
TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #08-740

DIGEST

Amends [312 IAC 9-2-3](#), which governs the sale of parts of wild turkeys. Amends [312 IAC 9-4-11](#), which governs the taking of wild turkeys. Effective 30 days after filing with the Publisher.

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

[312 IAC 9-2-3](#); [312 IAC 9-4-11](#)

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

[312 IAC 9-2-3](#) Application of article to wild animal parts

Authority: [IC 14-22-2-6](#)

Affected: [IC 14-22](#)

Sec. 3. (a) Except as provided in subsection (b), a prohibition against the:

- (1) possession;
- (2) sale;
- (3) offer for sale;
- (4) purchase;
- (5) offer for purchase;
- (6) shipment;
- (7) transportation;
- (8) delivery; or
- (9) receipt;

of a wild animal also applies to any part or portion of that wild animal.

(b) The prohibition established under subsection (a) does not apply to the **following parts of wild animals taken lawfully:**

- (1) Tanned hides.
- ~~(2) furs; or~~
- (2) Any portion of a furbearer.**
- (3) Squirrel tails.**
- ~~(3) (4) Cured feathers.~~
- (5) Heads, feet, and skin of wild animals taken lawfully: turkeys.**
- ~~(c) Any portion of legally taken:~~
- ~~(1) furbearers;~~
- ~~(2) squirrel tails;~~
- ~~(3) (6) Untanned deer hides.~~
- ~~(4) (7) Antlers. and~~
- ~~(5) (8) Hooves.~~

~~may be sold.~~

(Natural Resources Commission; [312 IAC 9-2-3](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2700; filed May 28, 1998, 5:14 p.m.: 21 IR 3712; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#))

SECTION 2. [312 IAC 9-4-11](#) IS AMENDED TO READ AS FOLLOWS:

[312 IAC 9-4-11](#) Wild turkeys

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

Affected: [IC 14-22-11](#); [IC 14-22-12](#); [IC 35-47-2](#)

Sec. 11. (a) Except as provided in subsection (c), the spring season for hunting and possessing wild turkeys:
(1) is from the first Wednesday after April 20; and
(2) continues for an additional eighteen (18) consecutive days.

(b) The fall season for hunting and possessing wild turkeys with a bow and arrows:
(1) is from October 1 to the end of the fall turkey season with firearms, which begins on the first Wednesday after October 14; and
(2) continues for an additional four (4) consecutive days;
except as provided in subsection (c).

(c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury shall be determined by the director on an annual basis to prevent interference with military training exercises.

(d) The limit for taking and possessing is one (1):
(1) bearded or male wild turkey during the spring season; and
(2) wild turkey of either sex during the fall season.

(e) A person must not do the following:
(1) Hunt wild turkeys except between one-half (1/2) hour before sunrise and sunset.
(2) Take a wild turkey except with the use of one (1) of the following:

(A) A shotgun or muzzleloading shotgun:

- (i) not smaller than 20 gauge; and
- (ii) not larger than 10 gauge;

loaded only with shot of size 4, 5, 6, 7, or 7½.

(B) A bow and arrows, including crossbows as defined in [312 IAC 9-3-4\(g\)](#), with the following restrictions:

(i) A person must not use a:

- (AA) long bow; or
- (BB) compound bow;

of less than thirty-five (35) pounds pull.

(ii) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(iii) A person must not use a:

- (AA) crossbow of less than one hundred twenty-five (125) pounds pull;
- (BB) crossbow unless it has a mechanical safety; or
- (CC) poisoned or explosive arrow.

(iv) No portion of a bow's riser (handle) or:

- (AA) track;
- (BB) trough;
- (CC) channel;
- (DD) arrow rest; or
- (EE) 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.

(v) Before or after lawful shooting hours, a person must not possess a:

- (AA) long bow;
- (BB) compound bow; or
- (CC) crossbow;

in the field if the nock of the arrow is placed on the bow string.

(3) Hunt wild turkeys in the

~~(A) fall season except in a county the director designates on an annual basis by temporary rule. or~~

~~(B) spring season in Henry County.~~

(f) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning on the Saturday immediately before the start of the spring turkey season in subsection (a). As used in this subsection, "youth" means an individual who is less than sixteen (16) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. An adult accompanying a youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field. The seasonal limit for hunting turkeys under this subsection is one (1) bearded or male wild

turkey. A youth hunter who takes a turkey under this subsection must not take another turkey during the spring turkey season in the same year.

