.** *(Natural Resources Commission; 312 IAC 9-10-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2728; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jan 26, 2004, 10:45 a.m.: 27 IR 1789; filed Jan 8, 2007, 9:11 a.m.: 20070207-IR-*

312060193FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Apr 8, 2010, 1:49 p.m.: 20100505-IR-312090486FRA; filed Dec 10, 2010, 10:36 a.m.: 20110105-IR-312100104FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR312190325RFA)

SECTION 6. 312 IAC 9-10-12 IS AMENDED TO READ AS FOLLOWS:

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

Authority: IC 14-11-2-1; IC 14-22-2-6; IC 14-22-19

Affected: IC 14-22-19-3

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) A conservation officer may, at ~~any~~ a reasonable time, inspect the records, hides, and carcasses of wild animals possessed by a ~~licensed person holding a fur buyer~~ **buyer's license**. (*Natural Resources Commission; 312 IAC 9-10-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2732; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Feb 26, 2015, 2:01 p.m.: 20150325-IR-312140341FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA*)

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