
TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule
LSA Document #23-503**DIGEST**

Temporarily amends [312 IAC 4-4-6](#) to remove the provision permitting, at the will of the director of the division of law enforcement (division director) and subject to the approval of the director, a conservation officer who receives a spot appointment to be returned to the conservation officer's permanent grade before the spot appointment. Temporarily removes the definition of "spot appointment". Temporarily amends [312 IAC 4-5-2](#) to remove the requirement that a person who applies to become a conservation officer achieve an associate's degree, at least two years toward a bachelor's degree, or at least four years of full-time active duty military service with honorable discharge. Temporarily adds the requirement that a person who applies to become a conservation officer achieve a high school diploma or a general education diploma (GED). Temporarily amends [312 IAC 4-5-3](#) to require the division director to select a person to become a conservation officer based on indicators that the person will excel in a career in conservation law enforcement, including the person's life experiences and interest in and commitment to natural resources. Statutory authority: [IC 4-22-2-37.1](#); [IC 14-9-8-3](#); [IC 14-10-2-4](#). Effective June 15, 2023.

SECTION 1. (a) This SECTION supersedes [312 IAC 4-4-6](#).

(b) Except as provided in subsection (c), a conservation officer whose employment is terminated or who is demoted or suspended as a result of a final determination by the division director, or the division director's designee, may seek administrative review from the commission under [IC 4-21.5](#) and [312 IAC 3-1](#).

(c) Through the issuance of a general order, the division director may establish a board to provide informal review of a disciplinary action. A determination that is subject to administrative review under subsection (a), and for which informal review is available under this subsection, is not a final determination until the board completes the review and makes a written report of its findings.

(d) Absent charges filed under section 5 of this rule [*sic*, [312 IAC 4-4-5](#)] and absent a predisciplinary meeting, a probationary employee may be terminated. An action under this subsection does not entitle a person to administrative review under subsection (a) or to informal review under subsection (b).

(e) A party who is aggrieved by a final agency action of the commission under this SECTION may seek judicial review under [IC 4-21.5-5](#).

SECTION 2. (a) This SECTION supersedes [312 IAC 4-5-2](#).

(b) A person who applies to become a conservation officer must meet each of the following requirements to be favorably considered:

- (1) Provide proof the person is a United States citizen.**
- (2) Possess the strength and agility needed to complete the physical conditioning and psychomotor skills requirements established by the Indiana law enforcement training board under [250 IAC 2-3](#).**
- (3) Achieve a high school diploma or a general education diploma (GED).**
- (4) Be at least twenty-one (21) years of age on the date of appointment.**
- (5) Possess a valid driver's license.**
- (6) Possess a willingness to reside and serve in any location as designated by the division director.**
- (7) Demonstrate an ability to:**
 - (A) swim one hundred (100) yards without stopping; and**
 - (B) tread water for at least five (5) minutes.**
- (8) Successfully complete physical agility testing.**
- (9) If requested by the division, submit to and satisfy the following:**
 - (A) Standard psychological testing.**
 - (B) A polygraph examination.**

SECTION 3. (a) This SECTION supersedes [312 IAC 4-5-3](#).

(b) The division director shall establish additional written standards for the recruitment, selection,

training, and promotion of a conservation officer.

(c) The division director shall select a person to become a conservation officer based on indicators that the person will excel in a career in conservation law enforcement, including the person's:

- (1) life experiences; and**
- (2) interest in and commitment to natural resources.**

SECTION 4. This document expires June 15, 2024.

LSA Document #23-503

Filed with Publisher: June 15, 2023, 1:14 p.m.

Posted: 06/21/2023 by Legislative Services Agency

An [html](#) version of this document.