

**BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA**

IN THE MATTER OF:

**ADMINISTRATIVE RULES GOVERNING) LSA Document #26-99
FISH AND WILDLIFE UPDATES)**

**REPORT ON RULE PROCESSING, PUBLIC HEARING, AND HEARING OFFICER
ANALYSIS WITH RECOMMENDATIONS REGARDING FINAL ACTION**

1. RULE PROCESSING

For consideration as to final action, is the proposed rules amending and repealing rules at 312 IAC 9 regarding various wildlife, including definitions, equipment for deer hunting, the crow hunting season, permits, endangered species of birds, and names of reptiles and amphibians, that otherwise qualifies as a rule charged by the Department of Natural Resources (the “department”). The proposed final rule is attached as Exhibit A. The regulatory analysis is attached as Exhibit B.

Preliminary adoption of the proposed permanent rules occurred on March 31, 2026, under 312 IAC 2-2-4(a), which allows the Secretary of the Natural Resources Commission (the “commission”) to approve a rule for preliminary adoption.

Lisa Anderson, Staff Attorney for the department, submitted the proposed rule language and regulatory analysis to the Indiana Office of Management and Budget (OMB) and Indiana State Budget Agency (SBA) for review and approval. By letter dated March 25, 2026, Lisa Hershman (OMB) and Chad Ranney (SBA) authorized the department to proceed with the proposed rules as follows:

“Pursuant to the provisions of IC 4-22-2-22.8, the Office of Management and Budget and State Budget Agency have reviewed the proposed regular rule amending multiple provisions within 312 IAC 9 governing fish and wildlife. (DNR #2026-04R). After reviewing the revised rule, the recommendation of OMB and SBA is that the rule changes be approved. DNR is authorized to commence the public comment period(s).

Furthermore, if the proposed rule is revised after this approval, the agency must resubmit the rule to OMB and obtain a new approval pursuant to IC 4-22-2-22.8(f).

DNR may proceed with the OMB-approved version of the rule proposed in its submission.”

The department did not make any changes to the rule following the first or second public comment period, therefore resubmission to OMB and SBA was not necessary.

2. BUDGET COMMITTEE REVIEW

The proposed permanent rule does not increase or expand application of a fee, fine, or civil penalty. The proposed permanent rule will not have a combined implementation and compliance cost of one million dollars (\$1,000,000) for businesses, local units, and individuals over any two (2) year period. Therefore, review from the Budget Committee was not necessary.

3. FIRST PUBLIC COMMENT PERIOD AND PUBLIC HEARING

The commission, in coordination with the department, received authorization to proceed from the Indiana Register/ Legislative Services Agency on April 7, 2026. The Notice of First Comment Period to adopt a rule was published by the Indiana Register at DIN: [20260415-IR-312260099FNA](#) on April 15, 2026. The notice identified Linnea Petercheff as the “small business regulatory coordinator” for purposes of IC 4-22-2-28.1. The Notice of Public Hearing was published at DIN: [20260415-IR-312260099PHA](#) on April 15, 2026.

The commission, in coordination with the department, posted the Notice of First Comment Period, Regulatory Analysis, and Notice of Public Hearing and other information required under IC 4-22-2-22.5 on the commission’s rulemaking docket maintained on its website at <https://www.in.gov/nrc/rules/rulemaking-docket/>. The rulemaking docket was updated periodically as the rule adoption process progressed.

Under IC 4-22-2-28(b)(2), the proposed permanent rules and regulatory analysis were submitted to the Indiana Economic Development Corporation’s (IEDC) Small Business Ombudsman on April 15, 2026. According to the Small Business Ombudsman, Caleb Wakeman:

“Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and economic impact analysis associated with the rule changes contained in LSA Document # 26-99 submitted to the Indiana Small Business Ombudsman by the Indiana Department of Natural Resources. I have found the following to be true.

Proposed rule LSA #26-99 amends 312 Indiana Administrative Code (IAC) 9-1 to 312 IAC 9-11 amends the regulations for fish and wildlife to simplify the regulations. The department is proposing a regulatory reduction by repealing the definition of “disability” to comply with the Americans with Disabilities Act for who is eligible for the permit under IC 14-22-12-6 and 312 IAC 9-10-10. This allows those who are disabled as the result of age to be eligible for the permit. Some examples of the changes include the removal of armadillos from the exotic species list, changing the definition of venomous reptile to include causing illness, and removing the fifteen (15) dollar fee for Reptile captive breeding license for snakes.

The Indiana Department of Natural Resources how implementation must be carried out to ensure compliance while minimizing the potential impact to small businesses and individuals. Based upon this statement and review, the Indiana Small Business Ombudsman is supportive of the proposed rule related to the economic impact on small business if the conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at ombudsman@iedc.in.gov.”

The first public hearing was held on May 19, 2026, at 3:00 p.m., at the Garrison at Fort Harrison State Park, 6002 North Post Road, Indianapolis, Indiana, in the Blue Heron Ballroom. The meeting was also live streamed via Teams, providing members of the public the opportunity to appear in person or through the Teams application and provide comments. There were two (2) in-person attendees, and two (2) comments were made. There were two (2) remote attendees, and zero (0) comments were made. The public comments received during the meeting were regarding support of the rules.

Members of the public were also able to make comments through the commission’s rulemaking docket until the public commenting period closed on May 19, 2026, at 11:59 p.m. Nineteen (19) comments were received during the comment period. Ten (10) comments were in support of the rules, nine (9) comments were received in opposition to the rules. Comments were received regarding: (1) opposition to Kirtland’s warbler being removed from the list of endangered birds; (2) taking of frogs; and (3) opposition to the addition of breech loading muzzleloaders during the muzzleloader season.

There were no changes made to the rules because of comments received during the first public comment period or public hearing.

Because substantive comments were received during the first public comment period, a second public comment period and public hearing were required under IC 4-22-2.

4. SECOND PUBLIC COMMENT PERIOD AND PUBLIC HEARING

The commission, in coordination with the department, received authorization to proceed with the second public comment period and public hearing from the Indiana Register/Legislative Services Agency on June 9, 2026. The Notice of Second Comment Period to adopt a rule was published by the Indiana Register at DIN: [20260624-IR-312260099SNA](#) on June 24, 2026. The notice identified Linnea Petercheff as the “small business regulatory coordinator” for purposes of IC 4-22-2-28.1. The Notice of Public Hearing was published at DIN: [20260624-IR-312260099PHA](#) on June 24, 2026.

The commission, in coordination with the department, posted the Notice of Second Comment Period, Regulatory Analysis, and Notice of Public Hearing and other information required under IC 4-22-2-22.5 on the commission’s rulemaking docket maintained on its website at <https://www.in.gov/nrc/rules/rulemaking-docket/>. The rulemaking rocket was updated periodically as the rule adoption process progressed.

The public hearing was held on July 30, 2026, at 2:00 p.m., at the Fort Harrison Inn at Fort Harrison State Park, Roosevelt Room, 5830 North Post Road, Indianapolis, Indiana. The meeting was also live streamed via Teams, providing members of the public the opportunity to appear in person or through the Teams application and provide comments. There was one (1) in-person attendee, and one (1) comment was made. There were zero (0) remote attendees. The public comments received during the meeting were regarding a request to keep the antlerless bag limit in Franklin County lower until the deer population has fully recovered from EHD.

Members of the public were also able to make comments through the commission’s rulemaking docket until the public commenting period closed on July 30, 2026, at 11:59 p.m. Thirty-four (34) comments were received during the comment period. Twelve (12) comments were in support of the rules, twenty-two (22) comments were received in opposition to the rules. Comments were received regarding: (1) overcrowding of public hunting areas; (2) opposition to the addition of breech loading muzzleloaders; (3) opposition to an increase in deer hunting antlerless bag limits; (4) opposition to the use of high powered rifles; (5) opposition to removing the Kirtland’s warbler from the state

endangered species list; (6) requests to utilize dog running; and (7) uncertainty regarding deer population numbers.

There were no changes made to the rules because of comments received during the second public comment period or public hearing.

5. HEARING OFFICER ANALYSIS WITH RECOMMENDATIONS REGARDING FINAL ADOPTION

The purpose of the proposed permanent rule is to reduce regulatory requirements for various permits, allow additional equipment for deer hunting, and provide various other updates to fish and wildlife rules. This includes amending and repealing rules at 312 IAC 9 concerning definitions, deer hunting, the crow hunting season, permits, and list of endangered species related to fish and wildlife.

The proposed rules meet the requirements of IC 4-22-2 and should be adopted by the commission. Upon consideration of the rule, the public comments related to the rule, and the Department's responses to those comments, the Hearing Officer recommends final adoption of the proposed final rule.

Dated: September 15, 2026

Linnea Petercheff

PROPOSED PERMANENT RULE AND REGULATORY ANALYSIS DOCUMENT
FISH AND WILDLIFE UPDATES

SECTION 1. 312 IAC 9-1-7.5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-1-7.5 "Game bird" defined

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 7.5. "Game bird" means the following:

- (1) **Ring-necked** pheasant.
- (2) **Northern bobwhite** quail.
- ~~(3) Grouse.~~
- ~~(4)~~ (3) Wild turkey.
- ~~(5)~~ (4) Mourning dove.

(Natural Resources Commission; 312 IAC 9-1-7.5; filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479RFA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 2. 312 IAC 9-1-13.7 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-1-13.7 "Snare lock" defined

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22

Sec. 13.7. (a) Effective October 1, 2021, "snare lock" means a device that creates and maintains a snare loop and prevents the loop, after closure ~~upon~~ **on** an animal, from reopening to a diameter that allows the animal to escape.

(b) The term includes a snare lock that can relax by allowing the snare loop to release constriction pressure on the captured animal when the cable is not taut.

(Natural Resources Commission; 312 IAC 9-1-13.7; filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 3. 312 IAC 9-1-14.5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-1-14.5 "Venomous reptile" defined

Authority: IC 14-22-2-6; IC 14-22-26-3; IC 14-22-34-17

Affected: IC 14-22

Sec. 14.5. "Venomous reptile" means a reptile that is normally considered a venomous or poisonous species where found in its native habitat and that can inflict serious bodily **illness, injury, (as defined by IC 35-31.5-2-292)** or death ~~upon~~ **on** a human being, **which may require emergency room care or the immediate care of a physician**, regardless of whether an individual animal has been surgically altered. *(Natural Resources Commission; 312 IAC 9-1-14.5; filed Jul 9, 1999, 5:55 p.m.: 22 IR 3671; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; errata filed Dec 6, 2013, 11:12 a.m.: 20140101-IR-312130537ACA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA; readopted filed Mar 25, 2025, 9:50 a.m.: 20250423-IR-*

SECTION 4. 312 IAC 9-3-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-3 Equipment for deer hunting

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22-2-8; IC 35-47-1-6

Sec. 3. (a) During the youth special deer season established by section 4 of this rule, a youth hunter may hunt deer with the following equipment:

- (1) A bow and arrow as described in subsection (b)(1) through (b)(4).
- (2) A crossbow as defined in [312 IAC 9-1-5.3](#).
- (3) A shotgun as described in subsection (d)(1).
- (4) A muzzleloading long gun as described in subsection (d)(3).
- (5) A rifle, with the use of cartridges described in subsection (d)(4).
- (6) An air gun as defined in [312 IAC 9-1-1.2](#).

(b) During the archery season under section 4 of this rule, an individual may hunt deer with the following equipment:

- (1) A long bow, recurve bow, or compound bow that has at least thirty-five (35) pounds pull, and a license to hunt deer under section 2 of this rule.
- (2) A crossbow and a license to hunt deer under section 2 of this rule.
- (3) An arrow or a bolt **that is** equipped with:
 - (A) a metal or metal-edged;
 - (B) a flint;
 - (C) a chert; or
 - (D) an obsidian; ~~napped;~~

broadhead. **An individual under this section may not use a poisoned or an explosive arrow or bolt.**

- (4) A long bow, recurve bow, or compound bow with:
 - (A) a track;
 - (B) a trough;
 - (C) a channel;
 - (D) an arrow rest; or
 - (E) any other device;

that attaches to the riser of the bow. ~~must not contact, support, or guide the arrow from a point rearward of the brace height of the bow. Use of a poisoned or an explosive arrow or bolt is unlawful.~~

(c) During the firearms season under section 4 of this rule, an individual may take deer with the following equipment:

- (1) A shotgun.
- (2) A shotgun with rifled barrel.
- (3) A handgun.
- (4) A muzzleloading long gun.
- (5) A muzzleloading handgun.
- (6) A rifle, with the use of a cartridge described in subsection (d)(4).
- (7) An air gun as defined in [312 IAC 9-1-1.2](#).

(d) As used in sections 2, 4, and 8 of this rule and this section, a firearm must meet the following specifications:

- (1) A shotgun must have a bore of:

- (A) 10 gauge;
- (B) 12 gauge;
- (C) 16 gauge;
- (D) 20 gauge;
- (E) 28 gauge; or
- (F) .410 caliber;

loaded with a single projectile.

(2) A handgun must:

- (A) conform to the requirements of [IC 35-47-1-6](#);
- (B) have a barrel at least four (4) inches long; **and**
- (C) fire a bullet at least two hundred forty-three thousandths (.243) of an inch in diameter. ~~;~~ **and**
- ~~(D) not be a rifle that has a barrel less than eighteen (18) inches.~~

A handgun cartridge case, without a bullet, must be at least one and sixteen-hundredths (1.16) inches long. Use of a full metal jacketed bullet is unlawful. Use of .25-20 Winchester, .32-20 Winchester, .30 Carbine, or .38 Special ammunition is unlawful.

