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TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule  
LSA Document #18-316

DIGEST

Adds [312 IAC 18-3-25](#) to designate as pests or pathogens certain invasive terrestrial plants and to prohibit and restrict the sale, distribution, and transport of these invasive terrestrial plants. Effective 30 days after filing with the Publisher.

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

[312 IAC 18-3-25](#)

SECTION 1. [312 IAC 18-3-25](#) IS ADDED TO READ AS FOLLOWS:

[312 IAC 18-3-25](#) Prohibited invasive terrestrial plants

Authority: [IC 14-10-2-4](#); [IC 14-24-3](#)

Affected: [IC 14-24](#)

Sec. 25. (a) The following are prohibited invasive terrestrial plants and are declared pests or pathogens regulated under this section:

- (1) *Achyranthes japonica* (Japanese chaff flower).
- (2) *Ailanthus altissima* (tree of heaven).
- (3) *Alliaria petiolata* (garlic mustard).
- (4) *Alnus glutinosa* (black alder).
- (5) *Artemisia vulgaris* (mugwort).
- (6) *Arthraxon hispidus* (small carpgrass).
- (7) *Berberis thunbergii* (Japanese barberry).
- (8) *Carduus acanthoides* (spiny plumeless thistle).
- (9) *Carduus nutans* (musk thistle).
- (10) *Celastrus orbiculatus* (Asian bittersweet).
- (11) *Centaurea stoebe* (spotted knapweed).
- (12) *Cirsium vulgare* (bull thistle).
- (13) *Conium maculatum* (poison hemlock).
- (14) *Convolvulus arvensis* (field bindweed).
- (15) *Coronilla varia* (crown vetch).
- (16) *Dioscorea polystachya* (*oppositifolia*) (Chinese yam).
- (17) *Dipsacus fullonum* (common teasel).
- (18) *Dipsacus laciniatus* (cut-leaved teasel).
- (19) *Elaeagnus umbellata* (autumn olive).
- (20) *Euonymus fortunei* (wintercreeper).
- (21) *Euphorbia esula* (leafy spurge).
- (22) *Frangula alnus* (glossy buckthorn).
- (23) *Hesperis matronalis* (dame's rocket).
- (24) *Humulus japonicus* (Japanese hops).
- (25) *Lepidium latifolium* (pepperweed).
- (26) *Lespedeza cuneata* (*sericea* *lespedeza*).
- (27) *Ligustrum obtusifolium* (blunt-leaved privet).
- (28) *Lonicera japonica* (Japanese honeysuckle).
- (29) *Lonicera maackii* (Amur honeysuckle).
- (30) *Lonicera morrowii* (Morrow's honeysuckle).
- (31) *Lonicera tatarica* (Tatarian honeysuckle).
- (32) *Lonicera x bella* (Bell's honeysuckle).
- (33) *Microstegium vimineum* (Japanese stiltgrass).
- (34) *Morus alba* (white mulberry).
- (35) *Phalaris arundinacea* (reed canarygrass).
- (36) *Phellodendron amurense* (Amur cork tree).
- (37) *Phragmites australis* subspecies *australis* (common reed).

- (38) *Polygonum perfoliatum* (mile-a-minute vine).
- (39) *Reynoutria japonica* (Japanese knotweed).
- (40) *Reynoutria sachalinensis* (giant knotweed).
- (41) *Reynoutria x bohemica* (Bohemian knotweed).
- (42) *Rhamnus cathartica* (common buckthorn).
- (43) *Vincetoxicum nigrum* (black swallow-wort).
- (44) *Vincetoxicum rossicum* (pale swallow-wort).

(b) This section applies to any part or life stage of the species identified in subsection (a).

(c) Except as provided in subsection (d), with respect to any species identified in subsection (a), a person must not:

- (1) sell, offer or grow for sale, gift, barter, exchange, or distribute a species;
- (2) transport or transfer a species; or
- (3) introduce a species.

Subdivisions (1) and (2) are effective one (1) year after the effective date of this rule.

(d) Exempted from this section are the following:

- (1) A person who possesses a species identified in subsection (a) under a permit issued by the state entomologist.
- (2) A person engaged in a project approved by the state entomologist for the destruction of a species.

(e) A person who discovers a species identified in subsection (a) may do the following:

(1) Report the discovery to the state entomologist or to the following address:

Department of Natural Resources  
Division of Entomology and Plant Pathology  
402 West Washington Street, Room W290  
Indianapolis, IN 46204

(2) Include the following in the report provided under subdivision (1):

- (A) The location of the discovery, including the name of the county.
- (B) The date of the discovery.
- (C) Contact information for the person making the report, including telephone number and address.

(Natural Resources Commission; [312 IAC 18-3-25](#))

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

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