

**Proposed Rule**  
LSA Document #06-572

**DIGEST**

Amends [312 IAC 9-3-2](#), [312 IAC 9-3-4](#), and [312 IAC 9-3-5](#) governing the management of fish and wildlife to extend the expiration date of the restriction of taking only one antlered deer a year to September 1, 2012, and to extend the expiration dates of seasonal bag limit restrictions for taking an antlered deer by means of a crossbow to September 1, 2012. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[312 IAC 9-3-2](#); [312 IAC 9-3-4](#); [312 IAC 9-3-5](#)

SECTION 1. [312 IAC 9-3-2](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-3-2](#) General requirements for deer; exemptions; tagging; tree blinds; maximum taking of antlered deer in a calendar year**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22-11-1](#); [IC 14-22-11-11](#)

Sec. 2. (a) This section and sections 3 through 10 of this rule govern the:

- (1) hunting;
- (2) transportation; and
- (3) disposal;

of deer.

(b) Species of deer other than white-tailed deer (*Odocoileus virginianus*) are exempted from the following:

- (1) This section.
- (2) Sections 3 through 9 of this rule.

A person who claims the exemption provided under this subsection must prove the deer is other than a white-tailed deer.

(c) The licenses identified by sections 3 through 8 of this rule are nonexclusive. An individual may apply for one (1) or more of these licenses.

(d) Before September 1, ~~2007~~, **2012**, a person must not take more than one (1) antlered deer during the seasons for an annual deer license.

(e) The use or aid of:

- (1) a food product that is transported and placed for consumption;
- (2) salt;
- (3) mineral blocks;
- (4) prepared solid or liquid intended for ingestion (herein called bait);
- (5) snares;
- (6) dogs; or
- (7) other domesticated animals;

to take deer is prohibited. A person must not hunt by the aid of bait or on or over a baited area. An area is considered baited for ten (10) days after the removal of the bait or the baited soil. Hunting an orchard or another area, which may be attractive to deer as the result of normal agricultural activity, is not prohibited. The use of manufactured scents and lures or similar chemical or natural attractants is not prohibited.

(f) The hunting of white-tailed deer possessed under the authority of a game breeder license under [312 IAC 9-10-4](#) is prohibited.

- (g) Except as provided under [IC 14-22-11-1](#) and [IC 14-22-11-11](#), a person must not hunt:
- (1) deer unless the person possesses a completed and signed license bearing the person's name; or
  - (2) with a deer license issued to another person.

(h) A piece of paper must, immediately upon taking a deer, state the following:

- (1) The name and address of the person.
- (2) The license number (if applicable).
- (3) The sex of the deer.
- (4) The month and day the deer was taken.

A deer leg must be tagged with the piece of paper before leaving the field. A deer that is in the field is not required to be tagged if the person who takes the deer maintains immediate custody of, and constant visual contact with, the deer carcass.

(i) A person who takes a deer must cause delivery of the deer carcass to an official checking station for registration on the occurrence of the earlier of the following:

- (1) Within forty-eight (48) hours of the taking of the deer.
- (2) Before the deer is removed from this state.

The person who delivers the deer carcass to an official checking station for registration must provide accurate information for the check station logs.

(j) After the checking station operator records the permanent seal number on the log and collects the piece of paper described in subsection (h), the operator shall give the seal to the person. The person must immediately affix the seal:

- (1) between a tendon and bone;
- (2) through a section of skin or flesh; or
- (3) around a branched antler;

to prevent its removal (without cutting the seal or the body part to which it is affixed). The seal must be maintained until processing of the deer begins.

(k) The checking station operator must do the following:

- (1) Accurately and legibly complete all forms provided by the department.
- (2) Make those forms available to department personnel upon request.