(3) A muzzleloading long gun must be at least .40 caliber, loaded with a bullet at least three hundred fifty-seven thousandths (.357) of an inch. A muzzleloading handgun must be single shot, at least .50 caliber, loaded with a bullet at least .44 caliber, and have a barrel at least twelve (12) inches long. The length of a muzzleloading handgun barrel is determined by measuring from the base of the breech plug to the end of the barrel, including the muzzle crown, excluding a tang or another projection. ~~During the muzzleloading season under section 4 of this rule, A~~ muzzleloading gun must be capable of loading **a bullet** only from the muzzle. ~~including the powder and bullet.~~

(4) A rifle must fire a cartridge that meets the **specifications under IC 14-22-2-8, following:**

- ~~(A) Fire a bullet of at least three hundred fifty-seven thousandths (.357) of an inch in diameter.~~
- ~~(B) Have a case length of at least one and sixteen hundredths (1.16) inches.~~
- ~~(C) Have a case length of not more than one and eight tenths (1.8) inches.~~

~~Use of a full metal jacketed bullet is unlawful.~~

(e) During the muzzleloader season under section 4 of this rule, an individual may take deer with

a:

- (1) muzzleloading long gun as described in subsection (d)(3); or
- (2) muzzleloading handgun as described in subsection (d)(3).

(f) During the deer reduction season established in section 4 of this rule, an individual may take deer with a:

- (1) bow and arrow or crossbow and bolt described in subsection (b) beginning September 15 and ending January 31; or
- (2) firearm described in subsection (c) or (d) beginning the first Saturday after November 11 and ending January 31.

(g) An individual may not erect, place, or hunt from a permanent tree or ground blind on land owned or leased by the state. An individual may erect, place, or hunt from a temporary tree or ground blind that may be left overnight and placed on a:

- (1) department property as defined at [312 IAC 8-1.5-6](#);
- (2) U.S. Forest Service land; or
- (3) national wildlife refuge;

beginning at noon September 15 and ending January 10, or beginning at noon September 1 and ending February 8 on a department property within a deer reduction zone under section 4 of this rule. An

individual may not use a fastener with a tree blind and a tree or pole climber that penetrates a tree more than one-half (½) inch. A tree or ground blind must be legibly marked with the name, address, and telephone number of the owner of the tree or ground blind in the English language, or the customer identification number issued to the owner by the department.

(h) An individual may not use an infrared sensor to aid in taking a deer.

(i) An individual may not use an electronic deer call while hunting deer. (*Natural Resources Commission*; [312 IAC 9-3-3](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 13, 1997, 12:09 p.m.: 21 IR 1272; 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 Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Jun 29, 2007, 2:30 p.m.: [20070725-IR-312060272FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Nov 3, 2009, 3:34 p.m.: [20091202-IR-312090044FRA](#); filed Dec 1, 2011, 4:01 p.m.: [20111228-IR-312110101FRA](#); filed Sep 13, 2013, 3:02 p.m.: [20131009-IR-312120670FRA](#); errata filed Dec 6, 2013, 11:12 a.m.: [20140101-IR-312130537ACA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069FRA](#); filed May 11, 2021, 1:07 p.m.: [20210609-IR-312200602FRA](#); filed Dec 12, 2024, 2:17 p.m.: [20250108-IR-312240049FRA](#))

SECTION 5. 312 IAC 9-3-4 IS AMENDED AS FOLLOWS:

312 IAC 9-3-4 Season dates and bag limits

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22-11-1; IC 35-47-2

Sec. 4. (a) Except as provided in section 2 of this rule, an individual may take not more than one (1) deer with a license to hunt a deer.

(b) The special youth deer season is two (2) consecutive days beginning the Saturday immediately before October 1, or as approved annually by the director as follows:

(1) The seasonal limit for taking deer under this subsection is one (1) antlered deer, and the number of antlerless deer under **this subsection or** subsection (g). A youth hunter may take not more than one (1) antlerless deer under this subsection on the following properties operated by the department:

- (A) A property operated by the division of fish and wildlife.
- (B) Salamonie Lake.
- (C) Mississinewa Lake.
- (D) Patoka Lake.

(2) A youth hunter who takes an antlered deer under this subsection may not take another antlered deer during the:

- (A) archery season under subsection (c);
- (B) firearm season under subsection (e); or
- (C) muzzleloader season under subsection (f).

(3) A youth hunter who takes a deer under this subsection must be accompanied by an individual at least eighteen (18) years of age who:

- (A) does not possess a firearm, bow and arrow, or crossbow while in the field, except for a handgun carried lawfully under [IC 35-47-2](#);
- (B) possesses a license to hunt a wild animal that is not an apprentice license, unless the individual is exempt from needing a license to hunt under [IC 14-22-11-1](#) and [312 IAC 9-2-14](#);

- (C) may not accompany more than two (2) youth ~~hunter~~ **hunters** at one (1) time; and
- (D) is in proximity and able to communicate with the youth hunters during the hunt.

(c) The archery deer season begins October 1 and ends the first Sunday in January. An individual may take not more than the number of deer permitted under section 2 of this rule under this subsection.

(d) The deer reduction season is as follows:

(1) Begins September 15 and ends January 31 in a deer reduction zone.

(2) Under this subsection, an individual:

(A) may take not more than ten (10) deer, of which only one (1) deer may be an antlered deer; and

(B) shall take at least one (1) antlerless deer in a deer reduction zone before taking an antlered deer.

(3) A deer taken under this subsection does not count against a bag limit for deer under this rule.

(4) The Evansville deer reduction zone is the portion of Vanderburgh County south of East Boonville-New Harmony Road, except for the following areas:

(A) The area south of Interstate 164/Veterans Memorial Parkway from the Warrick County line to the east to where it intersects Main Street along the Ohio River Shore to the west.

(B) The area south of the intersection of Broadway Avenue and the Posey County line to the west, extending east to Bayou Creek Road and east to the Ohio River with Bayou Creek Road and extending east to the Ohio River.

(5) The Lafayette deer reduction zone is the portion of Tippecanoe County as follows:

(A) The area to the east, beginning at the intersection of Interstate 65 and County Road 600 North following Interstate 65 south to the junction with State Road 38.

(B) The area along State Road 38 from the intersection of Interstate 65 and State Road 38 west to Veterans Memorial Parkway/County Road 350 South, then south along Veterans Memorial Parkway west to the junction with U.S. Highway 231/State Road 52.

(C) The area from the intersection of Veterans Memorial Parkway/County Road 350 South and U.S. Highway 231 following U.S. Highway 231/State Road 52 north to the junction with State Road 25.

(D) The area from the intersection of State Road 25 and U.S. Highway 231 south along State Road 25 to the intersection of County Road 300 South and State Road 25 South.

(E) The area from the intersection of State Road 25 South and County Road 300 South to the west along County Road 300 South to the intersection of County Road 300 South and County Road 700 West.

(F) The area from the intersection of County Road 700 West and County Road 300 South to the north along County Road 700 West to the intersection of County Road 700 West and Division Road/South River Road.

(G) The area from the intersection of County Road 700 West and Division Road/South River Road to the east along Division Road/South River Road to the intersection of Division Road/South River Road and South Newman Road.

(H) The area from the intersection of South Newman Road and Division Road/South River Road to the north along South Newman Road to the intersection of South Newman Road and State Road 26/State Street.

(I) The area from the intersection of South Newman Road and State Road 26/State Street to the east along State Road 26/State Street to the intersection of State Road 26/State Street and U.S. Highway 231/State Road 52.

(J) The area to the north along U.S. Highway 231 from the intersection of State Road 26/State Street and U.S. Highway 231/State Road 52 to the intersection of U.S. Highway 231/State Road 52 and State Road 52/U.S. Highway 231.

- (K) The area to the west along State Road 52 from the intersection of State Road 52 and U.S. Highway 231/State Road 52 to the intersection of State Road 52 and County Road 400 West.
 - (L) The area to the north along County Road 400 West from the intersection of State Road 52/U.S. Highway 231 to the intersection of County Road 400 West and County Road 375 West.
 - (M) The area to the north along County Road 375 West from the junction with County Road 400 West to the intersection of County Road 375 West and County Road 600 North.
 - (N) The area to the east along County Road 600 North from the junction with County Road 375 West to the intersection of County Road 600 North and Interstate 65.
- (6) The Michigan City/LaPorte deer reduction zone is the portion of LaPorte County between Lake Michigan and the following boundary:
- (A) The area from the junction of the Porter/LaPorte County line and Interstate 94 to the east to the intersection of Interstate 94 and Johnson Road.
 - (B) The area from the intersection of Interstate 94 and Johnson Road to the south to the intersection of Johnson Road and County Road 500 West.
 - (C) The area from the south along County Road 500 West from the intersection at Johnson Road to the intersection of County Road 500 West and State Road 2.
 - (D) The area from the east along State Road 2 from the intersection at County Road 500 West to the intersection of State Road 2 and State Road 39/Longwood Drive.
 - (E) The area to the south along State Road 39/Longwood Drive from the intersection at State Road 2 to the intersection at County Road 400 South.
 - (F) The area to the east along County Road 400 South from the intersection at State Road 2 to the intersection at County Road 300 East.
 - (G) The area to the north along County Road 300 East from the intersection at County Road 400 South to the intersection at Division Road.
 - (H) The area to the west along Division Road from the intersection at County Road 300 East to the intersection at County Road 250 East.
 - (I) The area to the north along County Road 250 East from the intersection at Division Road to the intersection at County Road 150 North.
 - (J) The area to the west along County Road 150 North from the intersection at County Road 250 East to the intersection at Fail Road.
 - (K) The area to the north along North Fail Road from the intersection at County Road 150 North to the intersection at U.S. Highway 20.
 - (L) The area to the west along U.S. Highway 20 from the intersection at North Fail Road to the intersection of U.S. Highway 20 and Interstate 94.
 - (M) The area to the north along Interstate 94 from the intersection at U.S. Highway 20 to the junction with the Indiana/Michigan state line.
- (7) The Muncie deer reduction zone is the portion of Delaware County as follows:
- (A) The area at the intersection of Yorktown-Gaston Pike/County Road 600 West, extending east along State Road 332 East to the intersection at Nebo Road.
 - (B) The area to the north along Nebo Road from the intersection at State Road 332 to the intersection at County Road 500 North/Royerton Road.
 - (C) The area to the east along County Road 500 North/Royerton Road from the intersection at North Nebo Road to the intersection at U.S. Highway 35.
 - (D) The area to the south along U.S. Highway 35 from the intersection at County Road 500 North/Royerton Road to the intersection at State Road 67.
 - (E) The area to the south along State Road 67 from the intersection at U.S. Highway 35 to the intersection at County Road 400 South.
 - (F) The area to the west along County Road 400 South from the intersection at State

Road 67 to the intersection at South Marsh Avenue/County Road 600 West.

(G) The area to the north along Marsh Avenue/County Road 600 West from the intersection at County Road 400 South to intersection at State Road 32.

(H) The area to the east along State Road 32 from the intersection at Marsh Avenue to the intersection at Tiger Drive/County Road 575 West.

(I) The area to the north along Tiger Drive/County Road 575 West from the intersection at State Road 32 to the intersection at River Road.

(J) The area to the west along River Road from the intersection at Tiger Drive to the intersection at Yorktown-Gaston Pike/County Road 600 West.

(K) The area to the north along Yorktown-Gaston Pike/County Road 600 West to the intersection at State Road 332.

(8) The South Bend/Mishawaka/Elkhart deer reduction zone is the portion of St. Joseph County and Elkhart County south of the Michigan state line as follows:

(A) The area at the junction of U.S. Highway 31 and the Indiana/Michigan state line to the south along U.S. Highway 31 to the intersection at U.S. Highway 20.

(B) The area to the east along U.S. Highway 20/U.S. Highway 31 to the intersection at County Road 17.

(C) The area to the north along County Road 17 from the intersection at U.S. Highway 20 to the junction with the Indiana/Michigan state line.

(9) The Warsaw deer reduction zone is the portion of Kosciusko County as follows:

(A) The area at the intersection of State Road 15 and Levi Lee Road, extending east to the intersection of Levi Lee Road and County Road 100 East.

(B) The area to the south along County Road 100 East from the intersection at Levi Lee Road to the intersection at County Road 450 North.

(C) The area to the east along County Road 450 North from the intersection at County Road 100 East to the intersection at Chapman Lake Drive.

(D) The area to the south along Chapman Lake Drive from the intersection at County Road 450 North to the intersection at County Road 300 East.

(E) The area to the south along County Road 300 East from the intersection at Chapman Lake Road to the intersection at Old U.S. Highway 30/E. Old Road 30.

(F) The area to the east on Old U.S. Highway 30/E. Old Road 30 from the intersection at County Road 300 East to the intersection at County Road 450 East.

(G) The area to the south along County Road 450 East from the intersection at Old U.S. Highway 30/E. Old Road 30 to the intersection at U.S. Highway 30.

(H) The area to the east on U.S. Highway 30 from the intersection at County Road 450 East to the intersection at Van Ness Road.

(I) The area to the south along Van Ness Road from the intersection at U.S. Highway 30 to the intersection at Wooster Road.

(J) The area to the west along Wooster Road from the intersection at Van Ness Road to the intersection at County Road 500 East.

(K) The area to the south along County Road 500 East from the intersection at Wooster Road to the intersection at County Road 350 South.

(L) The area to the west along County Road 350 South from the intersection at County Road 500 East to the intersection at County Road 450 East.

(M) The area to the south along County Road 450 East from the intersection at County Road 350 South to the intersection at County Road 400 South.

(N) The area to the west along County Road 400 South from the intersection at County Road 450 East to the intersection at State Road 15.

