
TITLE 312 NATURAL RESOURCES COMMISSION

Interim Final Rule
LSA Document #24-271

DIGEST

Temporarily supersedes [312 IAC 4-4-6](#), [312 IAC 4-5-2](#), and [312 IAC 4-5-3](#) concerning a conservation officer's right to appeal when terminated, demoted, or suspended; terminating probationary employees; establishing a board for informal review of disciplinary actions; and law enforcement hiring. Effective September 24, 2024. Expires September 24, 2025.

HISTORY

Notice of Public Comment Period for Interim Rule published August 21, 2024: [20240821-IR-312240271INA](#)

Regulatory Analysis submitted with Notice of Public Comment Period for Interim Rule:

[20240821-IR-312240271RAA](#)

Governor's Approval submitted with Notice of Public Comment Period for Interim Rule:

[20240821-IR-312240271GAA](#)

SUMMARY/RESPONSE TO COMMENTS

The Natural Resources Commission (commission) requested public comment on the proposed interim rule from August 21, 2024, through September 20, 2024. The commission received no comments in response to the Notice of Public Comment Period for Interim Rule.

INTERIM RULE

SECTION 1. (a) This SECTION supersedes [312 IAC 4-4-6](#).

(b) Except as provided in subsection (d), a conservation officer:

(1) whose employment is terminated; or

(2) who is demoted or suspended;

due to a final determination by the division director, or the division director's designee, may seek administrative review from the natural resources commission (commission) under [IC 4-21.5](#) and [312 IAC 3-1](#).

(c) The division director may establish a board to provide informal review of a disciplinary action by issuing a general order. A determination:

(1) subject to administrative review under subsection (b); and

(2) for which informal review is available under this subsection;

is not a final determination until the board completes the informal review and makes a written report of its findings.

(d) Absent charges filed under [312 IAC 4-4-5](#) and without a predisciplinary meeting, a probationary employee may be terminated. A termination action under this subsection does not entitle an individual to administrative review under subsection (b) or informal review under subsection (c).

(e) An individual aggrieved by a final agency action of the commission under this SECTION may seek judicial review under [IC 4-21.5-5](#).

SECTION 2. (a) This SECTION supersedes [312 IAC 4-5-2](#).

(b) An individual who applies to become a conservation officer shall meet the following requirements to be favorably considered:

(1) Provide proof the individual is a United States citizen, including:

(A) a copy of the individual's birth certificate; or

(B) a copy of the individual's:

(i) naturalization certificate;

(ii) certificate of citizenship;

(iii) United States Passport; or

(iv) Consular Report of Birth Abroad (FS-240).

(2) Demonstrate the strength and agility needed to complete the physical conditioning and

psychomotor skills requirements established by the law enforcement training board under [250 IAC 2-3](#).

- (3) Achieve a high school diploma or general education diploma.
- (4) Be at least twenty-one (21) years of age on the date of appointment.
- (5) Possess a valid driver's license to operate an automobile.
- (6) Attest the individual is willing to reside and serve in any location designated by the division director in a form and manner prescribed by the department of natural resources.
- (7) Demonstrate an ability to:
 - (A) swim one hundred (100) yards without stopping; and
 - (B) tread water for at least five (5) minutes.

SECTION 3. (a) This SECTION supersedes [312 IAC 4-5-3](#).

(b) The division director shall establish additional standards for recruiting, selecting, training, and promoting a conservation officer.

(c) If requested by the division, an individual shall submit to and satisfy the following:

- (1) Standard psychological testing.
- (2) A polygraph examination.

(d) The division director shall select an individual to become a conservation officer based on indicators the individual will excel in a career in conservation law enforcement, including the individual's:

- (1) life experiences; and
- (2) interest in and commitment to natural resources.

SECTION 4. This document expires September 24, 2025.

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