

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1279 be amended to read as follows:

- 1           Page 6, delete lines 37 through 42, begin a new paragraph and  
2           insert:  
3           "SECTION 10. IC 14-22-6-11 IS REPEALED [EFFECTIVE JULY  
4           1, 2012]. Sec. 11: (a) This section does not apply to an employee of the  
5           department or an employee of a federal wildlife management agency  
6           who:  
7           (1) is acting in the performance of the employee's duties; and  
8           (2) has received the express written consent of the director for the  
9           employee's action.  
10          (b) A person may not:  
11          (1) use or possess an apparatus designed for use with or on a  
12          firearm commonly called a silencer; or  
13          (2) use or possess a device used as a silencer;  
14          in Indiana while in the act of hunting."  
15          Page 7, delete lines 1 through 8.  
16          Page 15, between lines 24 and 25, begin a new paragraph and insert:  
17          "SECTION 29. IC 14-22-38-4, AS AMENDED BY P.L.2-2008,  
18          SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19          JULY 1, 2012]: Sec. 4. (a) A person who:  
20          (1) unlawfully takes or possesses a deer or wild turkey;  
21          (2) takes or possesses a deer or wild turkey by illegal methods or  
22          with illegal devices; or  
23          (3) except as provided in subsections (c) and (d), sells, offers to  
24          sell, purchases, or offers to purchase a deer or wild turkey or a  
25          part of a deer or wild turkey;  
26          shall reimburse the state five hundred dollars (\$500) for the first  
27          violation and one thousand dollars (\$1,000) for each subsequent  
28          violation.  
29          (b) The money shall be deposited in the conservation officers fish  
30          and wildlife fund. This penalty is in addition to any other penalty under

- 1 the law.
- 2 (c) Notwithstanding section 6 of this chapter, if a properly tagged
- 3 deer is brought to a meat processing facility and the owner of the deer:
- 4 (1) fails to pick up the processed deer within a reasonable time;
- 5 or
- 6 (2) notifies the meat processing facility that the owner does not
- 7 want the processed deer;
- 8 the deer meat may be given away by the meat processing facility to
- 9 another person. The meat processing facility may charge the person
- 10 receiving the deer meat a reasonable and customary processing fee.
- 11 (d) Notwithstanding section 6 of this chapter, deer meat and
- 12 products from farm raised deer that meet the requirements under
- 13 IC 15-17 may be sold to the public.
- 14 **(e) In addition to the reimbursement required under subsection**
- 15 **(a), a person who recklessly, knowingly, or intentionally violates**
- 16 **subsection (a)(1) or (a)(2) while using or possessing:**
- 17 **(1) an apparatus commonly called a silencer that is designed**
- 18 **for use with or on a firearm; or**
- 19 **(2) a device used as a silencer;**
- 20 **commits unlawful hunting while using a silencer, a Class C**
- 21 **misdemeanor.**
- 22 SECTION 30. IC 14-22-38-4.5 IS ADDED TO THE INDIANA
- 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 24 [EFFECTIVE JULY 1, 2012]: **Sec. 4.5. A person who recklessly,**
- 25 **knowingly, or intentionally violates IC 14-22-10-1(1) by hunting on**
- 26 **privately owned land without the consent of the owner or tenant**
- 27 **while using or possessing:**
- 28 **(1) an apparatus commonly called a silencer that is designed**
- 29 **for use with or on a firearm; or**
- 30 **(2) a device used as a silencer;**
- 31 **commits unauthorized hunting on private land with a silencer, a**
- 32 **Class B misdemeanor."**
- 33 Page 16, after line 41, begin a new paragraph and insert:
- 34 "SECTION 35. IC 35-51-14-1, AS ADDED BY P.L.70-2011,
- 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2012]: Sec. 1. The following statutes define crimes in IC 14:
- 37 IC 14-9-8-19 (Concerning the department of natural resources).
- 38 IC 14-15-3-31 (Concerning watercraft).
- 39 IC 14-15-4-4 (Concerning watercraft accidents).
- 40 IC 14-15-8-8 (Concerning operating a watercraft while
- 41 intoxicated).
- 42 IC 14-15-8-9 (Concerning operating a watercraft while
- 43 intoxicated).
- 44 IC 14-15-9-8 (Concerning divers).
- 45 IC 14-15-11-11 (Concerning motorboat operators).
- 46 IC 14-15-12-13 (Concerning personal watercraft).

- 1 IC 14-16-1-29 (Concerning off-road vehicles).  
 2 IC 14-17-4-8 (Concerning property acquisition).  
 3 ~~IC 14-20-1-25 (Concerning state museums and historic sites).~~  
 4 IC 14-21-1-16 (Concerning historic preservation and archeology).  
 5 IC 14-21-1-26 (Concerning historic preservation and archeology).  
 6 IC 14-21-1-26.5 (Concerning historic preservation and  
 7 archeology).  
 8 IC 14-21-1-27 (Concerning historic preservation and archeology).  
 9 IC 14-21-1-28 (Concerning historic preservation and archeology).  
 10 IC 14-21-1-36 (Concerning historic preservation and archeology).  
 11 IC 14-21-2-5 (Concerning historic preservation and archeology).  
 12 **IC 14-22-13-10 (Concerning commercial fishing licenses).**  
 13 IC 14-22-17-4 (Concerning fish and wildlife).  
 14 IC 14-22-32-3 (Concerning fish and wildlife).  
 15 IC 14-22-34-12 (Concerning fish and wildlife).  
 16 IC 14-22-37-2 (Concerning fish and wildlife).  
 17 IC 14-22-37-3 (Concerning fish and wildlife).  
 18 IC 14-22-38-1 (Concerning fish and wildlife).  
 19 IC 14-22-38-3 (Concerning fish and wildlife).  
 20 **IC 14-22-38-4 (Concerning fish and wildlife).**  
 21 **IC 14-22-38-4.5 (Concerning fish and wildlife).**  
 22 IC 14-22-38-6 (Concerning fish and wildlife).  
 23 IC 14-22-40-6 (Concerning fish and wildlife).  
 24 IC 14-23-7-5 (Concerning forestry).  
 25 IC 14-24-11-4 (Concerning entomology and plant pathology).  
 26 IC 14-26-7-8 (Concerning lakes and reservoirs).  
 27 IC 14-27-6-52 (Concerning levees, dams, and drainage).  
 28 IC 14-29-8-5 (Concerning rivers, streams, and waterways).  
 29 IC 14-31-3-15 (Concerning nature preserves).  
 30 IC 14-31-3-16 (Concerning nature preserves).  
 31 IC 14-31-3-17 (Concerning nature preserves).  
 32 IC 14-31-3-19 (Concerning nature preserves).  
 33 IC 14-31-3-20 (Concerning nature preserves).  
 34 IC 14-31-3-21 (Concerning nature preserves).  
 35 IC 14-34-2-6 (Concerning surface coal mining and reclamation).  
 36 IC 14-34-16-6 (Concerning surface coal mining and reclamation).

- 1 IC 14-34-16-7 (Concerning surface coal mining and reclamation).
- 2 IC 14-37-13-6 (Concerning oil and gas)."
- 3 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1279 as printed February 15, 2012.)

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Senator HOLDMAN