(O) The area to the north along State Road 15 from the intersection at County Road 400 South to the intersection at County Road 350 South.

(P) The area to the west along County Road 350 South from the intersection at State

- Road 15 to the intersection at County Road 450 West.
- (Q) The area to the north along County Road 450 West from the intersection at County Road 350 South to the intersection at County Road 400 West.
- (R) The area to the north along County Road 400 West from the intersection at County Road 450 West to the intersection at Crystal Lake Road.
- (S) The area to the east along Crystal Lake Road from the intersection at County Road 400 West to the intersection at Zimmer Road.
- (T) The area to the north along Zimmer Road from the intersection at Crystal Lake Road to the intersection at Lincoln Highway/Old U.S. Highway 30.
- (U) The area to the west along Lincoln Highway/Old U.S. Highway 30 from the intersection at Zimmer Road to the intersection at County Road 350 West.
- (V) The area to the north along County Road 350 West from the intersection at Lincoln Highway/Old U.S. Highway 30 to the intersection at U.S. Highway 30.
- (W) The area to the east along U.S. Highway 30 from the intersection at County Road 350 West to the intersection at County Road 150 West/Silveus Crossing.
- (X) The area to the north along County Road 150 West/Silveus Crossing from the intersection at U.S. Highway 30 to the intersection at County Road 400 North.
- (Y) The area to the east along County Road 400 North from the intersection at County Road 150 West/Silveus Crossing to the intersection at State Road 15.
- (Z) The area to the north along State Road 15 from the intersection at County Road 400 North to the intersection at Levi Lee Road.
- (10) The Allen County deer reduction zone is the portion of Allen County as follows:
- (A) The area between Interstate 69 and Interstate 469.
 - (B) The area to the west of Interstate 69 that extends north of Lafayette Center Road and south of State Road 14.
 - (C) The area west of Interstate 69 to the:
 - (i) north of U.S. Highway 30;
 - (ii) east of O Day Road to the intersection at State Road 33;
 - (iii) south of State Road 33 to the intersection at Johnson Road;
 - (iv) east of Johnson Road north to the intersection at West Shoaff Road;
 - (v) south of West Shoaff Road east to the intersection at State Road 3; and
 - (vi) east of State Road 3 north to the junction with the DeKalb County line.
 - (D) The area to the east of Interstate 69, to the north of Interstate 469, to the west of the St. Joseph River, and to the south of Schlatter Road.
- (11) The Cordry-Sweetwater deer reduction zone is the portion of Brown County contained within the Cordry-Sweetwater Conservancy District.
- (12) The Brown County deer reduction zone is the portion of Brown County as follows:
- (A) The area not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of State Road 46 from the Monroe County line to the Bartholomew County line.
 - (B) The area of Monroe Lake located not more than one-half ($\frac{1}{2}$) mile from the centerline of State Road 46.
 - (C) The area that is the management units of Yellowwood State Forest contained within the following tracts:
 - (i) Compartment 2, Tracts 2 and 40.
 - (ii) Compartment 3, Tracts 1 and 2.
 - (iii) Compartment 4, Tract 2.
 - (iv) Compartment 5, Tracts 5, 9, 10, 11, and 15.
 - (v) Compartment 8, Tract 27.
 - (vi) Compartment 9, Tract 1.

The Brown County deer reduction zone does not include any portion of Brown County State Park.

(13) The Dearborn County deer reduction zone is the portion of Dearborn County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of the following road segments:

(A) The area of U.S. 50 from the Dearborn/Ripley County line east to the Indiana state line.

(B) The area of State Road 148 from the intersection at State Road 48, extending south to the intersection at U.S. 50.

(C) The area of State Road 48 from the intersection at State Road 148, extending south to the intersection at U.S. 50.

(14) The DeKalb County deer reduction zone is the portion of DeKalb County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of Interstate 69 from the DeKalb/Steuben County line south to the DeKalb/Allen County line.

(15) The Fulton County deer reduction zone is a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of U.S. Highway 31 from the Fulton/Marshall County line to the south to the intersection at State Road 14.

(16) The LaGrange County deer reduction zone is a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of the following road segments:

(A) The area of U.S. Highway 20 from the intersection at State Road 9 to the east to the LaGrange/Steuben County line.

(B) The area of State Road 9 from the intersection at U.S. Highway 20 to the south to the LaGrange/Noble County line.

(C) The area of State Road 3 from the intersection at U.S. Highway 20 to the south to the LaGrange/Noble County line.

(17) The Lake County deer reduction zone is the portion of Lake County as follows:

(A) The area from north of the junction of the Indiana state line and 151st Avenue.

(B) The area from 151st Avenue east to the intersection at U.S. Highway 41.

(C) The area from U.S. Highway 41 south to the intersection at State Road 2.

(D) The area from State Road 2 east to the intersection at Interstate 65.

(E) The area from Interstate 65 north to the intersection at 145th Avenue.

(F) The area from 145th Avenue east to the intersection at U.S. Highway 231.

(G) The area from U.S. Highway 231 south to the junction with the Porter County line.

(18) The Madison County deer reduction zone is the portion of Madison County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of Interstate 69 from the Madison/Hamilton County line east to the Madison/Delaware County line.

(19) The Griffy Lake Nature Preserve deer reduction zone is the portion of Monroe County contained in the Griffy Lake Nature Preserve.

(20) The Monroe County deer reduction zone is the portion of Monroe County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of State Road 37 from the Interstate 69 split south to the junction with the Monroe/Lawrence County line.

(21) The Porter County deer reduction zone is the portion of Porter County as follows:

(A) The area from north of the junction of U.S. Highway 231 and the Porter/Lake County line.

(B) The area to the east along U.S. Highway 231 to the intersection at State Road 2.

(C) The area to the north along State Road 2 north to the intersection at Division Road.

(D) The area to the east along Division Road to the junction with the LaPorte County line.

(22) The Steuben County deer reduction zone is the portion of Steuben County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of the following road segments:

(A) The area of Interstate 69 from the Indiana state line south to the junction with the Steuben/DeKalb County line.

(B) The area of Interstate 80/90 Toll Road from the Steuben/LaGrange County line east to the intersection at Interstate 69.

(C) The area of U.S. Highway 20 from the Steuben/LaGrange County line east to the intersection at Interstate 69.

(23) The Wabash County deer reduction zone is the portion of Wabash County that includes a privately owned parcel of land that has a portion located not more than one-half ($\frac{1}{2}$) mile on either side of the centerline of State Road 114 from the junction with the Wabash/Fulton County line east to the intersection at State Road 13.

(24) The Warrick County deer reduction zone is the portion of Warrick County extending south of State Road 62 from the junction with the Warrick/Vanderburgh County line, then to the intersection at State Road 61 as follows:

(A) The area to the south along State Road 61 to the intersection at State Road 66.

(B) The area to the west along State Road 66 to the intersection at the French Island Trail.

(C) The area to the west along the French Island Trail to the intersection at Jennings Street.

(D) The area to the west along Jennings Street to the intersection at Old State Road 662.

(E) The area to the west along Old State Road 662 to the intersection at State Road 662.

(F) The area to the west along State Road 662 to the junction with the Warrick/Vanderburgh County line.

(25) The deer reduction zones in central Indiana are as follows:

(A) Marion County.

(B) The area in Johnson County to the south from the Marion County line as follows:

(i) The area to the west of Interstate 65 and south to the intersection of Interstate 65 and Whiteland Road.

(ii) The area to the west along Whiteland Road to the intersection at State Road 144.

(iii) The area to the west along State Road 144 to the intersection at State Road 37.

(iv) The area to the south along State Road 37 to the junction with the Johnson/Morgan County line.

(C) The area in Morgan County to the north of the junction of State Road 37 and the Morgan/Johnson County line as follows:

(i) The area to the west of State Road 37 South to the intersection of State Road 37 and State Road 39/Morton Avenue.

(ii) The area to the north along State Road 39/Morton Avenue from the intersection at State Road 37 to the intersection at State Road 67.

(iii) The area to the north along State Road 67 from the intersection at State Road 39 to the intersection at Indiana Street/State Road 267.

(iv) The area to the north along Indiana Street/State Road 267 from the intersection at State Road 67 to the intersection at State Road 42/High Street.

(v) The area to the west along State Road 42/High Street from the intersection at Indiana Street/State Road 267 to the intersection at State Road 267.

(vi) The area to the north along State Road 267 to the junction with the Morgan/Hendricks County line.

(D) The area in Hendricks County to the east of State Road 267 from the Morgan County line north to the Boone County line.

(E) The area in Boone County to the east of State Road 267 from the Hendricks County line north to the intersection at Interstate 65 as follows:

- (i) The area from Interstate 65 south to the intersection at State Road 334.
- (ii) The area to the east to the intersection at Ford Road/County Road 975 East/Pleasantview Road.
- (iii) The area to the north to the intersection at County Road 300 South.
- (iv) The area from County Road 300 South east to the junction with the Hamilton County line.

(F) The area in Hamilton County to the south of State Road 32 from the Boone County line east to the junction with U.S. Highway 31 as follows:

- (i) The area to the north along U.S. Highway 31 to the intersection at 236th Street.
- (ii) The area to the east along 236th Street to the intersection at State Road 19.
- (iii) The area to the south along State Road 19 to the intersection at State Road 32.
- (iv) The area to the east along State Road 32 to the junction with the Madison County line.

(e) The firearms deer season begins the first Saturday after November 11 and ends after an additional fifteen (15) days. An individual may take not more than one (1) antlered deer under this subsection with a firearms license.

(f) The deer hunting season to use a muzzleloading long gun or muzzleloading handgun begins the first Saturday after the closing day of the firearms season under subsection (e) and ends after an additional fifteen (15) days. An individual may take not more than the number of deer authorized by section 2 of this rule under this subsection.

(g) The bag limit by county to take an antlerless deer is as follows:

- (1) Two (2) deer in Adams County.
- (2) Three (3) deer in Allen County.
- (3) Three (3) deer in Bartholomew County.
- (4) Two (2) deer in Benton County.
- (5) Two (2) deer in Blackford County.
- (6) Three (3) deer in Boone County.
- (7) Four (4) deer in Brown County.
- (8) Three (3) deer in Carroll County.
- (9) Three (3) deer in Cass County.
- (10) Three (3) deer in Clark County.
- (11) Three (3) deer in Clay County.
- (12) Three (3) deer in Clinton County.
- (13) Four (4) deer in Crawford County.
- (14) Three (3) deer in Daviess County.
- (15) Four (4) deer in Dearborn County.
- (16) Two (2) deer in Decatur County.
- (17) Three (3) deer in DeKalb County.
- (18) Three (3) deer in Delaware County.
- (19) Three (3) deer in Dubois County.
- (20) Three (3) deer in Elkhart County.
- (21) In Fayette County.

~~(A) one (1) deer beginning October 1, 2024; and~~

~~(B) two (2) three (3) deer beginning October 1, 2025. September 26, 2026.~~

- (22) Four (4) deer in Floyd County.
- (23) Three (3) deer in Fountain County.
- (24) In Franklin County:
 - (A) ~~one (1)~~ **three (3)** deer beginning ~~October 1, 2024;~~ **September 26, 2026;** and
 - (B) ~~two (2)~~ **four (4)** deer beginning ~~October 1, 2025;~~ **September 25, 2027.**
- (25) Three (3) deer in Fulton County.
- (26) Three (3) deer in Gibson County.
- (27) Three (3) deer in Grant County.
- (28) Three (3) deer in Greene County.
- (29) Three (3) deer in Hamilton County.
- (30) Two (2) deer in Hancock County.
- (31) Four (4) deer in Harrison County.
- (32) Three (3) deer in Hendricks County.
- (33) Three (3) deer in Henry County.
- (34) Three (3) deer in Howard County.
- (35) Three (3) deer in Huntington County.
- (36) Four (4) deer in Jackson County.
- (37) Three (3) deer in Jasper County.
- (38) Two (2) deer in Jay County.
- (39) Four (4) deer in Jefferson County.
- (40) Four (4) deer in Jennings County.
- (41) Three (3) deer in Johnson County.
- (42) Three (3) deer in Knox County.
- (43) Three (3) deer in Kosciusko County.
- (44) Three (3) deer in LaGrange County.
- (45) Three (3) deer in Lake County.
- (46) Three (3) deer in LaPorte County.
- (47) Four (4) deer in Lawrence County.
- (48) Three (3) deer in Madison County.
- (49) Three (3) deer in Marion County.
- (50) Three (3) deer in Marshall County.
- (51) Three (3) deer in Martin County.
- (52) Three (3) deer in Miami County.
- (53) Four (4) deer in Monroe County.
- (54) Three (3) deer in Montgomery County.
- (55) Four (4) deer in Morgan County.
- (56) Three (3) deer in Newton County.
- (57) Three (3) deer in Noble County.
- (58) Three (3) deer in Ohio County.
- (59) Four (4) deer in Orange County.
- (60) Four (4) deer in Owen County.
- (61) Three (3) deer in Parke County.
- (62) Four (4) deer in Perry County.
- (63) Three (3) deer in Pike County.
- (64) Three (3) deer in Porter County.
- (65) Three (3) deer in Posey County.
- (66) Three (3) deer in Pulaski County.
- (67) Three (3) deer in Putnam County.
- (68) Two (2) deer in Randolph County.
- (69) Four (4) deer in Ripley County.
- (70) Two (2) deer in Rush County.