(l) A person must not erect, place, or hunt from a permanent tree blind on state owned lands. A tree blind placed on:

- (1) state owned or state leased lands;
- (2) U.S. Forest Service lands;
- (3) the Muscatatuck National Wildlife Refuge; or
- (4) the Big Oaks National Wildlife Refuge;

must be portable and may be left overnight only between September 1 and January 10. A fastener used in conjunction with a tree blind and a tree or pole climber that penetrates a tree more than one-half (½) inch is prohibited. Each portable tree blind must be legibly marked with the name, address, and telephone number of the owner of the tree blind.

(m) The head of a deer must remain attached to the carcass until the tag is attached and locked at the deer checking station.

(n) The use of infrared sensors to locate or take deer is prohibited. A person must not hunt or retrieve deer with the aid of an infrared detector.

(o) Notwithstanding subsection (e), dogs may be used only while on a leash to track or trail wounded deer.

(p) Notwithstanding subsection (e):

- (1) donkeys;
- (2) mules; and
- (3) horses;

may be used for transportation to and from a hunt but may not be used while hunting.

(q) The possession of an electronic deer call is prohibited. A person must not hunt deer with the aid of an electronic deer call.

*(Natural Resources Commission; [312 IAC 9-3-2](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2702; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1528; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 536; filed May 12, 2006, 10:38 a.m.: 29 IR 3344; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); errata filed Jul 21, 2006, 1:56 p.m.: [20060802-IR-312050214ACA](#))*

SECTION 2. [312 IAC 9-3-4](#), PROPOSED TO BE AMENDED AT [20070117-IR-312060272PRA](#), SECTION 2, IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-3-4](#) Hunting deer by bow and arrows**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22-11-1](#); [IC 14-22-12-1](#); [IC 14-22-12-7](#)

Sec. 4. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual who is either:

- (1) issued a license to hunt deer by bow and arrows under: [IC 14-22-12-1\(a\)\(14\)](#), [IC 14-22-12-1\(a\)\(17\)](#),  
(A) [IC 14-22-11-10\(b\)](#)  
(B) [IC 14-22-12-1\(a\)\(14\)](#);  
(C) [IC 14-22-12-1\(a\)\(17\)](#);  
(D) [IC 14-22-12-1\(a\)\(24\)](#); or [IC 14-22-12-7](#)  
(E) [IC 14-22-12-7\(a\)\(4\)](#); or  
(F) [IC 14-22-12-7\(a\)\(5\)](#);

and is supplemental to section 2 of this rule; or

- (2) hunting by the use of bow and arrows under [IC 14-22-11-1](#).

(b) The season for hunting deer by bow and arrows during the:

- (1) early bow season is from October 1 through the firearms season (set forth in section 3(b) of this rule); and
- (2) late bow season from the first Saturday after the firearms season through the first Sunday in January.

(c) The urban deer season is:

- (1) from September 15 through the firearms season (set forth in section 3(b) of this rule); and
- (2) during the late bow season from the first Saturday after the firearms season through the first Sunday in January.

(d) The seasonal limit for hunting under this section is one (1) deer of either sex. After August 31, 2007, **2012**, a person must not take an antlered deer by means of a crossbow.

(e) A person must not hunt deer under this section except from one-half (½) hour before sunrise to one-half (½) hour after sunset.

(f) A person must not hunt deer under this section unless that person wears hunter orange. However, this subsection does not apply:

- (1) before the commencement of the firearms season set forth in section 3(b) of this rule; and
- (2) after the muzzleloading gun season set forth in section 3(c) of this rule.

(g) A person must not hunt under this section unless that person possesses only one (1) bow. A person must not possess a firearm while hunting under this section.

(h) The following requirements apply to the use of archery equipment under this section:

- (1) No person shall use a long bow or compound bow of less than thirty-five (35) pounds pull.
- (2) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

- (3) Poisoned or explosive arrows are unlawful.
- (4) Bows drawn, held, or released other than by hand or hand-held releases are unlawful.
- (5) A long bow or compound bow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.
- (6) No portion of the bow's riser (handle) or any:
  - (A) track;
  - (B) trough;
  - (C) channel;
  - (D) arrow rest; or
  - (E) other device;that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(i) Notwithstanding subsection (h), a person may use a crossbow to take a deer of either sex during the late bow season from the first Saturday after the firearms season through the first Sunday in January if the following restrictions are met:

- (1) No person shall use a crossbow:
  - (A) of less than one hundred twenty-five (125) pounds pull; or
  - (B) that does not have a mechanical safety.
- (2) A crossbow may be possessed in the field before and after lawful shooting hours only if the nock of the arrow is not placed on the bow string.

