



January 26, 2000

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## SENATE BILL No. 139

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DIGEST OF SB 139 (Updated January 24, 2000 11:52 AM - DI 77)

**Citations Affected:** IC 14-8; IC 14-22.

**Synopsis:** Regulation of falconry and trapping. Provides for the regulation of trapping and raptors.

**Effective:** July 1, 2000.

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### Lewis, Wheeler

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November 23, 1999, read first time and referred to Committee on Natural Resources.  
January 25, 2000, reported favorably — Do Pass.

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SB 139—LS 6187/DI 2+



January 26, 2000

Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## SENATE BILL No. 139

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-8-2-122.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2000]: **Sec. 122.5. "Highway", for purposes**  
4 **of IC 14-22-10-11, has the meaning set forth in IC 8-23-1-23.**

5 SECTION 2. IC 14-8-2-222.5 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2000]: **Sec. 222.5. "Public highway", for**  
8 **purposes of IC 14-22-10-11, has the meaning set forth in**  
9 **IC 8-2.1-17-14.**

10 SECTION 3. IC 14-8-2-228.5 IS ADDED TO THE INDIANA  
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2000]: **Sec. 228.5. "Raptor", for purposes of**  
13 **IC 14-22-10-11, has the meaning set forth in IC 14-22-10-11(a).**

14 SECTION 4. IC 14-8-2-289 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 289. "Unit of local  
16 government", for purposes of IC 14-12-1 ~~has the meaning set forth in~~  
17 ~~IC 14-12-1-3.~~ **and IC 14-22-10, means a:**

SB 139—LS 6187/DI 2+



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- 1           (1) county;
- 2           (2) city;
- 3           (3) town; or
- 4           (4) township;
- 5       **located in Indiana.**

6           SECTION 5. IC 14-22-10-10 IS ADDED TO THE INDIANA  
 7       CODE AS A NEW SECTION TO READ AS FOLLOWS  
 8       [EFFECTIVE JULY 1, 2000]: **Sec. 10. (a) Except as provided in**  
 9       **subsection (b), the state is the sole regulator of the trapping of wild**  
 10       **animals in Indiana. Trapping is regulated only by statutes and**  
 11       **rules adopted under IC 4-22-2 by authority of statute.**

12           **(b) A unit of local government may not regulate in any way the**  
 13       **trapping of wild animals other than the trapping of wild animals**  
 14       **on land, buildings, or other real property owned by the unit of local**  
 15       **government.**

16           SECTION 6. IC 14-22-10-11 IS ADDED TO THE INDIANA  
 17       CODE AS A NEW SECTION TO READ AS FOLLOWS  
 18       [EFFECTIVE JULY 1, 2000]: **Sec. 11. (a) As used in this section,**  
 19       **"raptor" means a live migratory bird of the Order Falconiformes**  
 20       **or the Order Stirgiformes, other than a bald eagle (*Haliaeetus***  
 21       ***leucocephalus*) or a golden eagle (*Aquila chrysaetos*).**

22           **(b) Except on land, buildings, or other real property owned by**  
 23       **a unit of local government other than a highway or public highway,**  
 24       **a unit of local government may not regulate in any way the**  
 25       **ownership, possession, sale, transfer, or transportation of a raptor**  
 26       **to the extent that the state of Indiana remains on the list of states**  
 27       **meeting Federal Falconry Standards maintained under 50 CFR**  
 28       **21.29(k).**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 139 as introduced.)

WHEELER, Acting Chairperson

Committee Vote: Yeas 7, Nays 0.

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