- (71) Three (3) deer in St. Joseph County.
- (72) Four (4) deer in Scott County.
- (73) Two (2) deer in Shelby County.
- (74) Three (3) deer in Spencer County.
- (75) Three (3) deer in Starke County.
- (76) Three (3) deer in Steuben County.
- (77) Three (3) deer in Sullivan County.
- (78) Three (3) deer in Switzerland County.
- (79) Three (3) deer in Tippecanoe County.
- (80) Two (2) deer in Tipton County.
- (81) Three (3) deer in Union County.
- (82) Three (3) deer in Vanderburgh County.
- (83) Three (3) deer in Vermillion County.
- (84) Three (3) deer in Vigo County.
- (85) Three (3) deer in Wabash County.
- (86) Three (3) deer in Warren County.
- (87) Three (3) deer in Warrick County.
- (88) Four (4) deer in Washington County.
- (89) Three (3) deer in Wayne County.
- (90) Two (2) deer in Wells County.
- (91) Three (3) deer in White County.
- (92) Three (3) deer in Whitley County.

(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; filed Jun 29, 2007, 2:30 p.m.: [20070725-IR-312060272FRA](#); filed Jul 10, 2007, 2:09 p.m.: [20070808-IR-312060572FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Nov 3, 2009, 3:34 p.m.: [20091202-IR-312090044FRA](#); filed Nov 12, 2009, 3:53 p.m.: [20091209-IR-312090060FRA](#); filed Dec 1, 2011, 4:01 p.m.: [20111228-IR-312110101FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Dec 12, 2024, 2:17 p.m.: [20250108-IR-312240049FRA](#))

SECTION 6. 312 IAC 9-3-18.5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-18.5 Exotic mammals

Authority: IC 14-22-2-6; IC 14-22-32-6

Affected: IC 14-8-2-278; IC 14-22-20; IC 15-17-5

Sec. 18.5. (a) An individual must not take, as defined by [IC 14-8-2-278](#), an exotic mammal that is a species from any of the following families of mammals:

- (1) Bradypodidae (tree sloth).
- (2) Camelidae (camel and llama).
- (3) Canidae (jackal, wild dog, and other exotic foxes).
- (4) Cebidae (marmoset).
- (5) Cercopithecidae (baboon and monkey).
- ~~(6) Dasypodidae (armadillo).~~
- ~~(7)~~ (6) Elephantidae (elephant).
- ~~(8)~~ (7) Equidae (wild horse and zebra), except for domestic horses.
- ~~(9)~~ (8) Felidae (mountain lion, lynx, tiger, and other exotic cats).
- ~~(10)~~ (9) Giraffidae (giraffe and okapi).

- ~~(11)~~ **(10)** Hippopotamidae (hippopotamus).
- ~~(12)~~ **(11)** Hyaenidae (hyaena).
- ~~(13)~~ **(12)** Macropodidae (kangaroo and wallaby).
- ~~(14)~~ **(13)** Myrmecophagidae (anteater).
- ~~(15)~~ **(14)** Orycteropodidae (aardvark).
- ~~(16)~~ **(15)** Pongidae (chimpanzee, bonobo, and gorilla).
- ~~(17)~~ **(16)** Procaviidae (hyrax).
- ~~(18)~~ **(17)** Protelidae (aardwolf).
- ~~(19)~~ **(18)** Rhinocerotidae (rhinoceros).
- ~~(20)~~ **(19)** Tapiridae (tapir).
- ~~(21)~~ **(20)** Tragulidae (chevrotain).
- ~~(22)~~ **(21)** Ursidae (bear), except for black bears.
- ~~(23)~~ **(22)** A hybrid or genetically altered mammal of any of these families.

Exempted from this section are the following species of mammals that are not considered to be exotic mammals: bobcat, red fox, gray fox, and coyote.

(b) Notwithstanding subsection (a), an individual may take an exotic mammal only if the exotic mammal is:

- (1) taken by a resident landowner or tenant while destroying or causing substantial damage to property that is owned or leased by the landowner or tenant;
- (2) a species from the family camelidae and slaughtered in accordance with [IC 15-17-5](#); or
- (3) an animal that has escaped from captivity into the wild and is a known immediate threat to:
 - (A) public safety; or
 - (B) the health of wild animals.

(Natural Resources Commission; [312 IAC 9-3-18.5](#); filed May 12, 2006, 10:38 a.m.: 29 IR 3346; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Dec 10, 2010, 10:36 a.m.: [20110105-IR-312100104FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 7. 312 IAC 9-4-2 IS AMENDED TO READ AS FOLLOWS:
312 IAC 9-4-2 General requirements for migratory birds and waterfowl
Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22; IC 35-47-2

Sec. 2. (a) The restrictions in this rule supplement state statutes and federal laws that protect migratory birds and waterfowl.

- (b) The:
 - (1) annual seasons; ~~and~~
 - (2) bag limits;
 - (3) hunting **methods and** restrictions; and
 - (4) shooting hours;

for migratory birds and waterfowl are ~~as determined under 50 CFR 20~~ **set forth annually in the Federal Register in accordance with 50 CFR 20.**

- (c) An individual must not hunt:
 - (1) ducks;
 - (2) geese;

- (3) mourning doves;
- (4) woodcock;
- (5) coots;
- (6) snipe;
- (7) rails; or
- (8) gallinules;

unless the individual is registered with and possesses an identification number issued through the Harvest Information Program **at GoOutdoorsIN.com**.

(d) Notwithstanding subsection (c), a resident youth hunter participating in a free hunting day for youth hunters as designated by the director is exempt from:

- (1) registration with; and
- (2) possession of an identification number issued through; the Harvest Information Program.

(e) For purposes of youth free hunting days under [IC 14-22-11-18](#) and the youth waterfowl season established under 50 CFR 20.105 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-20/subpart-K/section-20.105>), a youth hunter means an individual who is less than eighteen (18) years of age on the date of the hunt. ~~For purposes of the youth waterfowl season as established in 50 CFR 20.105, the age of a youth hunter is determined under 50 CFR 20.105.~~

(f) An individual must not take a migratory bird listed as an endangered species in this rule unless the individual possesses a scientific purposes license under [312 IAC 9-10-6](#).

(g) An individual must not hunt American woodcock (*Scolopax minor*) unless that person wears hunter orange.

(h) An individual must not hunt waterfowl while possessing shot, other than steel shot or another nontoxic shot.

(i) An individual must not construct a hunting blind on the water of the state unless the name and address of the individual who constructs the blind is legibly indicated on the blind.

(j) An individual who constructs a hunting blind must cause the removal of the blind from the water of the state from April 1 through August 15.

- (k) An individual must not:
- (1) construct or place a permanent blind; or
 - (2) leave a portable blind overnight;

on property owned or leased by the department, **except as authorized by 312 IAC 8-2-3**.

(l) ~~In order to~~ **To** hunt waterfowl, an individual must satisfy all of the following requirements:

(1) Possess one (1) of the following valid Indiana hunting licenses or be exempt from needing a license as authorized in [IC 14-22-11-1](#):

- (A) A resident yearly hunting license under [IC 14-22-12-1\(a\)\(2\)](#).
- (B) A resident yearly hunting and fishing license under [IC 14-22-12-1\(a\)\(3\)](#).
- (C) A nonresident yearly hunting license under [IC 14-22-12-1\(a\)\(6\)](#).
- (D) A nonresident ~~five-day~~ **five (5) day** hunting license under [IC 14-22-12-1\(a\)\(10\)](#).
- (E) A nonresident youth yearly hunting license under [IC 14-22-12-1\(a\)\(25\)](#).

(F) A resident youth consolidated hunting, ~~and trapping, and fishing~~ license under [IC 14-22-12-1\(a\)\(24\)](#) or [IC 14-22-11-10\(b\)](#).

(G) A disabled American veteran's hunting license under [IC 14-22-12-1.5](#).

(H) An apprentice hunting license of the types identified in clauses (A) through (G) under [IC 14-22-12-1.7](#).

(I) A lifetime basic hunting license under [IC 14-22-12-7\(a\)\(2\)](#) before its repeal.

(J) A lifetime comprehensive hunting license under [IC 14-22-12-7\(a\)\(4\)](#) before its repeal.

(K) A lifetime comprehensive hunting and fishing license under [IC 14-22-12-7\(a\)\(5\)](#) before its repeal.

(2) Possess a valid Indiana waterfowl stamp privilege issued under [IC 14-22-7-4](#).

(m) An individual must not possess lead shot while hunting mourning doves on a department property.

(n) An individual may take Eurasian collared doves during the season for hunting mourning doves in accordance with 50 CFR 20 **as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-20>)**. The bag limit for mourning doves does not apply to Eurasian collared doves that are taken as long as the head and a feathered wing are attached. The bag limit for mourning doves does include Eurasian collared doves if the head and feathered wing are not attached.

(o) An individual may take a raptor, **as defined in 50 CFR 21 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21>)**, that is a migratory bird of the order Accipitriformes, Falconiformes, or Strigiformes, including the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*), from the wild only with a:

(1) wild animal rehabilitation permit issued under [312 IAC 9-10-9](#);

(2) scientific purposes license issued under [312 IAC 9-10-6](#);

(3) falconry license issued under [312 IAC 9-10-13.1](#); or

(4) ~~migratory bird depredation~~ **nuisance wild animal control** permit under ~~[IC 14-22-6-3](#)~~ **IC 14-22-28-1 and 312 IAC 9-10-11**.

(p) An individual may take a live migratory bird, other than a raptor, from the wild only:

(1) with a wild animal rehabilitation permit issued under [312 IAC 9-10-9](#);

(2) with a scientific purposes license issued under [312 IAC 9-10-6](#);

(3) with a ~~migratory bird depredation~~ **nuisance wild animal control** permit under ~~[IC 14-22-6-3](#)~~ **IC 14-22-28-1 and 312 IAC 9-10-11**;

(4) during a hunting season as authorized in this section and 50 CFR 20;

(5) as authorized in section 7.2 of this rule and 50 CFR 21.43 for brown-headed cowbird, common grackle, red-winged blackbird, Brewer's blackbird, or American crow taken in accordance with section 7.2 of this rule and 50 CFR 21.43;

(6) as authorized in subsections (t) and (u) for a Canada goose, **a mallard duck, or an endangered species**; ~~or~~

(7) as authorized by a public use airport under [IC 14-22-11-1\(b\)\(5\)](#); or

(8) **under a permit or written authorization from the U. S. Fish and Wildlife Service under 50 CFR 21 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21>)**.

(q) An individual may possess, breed, and sell raptors with a raptor propagation permit issued by the U.S. Fish and Wildlife Service in accordance with ~~50 CFR 21.30~~ **50 CFR 21.85 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21/subpart-C/section 21.85>)** without a permit from the department.

(r) A migratory bird that is taken from the wild may be possessed live only with a:

- (1) wild animal rehabilitation permit issued under [312 IAC 9-10-9](#);
- (2) special purpose educational permit issued under [312 IAC 9-10-9.5](#);
- (3) scientific purposes license issued under [312 IAC 9-10-6](#); or
- (4) falconry license issued under [312 IAC 9-10-13.1](#).

(s) An individual may possess, breed, and sell captive-bred waterfowl in accordance with 50 CFR 21 without a permit from the department.

(t) An individual may take the nest and eggs of Canada geese between ~~March~~ **January 1** and June 30 in accordance with 50 CFR ~~21.50~~ **21.162 as in effect March 1, 2026** (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21/subpart-D/section-21.162>) without a permit from the department.

(u) An individual may take a live Canada goose **or mallard duck** that is causing damage or threatening to cause damage to property or causing a health or safety threat to persons or domestic animals with a nuisance wild animal control permit from the department **under IC 14-22-28-1 and 312 IAC 9-10-11, in accordance with 50 CFR 21.100 as in effect March 1, 2026** (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21/subpart-D/section-21.100>); and 50 CFR 21.120 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21/subpart-D/section-21.120>); or with a permit or an authorization from the U.S. Fish and Wildlife Service.

~~(v) An individual may take a migratory bird that is causing damage to property or posing a health or safety threat to persons or domestic animals with a migratory bird depredation permit issued under [IC 14-22-6-3](#). Exempted from this section is a:~~

- ~~(1) Canada goose, or the nests and eggs thereof, taken in accordance with a hunting season authorized under 50 CFR 20 or subsections (t) and (u)~~
- ~~(2) migratory bird taken during a hunting season in accordance with this section and 50 CFR 20;~~
- ~~or~~
- ~~(3) brown-headed cowbird, common grackle, red-winged blackbird, Brewer's blackbird, or American crow taken in accordance with section 7.2 of this rule and 50 CFR 21.43.~~

~~(w)~~ (v) The nest of a migratory bird may be taken only:

- (1) in accordance with subsection (t); ~~or (v);~~
- (2) with a special purpose salvage permit under [312 IAC 9-10-13.5](#);
- (3) with a scientific purposes license issued under [312 IAC 9-10-6](#); or
- (4) if unoccupied by a bird or **an** egg and destroyed or relocated.

~~(x)~~ (w) An individual may capture and humanely remove a trapped, live migratory bird that is not an endangered species from the interior of a building or ~~enclosure/structure~~ **an enclosure** and release it immediately outside the building or enclosure or give it to an individual with a wild animal rehabilitation permit issued under [312 IAC 9-10-9](#) in accordance with 50 CFR 21.12 **as in effect March 1, 2026** (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-21/subpart-B/section-21.12>).

~~(y)~~ (x) A youth who hunts waterfowl during the youth waterfowl season authorized under 50 CFR 20 must:

- (1) possess a valid nonresident youth yearly hunting license under [IC 14-22-12-1\(a\)\(25\)](#);
- (2) possess a valid resident youth consolidated hunting **and** trapping ~~and fishing~~ license under [IC](#)

14-22-12-1(a)(24) or IC 14-22-11-10(b); or

(3) be exempt from needing a license as authorized in IC 14-22-11-1 and 312 IAC 9-2-14.

