
TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule
LSA Document #06-224(E)

DIGEST

Temporarily amends [312 IAC 9](#) as applicable to the management and licensure of activities pertaining to bobcats, river otters, and badgers. Effective July 13, 2006.

SECTION 1. (a) This SECTION of this document is supplemental to [312 IAC 9](#).

(b) A person must not take or possess a bobcat (*Lynx rufus*), river otter (*Lontra canadensis*), or badger (*Taxidea taxus*), except as provided by [312 IAC 9](#) and this document.

(c) A person may possess a tanned hide or part of a bobcat, river otter, or badger if the hide or part was lawfully acquired through one (1) of the following:

- (1) the animal was obtained by the person outside Indiana and demonstrates to the satisfaction of the department that the tanned hide or part was lawfully acquired outside Indiana. The department shall require documentation sufficient to make this demonstration. The documentation must include a legible copy of any tag, receipt, hunting license, trapping license, permit, or other appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired;**
- (2) the person obtains the tanned hide or part from a fur buyer licensed under [312 IAC 9-10-12](#);**
- (3) the person obtains the tanned hide or part from a taxidermist licensed under [312 IAC 9-10-5](#); or**
- (4) the person obtains the tanned hide or part from a department employee with written permission.**

(d) A person must not sell or offer to sell a tanned hide or any part of a bobcat, river otter, or badger unless the person demonstrates to the satisfaction of the department that the tanned hide or part was lawfully acquired outside Indiana. The department shall require documentation sufficient to make this demonstration. The documentation must include a legible copy of any tag, receipt, hunting license, trapping license, permit, or other appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired.

SECTION 2. (a) This SECTION of this document supersedes [312 IAC 9-3-19](#).

(b) The following species of mammals are endangered and are subject to the protections provided under [IC 14-22-34-12](#):

- (1) Indiana bat (*Myotis sodalis*).**
- (2) Gray bat (*Myotis grisescens*).**
- (3) Southeastern bat (*Myotis austroriparius*).**
- (4) Evening bat (*Nycticeius humeralis*).**
- (5) Eastern wood rat (*Neotoma floridana*).**
- (6) Swamp rabbit (*Sylvilagus aquaticus*).**
- (7) Franklin's ground squirrel (*Spermophilus franklinii*).**

SECTION 3. (a) This SECTION of this document is supplemental to [312 IAC 9-10-12](#) and governs the activities of an individual who is a licensed fur buyer.

(b) A licensed fur buyer must not possess the carcass or untanned hide or any part of a bobcat, river otter, or badger:

- (1) Unless the carcass, untanned hide, or part was lawfully acquired outside Indiana as evidenced by a legible copy of any tag, receipt, hunting license, trapping license, permit, or other appropriate record from the state or country where the animal, including any part or portion of the animal, was acquired by the seller.**
- (2) Except as provided in subsection (c), for a period in excess of sixty (60) days from receipt of the carcass or untanned hide.**

(c) A licensed fur buyer may, under this subsection, request written authorization from the division director to possess the carcass or untanned hide of a bobcat, river otter, or badger for a period in excess of sixty (60) days after its receipt. The request must include a report that identifies the species, number, and location of any carcass or untanned hide or part that the fur buyer requests to keep.

SECTION 4. (a) This SECTION of this document is supplemental to [312 IAC 9-11-13\(o\)](#) that sets standards a person must satisfy in order to lawfully confine, enclose, and house cats.

(b) For bobcats, the following must be provided:

- (1) Dens large enough for privacy and comfort to all animals in the enclosure.
- (2) An elevated wooden loafing platform or a dry elevated natural substrate loafing area. The wooden platform or elevated natural substrate must be large enough for all animals within the enclosure. The top of the den or den box may be designed to meet this requirement.
- (3) A tree limb or other suitable scratching block.
- (4) Walls, roof, and floor of the cage constructed of one (1) inch by two (2) inch maximum mesh. Any weld must be as strong as the wire.
- (5) An artificial heat source to maintain a minimum ambient air temperature of forty-five (45) degrees Fahrenheit.

SECTION 5. This document expires on July 22, 2006.

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