(g) The use **or possession** of:

- (1) a dog;
- (2) another domesticated animal;
- (3) a live decoy;
- (4) a recorded call;
- (5) an electronically powered or controlled decoy; or
- (6) bait;

~~to take~~ **while hunting** a wild turkey is prohibited. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

(h) A person must not possess a handgun while hunting wild turkeys or while accompanying the youth hunter during the season established in subsection (f) unless the person possesses a handgun in accordance with [IC 35-47-47](#) and:

- (1) has a valid unlimited license to carry a handgun issued under [IC 35-47-2-3](#);
- (2) has a valid unlimited license to carry a handgun recognized under [IC 35-47-2-21](#)(b); or
- (3) is not required to possess a license to carry a handgun under [IC 35-47-2-2](#).

(i) Except as provided under [IC 14-22-11-1](#) and [IC 14-22-11-11](#), a person must not hunt:

- (1) wild turkeys unless possessing a completed and signed license bearing the person's name; or
- (2) with a wild turkey license issued to another person.

(j) A person may take a wild turkey during the spring season established under subsection (a) only if:

(1) issued a license to hunt wild turkeys with:

- (A) a resident youth consolidated hunting license under [IC 14-22-11-10](#)(b);**
- (B) a resident spring turkey license under [IC 14-22-11-10](#)(a) or [IC 14-22-12-1](#)(a)(20);**
- (C) a nonresident spring turkey license under [IC 14-22-12-1](#)(a)(21);**
- (D) a resident youth consolidated hunting license under [IC 14-22-12-1](#)(a)(24);**
- (E) a lifetime comprehensive hunting license under [IC 14-22-12-7](#)(a)(4);**
- (F) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7](#)(a)(5); or**
- (G) an apprentice spring turkey hunting license under [IC 14-22-12-1.7](#); or**

(2) hunting with legal equipment under [IC 14-22-11-1](#).

(k) A person may take a wild turkey during the fall season established under subsection (b) only if:

(1) issued a license to hunt wild turkeys with:

- (A) a resident youth consolidated hunting license under [IC 14-22-11-10](#)(b);**
- (B) a resident fall turkey license under [IC 14-22-11-10](#)(a) or [IC 14-22-12-1](#)(a)(22);**
- (C) a nonresident fall turkey license under [IC 14-22-12-1](#)(a)(23);**
- (D) a resident youth consolidated hunting license under [IC 14-22-12-1](#)(a)(24);**
- (E) a lifetime comprehensive hunting license under [IC 14-22-12-7](#)(a)(4);**
- (F) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7](#)(a)(5); or**
- (G) an apprentice fall turkey hunting license under [IC 14-22-12-1.7](#); or**

(2) hunting with legal equipment under [IC 14-22-11-1](#).

~~(j)~~ **(l) A piece of paper must, immediately after taking a wild turkey:**

- (1) be attached to a leg of the turkey directly above the spur; and**
- (2) state the:**
 - (A) name and address of the person **who took the turkey**;**
 - (B) license number (if applicable) **of the person who took the turkey**;**
 - (C) date **the turkey was taken**; and**
 - (D) sex of the wild turkey taken.**

~~(k)~~ **(m) A person who takes a turkey must do the following:**

- (1) Cause delivery of the turkey to an official turkey checking station within forty-eight (48) hours of taking for**

registration **in the name of the person who took the wild turkey. The person who takes the turkey to the official turkey checking station must give the check station true and accurate information, including the name and license number of the person who took the turkey and the date the turkey was killed.**

After the checking station operator:

- (A) records the permanent seal number on the log; and
- (B) collects the piece of paper described in subsection ~~(j)~~; **(l)**;

the person is provided with that seal.

(2) Immediately and firmly affix the seal to the leg of the turkey as follows:

- (A) Directly above the piece of paper described in subsection ~~(j)~~ **(l)** for a turkey taken during the spring season.
- (B) Through a section of skin or flesh to prevent its removal (without cutting the seal or the body part to which it is affixed) for a turkey taken in the fall season.

The permanent seal must remain affixed until processing of the turkey begins. The official turkey checking station operator shall accurately and legibly complete all forms provided by the department and make those forms available to department personnel on request.

~~(j)~~ **(n)** The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(Natural Resources Commission; [312 IAC 9-4-11](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#))

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