~~(z)~~ (y) A youth who hunts waterfowl during the youth waterfowl season authorized under 50 CFR 20 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-20>) must be accompanied by an adult of at least eighteen (18) years of age who:

- (1) does not possess a firearm, crossbow, or bow and arrow while in the field, except for a handgun carried lawfully in accordance with IC 35-47-2;
- (2) possesses a valid hunting license of any type that is not an apprentice license unless exempt from needing a hunting license under IC 14-22-11-1 and 312 IAC 9-2-14;
- (3) must not accompany more than two (2) youth hunters at any one (1) time; and
- (4) must be in close proximity and able to communicate with the youth ~~hunter~~ hunters at all

times.

(Natural Resources Commission; 312 IAC 9-4-2; filed May 12, 1997, 10:00 a.m.: 20 IR 2708; filed May 28, 1998, 5:14 p.m.: 21 IR 3714; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; errata filed Apr 29, 2010, 3:05 p.m.: 20100512-IR-312090479ACA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA; filed Nov 16, 2020, 9:30 a.m.: 20201216-IR-312200069FRA; readopted filed Mar 25, 2025, 9:50 a.m.: 20250423-IR-312240574RFA)

SECTION 8. 312 IAC 9-4-7.1 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-4-7.1 American crows

Authority: IC 14-22-2-6

Affected: IC 14-22

Sec. 7.1. (a) An individual may hunt American crows (*Corvus brachyrhynchos*) ~~from~~ **beginning** July 1 through August 15 and ~~from~~ **beginning** December 13 through ~~March 1~~ **February 28** of the following year.

(b) An individual may take an unlimited number of crows.

(Natural Resources Commission; 312 IAC 9-4-7.1; filed Mar 12, 2010, 1:28 p.m.: 20100407-IR-312090479FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA; readopted filed Mar 25, 2025, 9:50 a.m.: 20250423-IR-312240574RFA)

SECTION 9. 312 IAC 9-4-14 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-4-14 Endangered species of birds

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-34-17

Affected: IC 14-22-34-12

Sec. 14. The following species of birds are endangered and are subject to the protections provided under IC 14-22-34-12:

- (1) American bittern (*Botaurus lentiginosus*).
- (2) Least bittern (*Ixobrychus exilis*).
- (3) Black-crowned night-heron (*Nycticorax nycticorax*).
- (4) Yellow-crowned night-heron (*Nyctanassa violacea*).
- (5) Trumpeter swan (*Cygnus buccinator*).

- (6) Rufa red knot (*Calidris canutus rufa*).
- (7) Northern harrier (*Circus ~~cyaneus~~ hudsonius*).
- (8) Black rail (*Laterallus jamaicensis*).
- (9) King rail (*Rallus elegans*).
- (10) Virginia rail (*Rallus limicola*).
- (11) Common ~~moorhen~~ **gallinule** (*Gallinula ~~chloropus~~ galeata*).
- (12) Whooping crane (*Grus americana*).
- (13) Piping plover (*Charadrius melodus*).
- (14) Upland sandpiper (*Bartramia longicauda*).
- (15) Least tern (~~Sterna~~ **Sternula** *antillarum*).
- (16) Black tern (*Chlidonias niger*).
- (17) **American barn** ~~Barn~~ owl (*Tyto ~~alba~~ furcata*).
- (18) Short-eared owl (*Asio flammeus*).
- (19) Sedge wren (~~Cisothorus platensis~~) (**Cistothorus stellaris**).
- (20) Marsh wren (*Cisothorus palustris*).
- (21) Loggerhead shrike (*Lanius ludovicianus*).
- (22) Cerulean warbler (~~Dendroica~~ **Setophaga** *cerulea*).
- (23) Golden-winged warbler (*Vermivora chrysoptera*).
- ~~(24) Kirtland's warbler (*Dendroica kirtlandii*).~~
- ~~(25)~~ (24) Henslow's sparrow (~~Ammodramus~~ **Centronyx** *henslowii*).
- ~~(26)~~ (25) Yellow-headed blackbird (*Xanthocephalus xanthocephalus*).
- ~~(27)~~ (26) Ruffed grouse (*Bonasa umbellus*).

(Natural Resources Commission; [312 IAC 9-4-14](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2712; filed May 28, 1998, 5:14 p.m.: 21 IR 3717; filed Dec 26, 2001, 2:40 p.m.: 25 IR 2535; filed May 16, 2002, 12:25 p.m.: 25 IR 3046; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 542; filed Jun 29, 2007, 2:30 p.m.: [20070725-IR-312060272FRA](#); filed Apr 1, 2008, 10:28 a.m.: [20080430-IR-312070735FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Sep 13, 2013, 3:02 p.m.: [20131009-IR-312120670FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069FRA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 10. 312 IAC 9-5-4 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-5-4 Endangered species of reptiles and amphibians

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-34-17

Affected: IC 14-22-34-12

Sec. 4. The following species of reptiles and amphibians are endangered and are subject to the protections provided under [IC 14-22-34-12](#):

- (1) Hellbender (*Cryptobranchus alleganiensis*).
- (2) Red salamander (*Pseudotriton ruber*).
- (3) Green salamander (*Aneides aeneus*).
- (4) ~~Copper-bellied~~ **Copperbelly** watersnake (*Nerodia erythrogaster neglecta*).
- (5) Butler's gartersnake (*Thamnophis butleri*).
- (6) Kirtland's snake (*Clonophis kirtlandii*).
- (7) Scarletsnake (*Cemophora coccinea*).
- (8) Smooth greensnake (*Opheodrys vernalis*).
- (9) Southeastern crowned snake (*Tantilla coronata*).
- (10) ~~Northern Cottonmouth~~ **cottonmouth** (*Agkistrodon piscivorus*).
- (11) ~~Eastern Massasauga~~ **massasauga** (*Sistrurus catenatus*).

- (12) Timber rattlesnake (*Crotalus horridus*).
- (13) Eastern mud turtle (*Kinosternon subrubrum*).
- (14) Spotted turtle (*Clemmys guttata*).
- (15) River cooter (*Pseudemys concinna*).
- (16) ~~Western Alligator~~ **alligator** snapping turtle (*Macrochelys temminckii*).
- (17) Blanding's turtle (*Emydoidea blandingii*).
- (18) Crawfish frog (*Lithobates areolatus*).
- (19) Ornate box turtle (*Terrapene ornata*).
- (20) Plains leopard frog (*Lithobates blairi*).
- (21) Mole salamander (*Ambystoma talpoideum*).

(Natural Resources Commission; 312 IAC 9-5-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2713; filed May 16, 2002, 12:25 p.m.: 25 IR 3047; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 542; filed May 25, 2005, 10:15 a.m.: 28 IR 2947; filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); filed Jun 29, 2007, 2:30 p.m.: [20070725-IR-312060272FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); filed Oct 28, 2011, 10:10 a.m.: [20111123-IR-312110196FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 11. 312 IAC 9-5-6 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-5-6 Collection and possession of reptiles and amphibians native to Indiana

Authority: IC 14-22

Affected: IC 14-22

Sec. 6. (a) An individual may take reptiles or amphibians from the wild only as authorized under this section.

(b) Except as provided in this section, an individual must not take more than two (2) per day and not more than four (4) **in total**, from April 1 through March 31 of the following year of any one (1) species of reptile or amphibian native to Indiana.

(c) An individual may take not more than four (4) of the following species of turtles per day, singly or in aggregate:

- (1) Eastern snapping turtle (*Chelydra serpentina serpentina*).
- (2) Smooth softshell turtle (*Apalone mutica*).
- (3) Spiny softshell turtle (*Apalone spinifera*).

A turtle taken under this subsection may be taken only between July 1 and March 31 of the following year and be at least twelve (12) inches in carapace length.

(d) As used in this section, "carapace length" means a straight-line measure along the top surface of the carapace that runs from the central point on the front edge of the carapace, directly behind the turtle's neck, to a central point on the hind edge of the carapace, directly above the turtle's tail.

(e) An individual may take not more than twenty-five (25) of the following species of frogs per day, singly or in aggregate:

- (1) American bullfrog (*Lithobates catesbeianus*).
- (2) Green frog (*Lithobates clamitans*).

(f) An individual must not possess more than four (4) live reptiles or amphibians of any one (1) species native to Indiana except:

- (1) as authorized in subsection (e);
- (2) with a turtle possession permit under section 11 of this rule;
- (3) with a wild animal rehabilitation permit under [312 IAC 9-10-9](#);
- (4) with a scientific purposes license under [312 IAC 9-10-6](#); or
- (5) with a wild animal possession permit under [312 IAC 9-11](#).

(g) Except as otherwise provided in this section, an individual may take turtles at any time of the year.

(h) An individual may take frogs as established in subsection (e) from June 15 through April 30 of the following year.

(i) An individual may take turtles by any of the following methods:

- (1) A trap, a net, or another mechanical device that has no opening below the surface of the water.
- (2) Hands.
- (3) A gaff.
- (4) Any method provided by [312 IAC 9-7-2](#) for sport fishing.

(j) An individual may take frogs by any of the following methods:

- (1) A gig or spear having a head not more than three (3) inches wide. ~~and a single row of tines.~~
- (2) A bow and arrows.
- (3) A club.
- (4) Hands.
- (5) A single pole or hand line with not more than one (1) hook or artificial lure affixed.
- (6) **Except in a state park**, a .22 caliber firearm, as long as the projectiles discharged from the barrel of the firearm are birdshot. ~~except on a state park.~~
- (7) An air rifle, ~~except on in a state park. As used in this section, an air rifle must fire a projectile that is a lead pellet and a minimum of .177 in diameter and fire at least five hundred (500) feet per second.~~

(8) Dipnet.

(k) An individual may use:

- (1) a spotlight;
 - (2) a searchlight; or
 - (3) another artificial light;
- to assist in taking frogs.

(l) Notwithstanding subsections (b) through (e), an individual must not take the following from the wild:

- (1) A reptile or **an** amphibian egg.
- (2) An eastern box turtle (*Terrapene carolina*).
- (3) An endangered species of reptile or amphibian **listed under section 4 of this rule.**

(m) An individual must not sell a reptile or **an** amphibian except for the following:

- (1) A reptile or **an** amphibian lawfully possessed and fitted with a passive integrated transponder under section ~~9(h)~~ **9(g)** of this rule.
- (2) A bullfrog or green frog tadpole in accordance with section 7(g) of this rule.

(n) An individual must not sell the offspring of an amphibian taken under this section.

(o) An individual possessing a valid reptile captive breeder license issued under section 9 of this

rule may sell the offspring of a species of snake listed in section 9 of this rule, taken under this section, to any person.

(p) An individual must not release back into the wild a reptile or **an** amphibian taken from the wild under this section except as follows:

(1) A reptile or **an** amphibian may be released without a permit issued under subdivision (2) if the reptile or amphibian:

- (A) has not been held in an enclosure with another reptile or amphibian;
- (B) has not been in captivity for more than thirty (30) days; and
- (C) is released at the point of capture.

(2) The division issues a permit to an individual to release an animal, and the individual releases the animal under the terms of the permit.

(q) An individual may possess a live eastern box turtle only with a:

- (1) turtle possession permit under section 11 of this rule;
- (2) wild animal rehabilitation permit under [312 IAC 9-10-9](#); or
- (3) scientific purposes license under [312 IAC 9-10-6](#).

(r) An individual may possess a live endangered species of reptile or amphibian only with a:

- (1) wild animal possession permit under [312 IAC 9-11](#);
- (2) wild animal rehabilitation permit under [312 IAC 9-10-9](#); or
- (3) scientific purposes license under [312 IAC 9-10-6](#).

(s) An individual may possess a live venomous reptile only with a:

- (1) wild animal possession permit under [312 IAC 9-11](#); or
- (2) scientific purposes license under [312 IAC 9-10-6](#).

(Natural Resources Commission; [312 IAC 9-5-6](#); filed Jul 9, 1999, 5:55 p.m.: 22 IR 3672; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 543; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); errata filed Sep 1, 2010, 11:08 a.m.: [20100915-IR-312100567ACA](#); filed Feb 6, 2012, 3:10 p.m.: [20120307-IR-312110470FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 12. 312 IAC 9-5-7 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-5-7 Sale and transport for sale of reptiles and amphibians native to Indiana

Authority: IC 14-10-2-4; IC 14-22

Affected: IC 14-22; IC 20-19-2-8

Sec. 7. (a) This section governs the:

- (1) sale;
- (2) transport for sale; or
- (3) offer for sale;

of any reptile or amphibian native to Indiana regardless of place of origin.

(b) Except as otherwise provided in this section and in section 9 of this rule, an individual must not sell, transport for sale, or offer to sell a reptile or **an** amphibian that is native to Indiana.