(j) As used in this rule, "crossbow" means a device for propelling an arrow by means of traverse limbs mounted on a stock and a string and having a working safety. The crossbow may be drawn, held, and released by a mechanical device.

*(Natural Resources Commission; [312 IAC 9-3-4](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 5, 1997, 3:25 p.m.: 21 IR 930; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed May 25, 2005, 10:15 a.m.: 28 IR 2945)*

SECTION 3. [312 IAC 9-3-5](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-3-5](#) Hunting deer by bow and arrows by authority of an extra deer license**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22-11-1](#); [IC 14-22-11-10](#); [IC 14-22-12-1](#); [IC 14-22-12-7](#)

Sec. 5. (a) This section is supplemental to section 2 of this rule and governs the activities of an individual who is either:

- (1) issued a license to take an extra deer under:
  - (A) [IC 14-22-11-10\(b\)](#)
  - (A) (B) [IC 14-22-12-1\(a\)\(18\)](#);
  - (B) (C) [IC 14-22-12-1\(a\)\(19\)](#);
  - (C) (D) [IC 14-22-12-1\(a\)\(24\)](#);
  - (D) (E) [IC 14-22-12-7\(a\)\(4\)](#); or
  - (E) (F) [IC 14-22-12-7\(a\)\(5\)](#);by means of a bow and arrows; or
- (2) hunting under [IC 14-22-11-1](#) by means of a bow and arrows.

(b) Except as specified in subsection (d), the statewide seasonal limit for hunting under this section is one (1) deer of either sex. After August 31, 2007, **2012**, a person must not take an antlered deer by means of a crossbow.

(c) The restrictions contained in section 4(b) and 4(e) through 4(i) of this rule also apply to a license issued under this section.

(d) The seasonal limit for hunting deer in an urban deer zone is four (4) deer of which only one (1) may be antlered. A person must possess a valid extra deer license for each deer taken. A deer taken under this subsection does not count against a bag limit for deer set elsewhere in this rule.

(e) The following areas have been designated as urban deer zones:

(1) The Indianapolis urban deer zone includes the following:

(A) All of Marion County.

(B) That portion of Hendricks County east of State Highway 267.

(C) The southeast portion of Boone County as bounded by the following:

(i) State Highway 267.

(ii) Interstate Highway 65.

(iii) State Highway 32.

(D) That portion of Hamilton County south of State Highway 32.

(2) The Fort Wayne urban deer zone includes that portion of Allen County lying within the bounds of Interstate Highway 69 and State Highway 469.

(3) The Evansville urban deer zone includes all of Vanderburgh County.

(4) The Lafayette urban deer zone includes the portion of Tippecanoe County north of State Highway 28.

(5) The Gary urban deer zone includes that portion of Lake County north of U.S. Highway 30.

(6) The Crown Point urban deer zone includes that portion of Lake County within the corporate limits of Crown Point.

(7) The Chesterton urban deer zone includes the portion of Porter County north of U.S. Highway 94.

(8) The Michigan City urban deer zone includes that portion of LaPorte County north of U.S. Highway 94.

*(Natural Resources Commission; [312 IAC 9-3-5](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2704; filed Nov 5, 1997, 3:25 p.m.: 21 IR 931; filed May 28, 1998, 5:14 p.m.: 21 IR 3713; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1531; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed May 25, 2005, 10:15 a.m.: 28 IR 2945; filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#))*

#### [Notice of Public Hearing](#)

Posted: 02/21/2007 by Legislative Services Agency

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