(c) As used in this rule, "reptile or amphibian that is native to Indiana" means those reptiles and amphibians with the following scientific names and their first generation hybrids with a species not

included in this subsection (the common names are provided for public convenience, but the scientific names control):

- (1) Hellbender (*Cryptobranchus alleganiensis*).
- (2) ~~Common~~ Mudpuppy (*Necturus maculosus*).
- (3) Streamside salamander (*Ambystoma barbouri*).
- (4) Jefferson salamander (*Ambystoma jeffersonianum*).
- (5) Blue-spotted salamander (*Ambystoma laterale*).
- (6) Spotted salamander (*Ambystoma maculatum*).
- (7) Marbled salamander (*Ambystoma opacum*).
- (8) Mole salamander (*Ambystoma talpoideum*).
- (9) Small-mouthed salamander (*Ambystoma texanum*).
- (10) Eastern tiger salamander (*Ambystoma tigrinum*).
- (11) Eastern newt (*Notophthalmus viridescens*).
- (12) Green salamander (*Aneides aeneus*).
- (13) Northern dusky salamander (*Desmognathus fuscus*).
- (14) Southern two-lined salamander (*Eurycea cirrigera*).
- (15) Long-tailed salamander (*Eurycea longicauda*).
- (16) Cave salamander (*Eurycea lucifuga*).
- (17) Four-toed salamander (*Hemidactylium scutatum*).
- (18) ~~Northern~~ **Eastern** red-backed salamander (*Plethodon cinereus*).
- (19) Northern zigzag salamander (*Plethodon dorsalis*).
- (20) Northern ravine salamander (*Plethodon electromorphus*).
- (21) Northern slimy salamander (*Plethodon glutinosus*).
- (22) Red salamander (*Pseudotriton ruber*).
- (23) ~~Western Lesser~~ **lesser** siren (*Siren ~~intermedia~~ nettingi*).
- (24) Eastern spadefoot ~~toad~~ (*Scaphiopus holbrookii*).
- (25) American toad (*Anaxyrus americanus*).
- (26) Fowler's toad (*Anaxyrus fowleri*).
- (27) ~~Northern~~ **Blanchard's** cricket frog (*Acris ~~crepitans~~ blanchardi*).
- (28) Cope's gray treefrog (*Hyla ~~Dryophytes~~ chrysoscelis*).
- (29) Green treefrog (*~~Hyla~~ Dryophytes cinerea*).
- (30) Gray treefrog (*Hyla ~~Dryophytes~~ versicolor*).
- (31) Spring peeper (*Pseudacris crucifer*).
- (32) Boreal chorus frog (*Pseudacris maculata*).
- (33) Western chorus frog (*Pseudacris triseriata*).
- (34) Crawfish frog (*Lithobates areolatus*).
- (35) Plains leopard frog (*Lithobates blairi*).
- (36) **North** American bullfrog (*Lithobates catesbeianus*).
- (37) **North American** ~~Green~~ **green** frog (*Lithobates clamitans*).
- (38) Northern leopard frog (*Lithobates pipiens*).
- (39) Pickerel frog (*Lithobates palustris*).
- (40) Southern leopard frog (*Lithobates sphenoccephalus*).
- (41) Wood frog (*Lithobates sylvaticus*).
- (42) ~~Eastern~~ **North American** snapping turtle (*Chelydra serpentina serpentina*).
- (43) Smooth softshell turtle (*Apalone mutica*).
- (44) Spiny softshell turtle (*Apalone spinifera*).
- (45) **Western** alligator snapping turtle (*Macrochelys temminckii*).
- (46) Eastern mud turtle (*Kinosternon subrubrum*).
- (47) Eastern musk turtle (*Sternotherus odoratus*).
- (48) Midland painted turtle (*Chrysemys picta marginata*).
- (49) Western painted turtle (*Chrysemys picta bellii*).

- (50) Spotted turtle (*Clemmys guttata*).
- (51) Blanding's turtle (*Emydoidea blandingii*).
- (52) Northern map turtle (*Graptemys geographica*).
- (53) False map turtle (*Graptemys pseudogeographica*).
- (54) Ouachita map turtle (*Graptemys ouachitensis*).
- (55) River cooter (*Pseudemys concinna*).
- (56) Eastern box turtle (*Terrapene carolina*).
- (57) Ornate box turtle (*Terrapene ornata*).
- (58) Red-eared slider (*Trachemys scripta elegans*).
- (59) Eastern fence lizard (*Sceloporus undulatus*).
- (60) Slender glass lizard (*Ophisaurus attenuatus*).
- (61) Six-lined racerunner (*Aspidoscelis ~~sexlineata~~ sexlineatus*).
- (62) Common five-lined skink (*Plestiodon fasciatus*).
- (63) ~~Broadhead~~ **Broad-headed** skink (*Plestiodon laticeps*).
- (64) Little brown skink (*Scincella lateralis*).
- (65) Midwestern wormsneak (*Carphophis amoenus helenae*).
- (66) Scarletsneak (*Cemophora coccinea*).
- (67) Blue racer (*Coluber constrictor foxii*).
- (68) Kirtland's snake (*Clonophis kirtlandii*).
- (69) Northern ring-necked snake (*Diadophis punctatus edwardsii*).
- (70) ~~Gray-Central~~ **Central** ratsneak, also known as the black ratsneak (*Pantherophis ~~spiloides~~ alleghaniensis*).
- (71) Eastern foxsnake (*Pantherophis vulpinus*).
- (72) Red-bellied mud snake (*Farancia abacura*).
- (73) Eastern hog-nosed snake (*Heterodon platirhinos*).
- (74) Prairie kingsneak (*Lampropeltis calligaster*).
- (75) Eastern black kingsneak (*Lampropeltis nigra*).
- (76) Eastern milksneak (*Lampropeltis triangulum*).
- (77) Midland watersneak (*Nerodia sipedon pleuralis*).
- (78) ~~Copper-bellied~~ **Copperbelly** watersneak (*Nerodia erythrogaster neglecta*).
- (79) Diamond-backed watersneak (*Nerodia rhombifer*).
- (80) Northern watersneak (*Nerodia sipedon sipedon*).
- (81) **Northern** rough greensneak (*Opheodrys aestivus*).
- (82) Smooth greensneak (*Opheodrys vernalis*).
- (83) Bullsneak (*Pituophis catenifer sayi*).
- (84) Queensneak (*Regina septemvittata*).
- (85) Dekay's brownsneak (*Storeria dekayi*).
- (86) Red-bellied snake (*Storeria occipitomaculata*).
- (87) Southeastern crowned snake (*Tantilla coronata*).
- (88) Butler's gartersneak (*Thamnophis butleri*).
- (89) Western ribbonsneak (*Thamnophis proximus*).
- (90) Plains gartersneak (*Thamnophis radix*).
- (91) Common ribbonsneak (*Thamnophis saurita saurita*).
- (92) Eastern gartersneak (*Thamnophis sirtalis sirtalis*).
- (93) Western smooth earthsneak (*Virginia valeriae elegans*).
- (94) **Eastern** copperhead (*Agkistrodon contortrix*).
- (95) **Northern** cottonmouth (*Agkistrodon piscivorus*).
- (96) Timber rattlesneak (*Crotalus horridus*).
- (97) **Eastern** massasauga (*Sistrurus catenatus*).
- (98) Southern black racer (*Coluber constrictor priapus*).
- (99) Northern ribbonsneak (*Thamnophis saurita septentrionalis*).

(100) Chicago ~~gartersnake~~ **gartersnake** (*Thamnophis sirtalis semifasciatus*).

(d) As used in this section, "sale" includes any of the following:

(1) Barter, purchase, trade, or offer to sell, barter, purchase, or trade.

(2) Serving as part of a meal by a restaurant, a hotel, a boarding house, or the keeper of an eating house. However, a hotel, a boarding house, or the keeper of an eating house may prepare and serve during open season to:

(A) a guest, patron, or boarder; and

(B) the family of the guest, patron, or boarder;

a reptile or **an** amphibian legally taken by the guest, patron, or boarder during the open season.

(e) As used in this section, "transport" means:

(1) to move, carry, or ship by any means; and

(2) for any common or contract carrier knowingly to move, carry, or receive for shipment; a wild animal protected by law.

(f) A reptile or **an** amphibian that is not on a state or federal endangered or threatened species list and with a color morphology that is:

(1) albinistic (an animal lacking brown or black pigment);

(2) leucistic (a predominately white animal); or

(3) xanthic (a predominately yellow animal);

is exempted from this section if it was not collected from the wild.

(g) The following are exempted from this section:

(1) An institution governed by, and in compliance with, the Animal Welfare Act (7 U.S.C. 2131, et seq.) and 9 CFR 2.30 through 9 CFR 2.38 (January 1, 1998 edition). To qualify for the exemption, the institution must have an active Assurance of Compliance on file with the Office for the Protection of Risk, U.S. Department of Health and Human Services.

(2) A sale made under a reptile captive breeding license governed by section 9 of this rule.

(3) The sale to and purchase of reptiles or amphibians by a

~~(A) public or nonpublic school accredited under IC 20-19-2-8. or~~

~~(B) nonpublic school accredited under IC 20-19-2-8.~~

This exemption does not authorize the sale of reptiles or amphibians by a public school or a nonpublic school.

(4) The sale and purchase of:

(A) an American bullfrog (*Lithobates catesbeianus*) tadpole; or

(B) a green frog (*Lithobates clamitans*) tadpole;

produced by a resident holder of a hauler and supplier permit or an aquaculture permit if the tadpole is a byproduct of a fish production operation. As used in this subdivision, "tadpole" means the larval life stage of a frog for the period in which the tail portion of the body is at least one (1) inch long.

(h) A person who is transporting native reptiles and amphibians in interstate commerce, to be sold outside Indiana, is exempted from this section.

(i) A person ~~who~~ **that** possesses or sells a boreal chorus frog that was lawfully acquired by the person does not violate this section if the person does each of the following:

(1) Lists the number of boreal chorus frogs in possession on a departmental form by October 1, 2021.

(2) Identifies the frog with an individually unique elastomer or another method of permanent marking approved by the director.

(3) Manages the frog in a ~~manner~~ way that is likely to ensure the safety of the public and the health of the frog.

(Natural Resources Commission; [312 IAC 9-5-7](#); filed Jul 9, 1999, 5:55 p.m.: 22 IR 3673; errata filed Oct 26, 1999, 2:40 p.m.: 23 IR 589; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1535; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 543; filed May 25, 2005, 10:15 a.m.: 28 IR 2948; filed Jul 11, 2006, 9:04 a.m.: [20060802-IR-312060009FRA](#); filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); filed Mar 4, 2008, 12:31 p.m.: [20080402-IR-312070486FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069FRA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 13. 312 IAC 9-5-9 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-5-9 Reptile captive breeding license

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-26-3; IC 14-22-34-17

Affected: IC 14-22

Sec. 9. (a) This section:

- (1) establishes the reptile captive breeding license; and
- (2) sets the requirements for an individual who wishes to apply for and maintain the license.

(b) The application must be made on a department form.

~~(c) The annual fee for a license under this section is fifteen dollars (\$15).~~

~~(c)~~ (c) An application for a license under this section must be made within five (5) days after the applicant took possession of the first reptile described in subsection ~~(c)~~ (d) and taken for captive breeding purposes.

~~(c)~~ (d) An individual holding a valid reptile captive breeding license may possess, breed, and sell the snakes listed in this section. In the following list, where both scientific names and common names are provided, common names are for public convenience, but the scientific names control:

- (1) ~~Gray~~ Central ratsnake, also known as the black ratsnake (*Pantherophis spiloides alleghaniensis*).
- (2) Eastern foxsnake (*Pantherophis vulpinus*).
- (3) Eastern hog-nosed snake (*Heterodon platirhinos*).
- (4) Prairie kingsnake (*Lampropeltis calligaster*).
- (5) Eastern black kingsnake (*Lampropeltis nigra*).
- (6) Eastern milksnake (*Lampropeltis triangulum*).
- (7) Bullsnae (*Pituophis catenifer sayi*).
- (8) A snake that is not on a state or federal endangered or threatened species list and with a color morphology that is:
 - (A) albinistic (an animal lacking brown or black pigment);
 - (B) leucistic (a predominately white animal); or
 - (C) xanthic (a predominately yellow animal);if it was not collected from the wild.

~~(c)~~ (e) Captive breeding stock, other than a reptile described in subsection ~~(c)~~(8), (d)(8), must be identified with an individually unique passive integrated transponder (pit tag) or by scale-clipping each snake in a unique manner. If a transponder is used, it must be implanted in each specimen. The type of

transponder must be able to be read by an AVID reader. The imbedded transponder's code and other required information concerning the general health and condition of the animal must be:

- (1) provided on a departmental form; and
 - (2) verified by a supervising veterinarian;
- within fourteen (14) days after obtaining the animal.

~~(g)~~ **(f)** A reptile held under this section must be confined in a cage or other enclosure that makes escape of the animal unlikely. Each animal must be:

- (1) provided with ample space; and
- (2) kept in a sanitary and humane manner.

Animals and cages must be made available for inspection ~~upon~~ **on** request by a conservation officer.

~~(h)~~ **(g)** Each animal possessed under this section must be lawfully acquired. Not more than four (4) animals of each species described in subsection-~~(e)~~ **(d)** may be collected annually from the wild. A receipted invoice, bill of lading, or other satisfactory evidence of lawful acquisition for animals not taken from the wild ~~shall~~ **must** be presented to a conservation officer ~~upon~~ **on** request. An individual licensed under this section who collects an animal from the wild must document, on a departmental form, when and where the animal was collected. The animal must be fitted with a passive integrated transponder within fourteen (14) days of taking possession.

~~(i)~~ **(h)** An individual licensed under this section must not possess an animal larger than the maximum sale length described in this subsection unless the animal is fitted with a transponder as part of the breeding stock of the person. Captive bred offspring may only be sold before an individual attains the following total length:

- (1) Fifteen (15) inches for an eastern hog-nosed snake.
- (2) Eighteen (18) inches for any of the following:
 - (A) A ~~gray~~ **central** ratsnake.
 - (B) An eastern foxsnake.
 - (C) An eastern black kingsnake.
 - (D) A prairie kingsnake.
 - (E) An eastern milksnake.
- (3) Twenty-eight (28) inches for a bullsnake.

~~(j)~~ **(i)** An individual licensed under this section must maintain accurate records on a calendar year basis on the number and disposition of breeding stock and captive bred young. The records ~~shall~~ **must** include the following:

- (1) The species and number of animals captured, received, or sold.
- (2) The birth dates of captive born animals.
- (3) The complete name and complete address of the person from whom an animal was purchased or to whom an animal was sold.

The records ~~shall~~ **must** be maintained at the place of business of the license holder for at least two (2) years after the end of the license year. ~~Upon~~ **On** request by a conservation officer, the license holder ~~must~~ **shall** make the records available for inspection.

~~(k)~~ **(j)** An individual licensed under this section must not release to the wild a captive breeder or the offspring of a captive breeder. (*Natural Resources Commission; 312 IAC 9-5-9; filed Jul 9, 1999, 5:55 p.m.: 22 IR 3675; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 545; filed May 25, 2005, 10:15 a.m.: 28 IR 2950; filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); errata filed Sep 1, 2010, 11:08 a.m.: [20100915-IR-312100567ACA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); readopted filed*

Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 14. 312 IAC 9-10-11 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-10-11 Nuisance wild animal control permit

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-28

Affected: IC 14-22

Sec. 11. (a) The director may, without fee, issue a ~~temporary~~ permit to control a nuisance wild animal that is:

- (1) causing damage or threatening to cause damage to property; or
- (2) posing a health or safety threat to persons or domestic animals.

If it is a black bear, there must be a known (confirmed), immediate safety risk to persons or domestic animals. The method and dates of control and disposition of the animal ~~shall~~ **must** be set forth in the permit.

(b) A live wild animal taken under this section shall not be:

- (1) possessed for more than forty-eight (48) hours;
- (2) sold;
- (3) traded;
- (4) bartered; or
- (5) gifted.

(c) A property owner or lessee may obtain a permit under this section for the control of a nuisance wild animal.

(d) A person who charges a fee or provides a service to the public for nuisance wild animal control services must obtain a permit under this subsection to assist a property owner or lessee with the control of a nuisance wild animal. The following testing requirements apply:

(1) A permit applicant must correctly answer at least eighty percent (80%) of the questions on a written examination, **supervised and administered by the division of fish and wildlife**, of basic knowledge. ~~supervised and administered by the division of fish and wildlife.~~ **of methods of wild animal control, biology of wild animals, diseases carried by wild animals, and the requirements of this section.**

(2) A permittee who has satisfied subdivision (1) must, within four (4) years of being issued the permit and every four (4) years thereafter, either:

(A) satisfy the same requirements as are set forth in subdivision (1) on another examination; or

(B) complete sixteen (16) hours of continuing education as approved by the division.

(3) A person who fails an examination under this section may retake the examination one (1) additional time within forty-five (45) days, but not again within one hundred eighty (180) days after a second failure.

(4) A person who has had a permit under this section for twenty-five (25) years is exempt from the requirements in subdivision (2).

(e) An application for a nuisance wild animal control permit must be completed on a departmental form and filed with the division of fish and wildlife.

(f) An individual who does not hold a permit under subsection (d) may assist a permittee, but only if the permittee directly supervises or coordinates the activities of the unpermitted person. A copy of the permit must be on the person when conducting any authorized activities.

(g) A captive animal must be properly handled in an expeditious manner to prevent unnecessary physical injury.

(h) The following methods may be used to take a wild animal under this section:

(1) Firearms, if possessed and used in compliance with all applicable state, local, and federal firearm laws.

(2) Steel and live traps, except as follows:

(A) A foothold trap that possesses saw-toothed or spiked jaws.

(B) A foothold trap that:

(i) has the widest inside jaw spread perpendicular to the trap's baseplate (Figure 1) greater than or equal to five and three-quarters ($5 \frac{3}{4}$) inches and the inside width between the trap's hinge posts (Figure 2) greater than or equal to five and three-quarters ($5 \frac{3}{4}$) inches unless the jaws of the trap have at least a one-eighth ($\frac{1}{8}$) inch offset (Figure 3), the gap of the offset is filled with securely attached rubber pads, or the trap is completely covered by water **when set**. The hinge posts must be maintained at a ninety (90) degree angle to the trap's baseplate (Figures 4 and 5); and

(ii) has an inside jaw spread perpendicular to the trap's baseplate greater than six and one-half ($6 \frac{1}{2}$) inches and the inside width between the trap's hinge posts greater than six and one-half ($6 \frac{1}{2}$) inches and set on land.

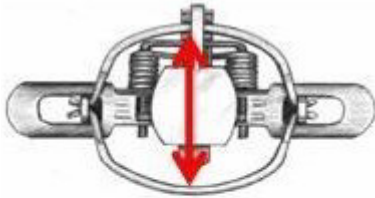


Figure 1
Widest inside jaw spread
perpendicular to the trap's
baseplate

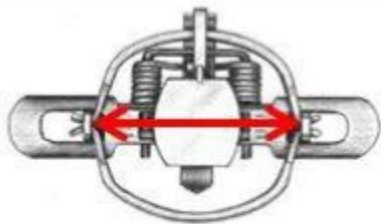


Figure 2
Inside distance between the
trap's hinge posts.

Offset Jaws



Figure 3

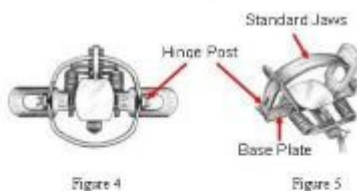


Figure 4

Figure 5



Figure 6

(C) A Conibear™, Dahlgren™, Bigelow™, or similar body-gripping trap that has the widest vertical inside jaw spread measured at the horizontal center of the trap's jaws and the widest horizontal inside jaw spread measured at the vertical center of the trap's jaws is larger than eight (8) inches unless at least fifty percent (50%) of the opening of the trap when set is submerged in water.

(D) As used in this subsection, "offset jaws" means the jaws of a leg-hold trap in which the holding area of the jaws is separated by a gap or **an** offset (specified measurement) when the trap is closed (not in the set position). The gap or offset must extend at least eighty percent (80%) of the holding area of the trap's jaws.

(3) Snares with a circumference not greater than fifteen (15) inches unless:

- (A) at least fifty percent (50%) of the loop of the snare is covered by water **when set**; or
- (B) the snare employs a relaxing snare lock (a lock that will allow the snare's loop size to

increase once pulling tension is no longer exerted along the snare from its anchored end).
(4) Any other methods specified by the permit.

(i) All traps, including snares, must be checked at least once every twenty-four (24) hours, and ~~any~~ **an** animal caught in a trap or snare must be removed from that trap or snare within twelve (12) hours from notice to the permit holder of an animal caught in the trap or snare.

(j) The following restrictions apply to the treatment of an animal captured live under this permit:

(1) When on-site release is not the best viable option, the animal must be:

(A) released in the county of capture with prior consent from the landowner or landowner's agent;

(B) euthanized; or

(C) treated as otherwise authorized in the permit.

(2) An animal must be euthanized with the:

(A) safest;

(B) quickest; and

(C) most painless;

available method as recommended and approved by the division of fish and wildlife.

(3) Prior consent is required from the:

(A) landowner; or

(B) landowner's agent;

before an animal is released on any property.

(4) Notwithstanding subdivision (1), an attempt must be made **first** to ~~first~~ capture and relocate an endangered species into the appropriate habitat. If not feasible or possible, then an endangered species may be euthanized only with written authorization by the division of fish and wildlife.

(5) The carcass of a bear taken under this permit must be given to the department within seven (7) business days of taking the bear.

(6) A permit holder ~~must~~ **shall** notify the division of fish and wildlife within twenty-four (24) hours of the taking of more than five (5) individual bats from any one (1) site/structure from June 1 through July 31.

(k) A permit expires on December 31 of the year the permit is issued. The permittee ~~must~~ **shall** maintain a current record to include the following:

(1) The name and address of the landowner assisted.

(2) The date assistance was provided.

(3) The number and species of animals affected.

(4) The method of disposition.

(5) The name and address of the landowner where each animal was released (if applicable).

A copy of the records ~~shall~~ **must** be kept on the premises of the permittee for at least two (2) years after the transaction and must be presented to a conservation officer ~~upon~~ **on** request.

(l) A permittee must file an application by January 31 of each year in order to renew a permit. The annual report required under subsection (m) must accompany the renewal application.

(m) The permit holder shall provide an annual report to the division by January 31 of each year. The report ~~shall~~ **must** list the following:

(1) The:

(A) number; and

(B) species;

of animals taken.

(2) The county where the animal was captured.

- (3) The method of disposition.
- (4) The name and address of the landowner, including county, where each animal was released, (if applicable).

(n) A permit issued under this section may be suspended or revoked if the permittee does the following:

- (1) Fails to comply with any of the following:
 - (A) [IC 14-22](#).
 - (B) This article.
 - (C) A term of the permit.
- (2) Provides false information to obtain a permit under this section.
- (3) Uses or employs any:
 - (A) deception;
 - (B) false pretense; or
 - (C) false promise;

to cause a consumer to enter into an agreement for the removal of a nuisance wild animal.

(o) No permit shall be issued under this section

- ~~(1) for the control of a migratory bird, except a mute swan; or~~
- ~~(2) if granting the permit would violate a federal law.~~

(p) Except as authorized in subsection (q), the hide, carcass, or other part or portion of a wild animal taken under this section shall not be:

- (1) sold;
- (2) traded;
- (3) bartered; or
- (4) gifted, except if gifted with no compensation of any kind to:
 - (A) an accredited scientific or educational institution with a special purpose salvage permit issued under section 13.5 of this rule; or
 - (B) the department;

if tagged with the permit holder's name and address, signature of the person who took the animal, and date the animal was taken.

(q) The meat of a wild animal taken under this section may be retained or gifted to another person for personal consumption if tagged with the permit holder's name and address, signature of the person who took the animal, and date the animal was taken.

(r) A permit holder must obtain permission from the landowner or tenant ~~prior to~~ **before** setting a trap, snare, or other device, or capturing a wild animal on that landowner or tenant's property.

(s) A conservation officer may inspect the equipment, wild animals, and any records relative to a permit issued under this section at any reasonable hour. (*Natural Resources Commission; [312 IAC 9-10-11](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2732; filed Oct 28, 2002, 12:03 p.m.: 26 IR 692; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Apr 4, 2008, 2:56 p.m.: [20080430-IR-312070659FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Feb 28, 2014, 8:01 a.m.: [20140326-IR-312130024FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Sep 23, 2015, 9:57 a.m.: [20151021-IR-312140477FRA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069FRA](#); filed May 5, 2022, 9:03 a.m.: [20220601-IR-312210451FRA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))*

SECTION 15. 312 IAC 9-10-18 IS AMENDED TO READ AS FOLLOWS:
312 IAC 9-10-18 Limited take permits for specific state endangered species

Authority: IC 14-22-34-17

Affected: IC 14-22

Sec. 18. (a) The department may issue a permit under this section to an individual, ~~an~~ organization, ~~a~~ corporation, or ~~government~~ **a governmental** agency to take a state endangered species. ~~This permit may only be issued for state endangered species that are either federal proposed species or federal listed species.~~

(b) The permit application under this section ~~shall~~ **must** be made as follows:

(1) The applicant ~~must~~ **may** submit a ~~Habitat Conservation Plan~~, **habitat conservation plan**, if the species is an endangered species under 50 CFR 17.11 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-17/subpart-B/section-17.11>), or provide the information described in subdivision (2).

(2) ~~The division of fish and wildlife will supply an outline of information sections that must be included in the Habitat Conservation Plan. This outline will include, but not necessarily be limited to, the following sections.~~ **If the species is not an endangered species under 50 CFR 17.11 as in effect March 1, 2026 (<https://www.ecfr.gov/on/2026-03-01/title-50/chapter-I/subchapter-B/part-17/subpart-B/section-17.11>) and a habitat conservation plan is not submitted with the application, the following information must be provided to the division of fish and wildlife:**

(A) Current status of the endangered species **on the area of impact**.

(B) Description of **the** area of impact.

(C) Specific impacts to the species' habitat.

(D) Conservation actions to be undertaken to ensure no detrimental effect to the endangered species.

(E) Schedule for enacting the conservation actions.

(F) Guarantees to ensure ~~those~~ **the** enactment of conservation actions.

(c) ~~The A~~ permit application has to be available for ~~a minimum of~~ **at least** thirty (30) days for public review and comment. The director shall determine whether the permit will be issued after review of comments received during the review and comment period.

(d) ~~The A~~ permit may be revoked at any time if the provisions of the ~~Habitat Conservation Plan~~ **habitat conservation plan** are not enacted according to the schedule in the plan. (*Natural Resources Commission; [312 IAC 9-10-18](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2737; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#)*)

SECTION 16. 312 IAC 9-10-25 IS AMENDED TO READ AS FOLLOWS:
312 IAC 9-10-25 Deer control permit

Authority: IC 14-10-2-4; IC 14-22-28-2

Affected: IC 4-21.5; IC 14-22-11-5

Sec. 25. (a) This section governs the issuance of a deer control permit to control a white-tailed deer.

(b) A deer control permit may be issued under this section to take a white-tailed deer that is doing the following:

(1) Causing or threatening to cause economic damage to property ~~in excess of~~ **exceeding** five hundred dollars (\$500) annually. Damage to the following may be considered in computing economic impact to property:

- (A) A building or dwelling and related improvements to real property.
- (B) Agricultural row crop.
- (C) Hay, stored grain, or livestock food.
- (D) Cover crop.
- (E) A vineyard.
- (F) An orchard.
- (G) Landscape vegetation.
- (H) Truck crop.
- (I) A tree nursery.
- (J) A tree.
- (K) A food garden of one (1) acre or greater in size.
- (L) Ornamental vegetation.
- (M) Other commercial vegetation established by humans.

Browsing or antler rubbing to naturally occurring vegetation or vegetation not planted by humans shall not be considered in computing economic damage.

(2) Posing an immediate health or safety threat to persons or domestic animals.

(3) Affecting the management of free-ranging white-tailed deer on a city, community, or federal property evidenced by:

- (A) deer vehicle collisions;
- (B) economic damage to property ~~in excess of~~ **exceeding** five hundred dollars (\$500) annually evidenced in accordance with subdivision (1); or
- (C) ecological damage to vegetation that would result in the incidental take of a state or federally threatened or endangered species.

(c) An application for a deer control permit must be completed on a departmental form and filed with the division of fish and wildlife.

(d) The methods for taking and number of deer that may be taken ~~shall~~ **must** be set forth in the permit.

(e) ~~The~~ A permit holder may designate up to ten (10) unpermitted individuals to assist the permit holder in taking the deer under the following conditions:

(1) The permit holder must directly supervise and coordinate the activities of the unpermitted individuals.

(2) The unpermitted individuals must:

- (A) be identified on the permit;
- (B) be in compliance with the hunter education requirement set forth at [IC 14-22-11-5](#); and
- (C) possess a copy of the permit when conducting any authorized activities.

(f) For each deer killed, the permit holder must:

- (1) cause the removal of all antlers and dispose of them in accordance with subsection (j)(2);
- (2) dispose of the carcass, including the meat, hide, and any other part of the white-tailed deer, except for any antlers, by:

- (A) burial;

- (B) incineration;
- (C) rendering;
- (D) processing of the meat at a deer processing facility;
- (E) gifting the meat to another person or organization; or
- (F) storing the meat for human consumption; and
- (3) maintain ~~a true and~~ **an** accurate record of the:
 - (A) date and time killed;
 - (B) sex of each white-tailed deer killed;
 - (C) disposition of the carcass;
 - (D) equipment used to take each white-tailed deer; and
 - (E) name and address of the person in possession of the carcass of any white-tailed deer kept or gifted under subdivision (2)(C) through (2)(F).

(g) The meat of a deer taken under this section must not be sold, traded, or bartered.

(h) A permit issued under this section may be issued only as follows:

(1) To take white-tailed deer outside the hunting season for white-tailed deer established at [312 IAC 9-3-4](#), ~~for a duration of no more than ninety (90) days.~~

(2) To take white-tailed deer during the hunting seasons for white-tailed deer established at [312 IAC 9-3-4](#) only:

(A) if an immediate health or safety threat exists; or

(B) as authorized in subsection (b)(3);

for a duration of ~~no not more than ninety (90)~~ **one hundred eighty (180)** days or other duration established by the director.

~~(3) A permit may be renewed for no more than ninety (90) additional days in one (1) calendar year.~~

(i) If meat from white-tailed deer taken under a permit issued under this section will be donated or used for human consumption, a department form must accompany the meat or carcass at all times until processing of the deer is completed.

(j) Within fourteen (14) days of the expiration of the permit issued under this section, the permit holder must:

(1) cause the delivery of the records described in subsection (f)(3) to the address on the form; and

(2) destroy the antlers by burial or incineration, or deliver the antlers to a designated department property office during its established business hours or to a division of fish and wildlife representative.

(k) The permit holder and all unpermitted individuals identified under subsection (e) and listed on the permit issued under this section must carry this permit when taking deer authorized under this permit.

(l) The permit holder and all unpermitted individuals identified under subsection (e) and listed on the permit issued under this section ~~shall~~ **may** not advertise the availability or use of deer or a deer control permit through any printed or electronic media format.

(m) A deer control permit application may be denied, or a deer control permit issued under this section may be suspended or revoked, in accordance with [IC 4-21.5](#), if the permit holder or any unpermitted individuals identified under subsection (e) and listed on the permit issued under this section does the following:

(1) Fails to comply with any of the following:

(A) This section.

(B) IC 14-22.

(C) A term of the permit.

(2) Provides false information to obtain a permit under this section.

(Natural Resources Commission; 312 IAC 9-10-25; filed Jun 21, 2018, 1:45 p.m.: 20180718-IR-312170436FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA; readopted filed Mar 25, 2025, 9:50 a.m.: 20250423-IR-312240574RFA)

SECTION 17. 312 IAC 9-11-2 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-11-2 First permit to possess a wild animal

Authority: IC 14-22-26

Affected: IC 14-22

Sec. 2. (a) This section governs the first permit under this rule to possess a particular wild animal.

(b) A person who wishes to possess a wild animal, described as Class I or Class II in this rule, must apply for a permit under this rule within five (5) days of taking possession of the animal that was lawfully acquired and in accordance with this rule.

(c) A person who wishes to possess a wild animal, described as Class III in this rule, must obtain a permit under this rule before the person takes possession of the animal and in accordance with this rule. In addition to any procedural requirements, a notice under this subsection must also describe the following:

- (1) The species of the wild animal.
- (2) Where the animal will be possessed.

~~(d) Within forty five (45) days after the issuance of a permit, the permit holder must submit written verification from a licensed veterinarian that the animal appears to be:~~

- ~~(1) free of disease; and~~
- ~~(2) in good health;~~

~~to the division of fish and wildlife.~~

~~(e)~~ (d) An application for a Class III wild animal must present a plan for the quick and safe recapture of the wild animal if the animal escapes or, if recapture is impracticable, for the destruction of the animal. After notification by the department of an intention to issue a permit, but before the permit is issued, the applicant must obtain the equipment needed to carry out the recapture and destruction plan. The nature and extent of the recapture plan and the equipment needed are dependent on the danger the escaped animal poses to:

- (1) persons;
- (2) domestic animals;
- (3) livestock; and
- (4) other ~~wildlife~~; **property or wild animals**;

in the vicinity of the escape.

~~(f)~~ (e) A permit holder who possesses a Class III wild animal must notify the department immediately after the discovery of any escape of the animal from the perimeter fence.

~~(g)~~ (f) A permit application must be

~~(1) completed on a department form. and~~

~~(2) accompanied by a fee in the amount of ten dollars (\$10).~~

~~(h)~~ (g) A conservation officer shall inspect the:

- (1) cages, ~~or~~ enclosures, **or other housing for a wild animal**;
 - (2) wild animal, (if already in possession); and
 - (3) documentation of legal acquisition (if the wild animal is already in possession);
- after ~~the an~~ application is received and ~~prior to the issuance of~~ **before a permit is issued.**

~~(h)~~ **(h)** An applicant must provide documentation that ~~the a~~ wild animal was lawfully acquired. A receipted invoice, bill of lading, or other evidence approved by the director ~~shall accompany the application~~ **must be shown to a conservation officer** to establish compliance with this subsection.

(Natural Resources Commission; [312 IAC 9-11-2](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2738; filed Feb 7, 2000, 3:31 p.m.: 23 IR 1366; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 555; readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Jul 6, 2010, 1:55 p.m.: [20100804-IR-312090616FRA](#); filed Feb 28, 2014, 8:01 a.m.: [20140326-IR-312130024FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); readopted filed Mar 25, 2025, 9:50 a.m.: [20250423-IR-312240574RFA](#))

SECTION 18. THE FOLLOWING ARE REPEALED: 312 IAC 9-1-5.5; 312 IAC 9-1-9.7; 312 IAC 9-1-13.2; 312 IAC 9-10-23.

TITLE 312 NATURAL RESOURCES COMMISSION
LSA Document #26-99

I. Description of Rule

a. History and Background of the Rule

The purpose of the proposed permanent rule is to reduce and streamline regulations for fish and wildlife for compliance with Executive Order #25-17, as well as to update provisions regarding muzzleloaders as prescribed by the Natural Resources Commission (commission) following a citizen petition in 2025. A citizen petition was submitted to allow a firestick to be used in a breech loaded muzzleloader. A committee was formed including staff from the Division of Fish and Wildlife, Division of Law Enforcement, and Legal Division. The information was reviewed by the committee. The equipment would allow the charge and the primer to be loaded in the breech end of a muzzleloader, but the bullet is still loaded from the muzzle. The Department of Natural Resources (department) was able to include questions related to how hunters' opinions on using breech loading muzzleloaders in the Indiana Deer Management Survey distributed to hunters earlier in 2025. There were sixteen thousand sixty-seven (16,067) responses, with forty-four percent (44%) neutral on allowing the equipment, thirty-three percent (33%) in favor of allowing the equipment, and nineteen percent (19%) expressing varying degrees of opposition. The department does not see any safety issues related to breech loading muzzleloaders. The equipment may be considered safer during loading and unloading and the powder stays dry. The department does not see any issues with the overharvest of deer with the use of breech-loading muzzleloaders. The breech loading muzzleloaders are already legal during youth and firearms seasons and a rule amendment would allow them to be used during muzzleloader season.

312 IAC 9-1-5.5: The department is proposing a regulatory reduction by repealing the definition of "disability" to comply with the Americans with Disabilities Act for who is eligible for the permit under IC 14-22-12-6 and 312 IAC 9-10-10. This allows those who are disabled as the result of age to be eligible for the permit. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-1-7.5: The department is proposing a regulatory reduction by removing grouse from the list of what is considered a game bird and clarifying the species of pheasant and quail for which the rule applies. There is no hunting season for grouse in Indiana, and thus, they are no longer a game bird. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-1-9.7: The department is proposing a regulatory reduction by removing the definition of "inland water" in rule since the same definition can be found in IC 14-8-2-131.7. This rule has not been updated since it was first adopted in 2013 under LSA #12-381.

312 IAC 9-1-13.2: The department is proposing a regulatory reduction by proposing to repeal the definition of "relaxing snare lock." This provision has been added to the definition of "snare lock" in 312 IAC 9-1-13.7. This rule has not been updated since it was first adopted in 2020 under LSA #20-69.

312 IAC 9-1-13.7: The department is proposing to add a relaxing snare lock to the definition of “snare lock”. This clarifies what a relaxing snare lock means to help trappers understand the requirements for foot-hold traps in 312 IAC 9-3-18. This rule has not been updated since it was first adopted in 2020 under LSA #20-69.

312 IAC 9-1-14.5: The department is proposing a regulatory reduction by amending the definition of “venomous reptile” to only include those that have venom that causes a serious illness, injury, or death to an individual. The current definition creates confusion by referring to a definition (“serious bodily injury”) in the Indiana Code that was not intended for this purpose and is not able to be determined by testing done on some species of venomous snakes. The proposed changes are a regulatory reduction because the term “venomous reptile” includes fewer reptiles, which decreases the regulations regarding those reptiles no longer included. This rule has not been updated since it was first adopted in 1999.

312 IAC 9-3-3: The department is proposing a regulatory reduction by changing the rule language in 312 IAC 9-3-3(d) to comply with IC 14-22-2-8 and removing the minimum bullet diameter and cartridge length specifications for rifles used for deer hunting. During the 2025 legislative session, the Indiana General Assembly passed SEA 280 (P.L.76-2025), which sets forth the requirements for rifles used for deer hunting and prohibits the department from placing additional restrictions on rifles. In light of the statutory change for rifles permitted for deer hunting, the language in 312 IAC 9-3-3(d)(2)(D) governing handguns is removed because the language is no longer necessary and provides an additional regulatory reduction. This rule was last updated in 2024 under LSA #24-49.

Additionally, the department is proposing an additional regulatory reduction by amending 312 IAC 9-3-3(d). The changes result from a citizen petition to the commission to allow use of muzzleloaders that allow the primer and powder to be loaded from the breach end during the muzzleloader season; the bullet is still loaded from the muzzle. Most muzzleloaders on the market currently require that the bullet/sabot and powder be manually loaded through the muzzle, and the primer be loaded from the breech end. However, newer technology has been developed with a system that allows both the powder and primer to be safely loaded from the breech end, while the bullet is loaded from the muzzle. This allows the powder to stay dry, as well as help ensure a consistent and reliable source of powder. Because the powder is protected inside a vessel, it could also increase the number of days an individual can hunt, because they are not affected by rainy conditions. The encapsulated powder charge is a factory-manufactured, precision-measured plastic vessel that contains a pre-measured quantity of black powder substitute. This option still only allows one (1) bullet/sabot to be fired at a time, and the powder, primer, and bullet must be re-loaded to fire another shot. This change would not affect the muzzleloader season but would allow additional types of muzzleloaders to be used during the muzzleloader season under 312 IAC 9-3-4. Muzzleloaders with this system do not increase the range that many other fifty (50) caliber in-line muzzleloaders are currently capable of shooting already in Indiana. Additionally, this muzzleloader is currently already permitted during the special youth deer season, firearms season, and reduction zone season when firearms are allowed to be used under 312 IAC 9-3-3. Many consider this muzzleloader system to be less primitive, which some believe to be the intent of the muzzleloader season. However, “in-line” muzzleloaders are already allowed during the muzzleloader season, which are less primitive than the traditional flintlock or percussion muzzleloaders. All muzzleloaders considered for use during the muzzleloader season fire

only one (1) sabot/ball at a time before needing to be reloaded, but the more primitive muzzleloaders require both the powder and bullet to be loaded from the muzzle and don't have the same effectiveness at a longer distance. The department included questions about this equipment in the 2024-25 Indiana Deer Management Survey that was distributed in 2025. Some who responded to the survey mentioned that these breech-loading muzzleloaders might improve safety during loading and unloading. This data is referenced in the first paragraph of this section. There were ten thousand nine hundred ten (10,910) individuals who responded to the survey who indicated they hunt with a muzzleloader presently. Of those who indicated they hunt with a muzzleloader presently, fifty percent (50%) indicated that it would not change their behavior, twenty-eight percent (28%) indicated that they would be unlikely to use the equipment, and twenty-two percent (22%) indicated they would likely use the equipment. By allowing the use of the new muzzleloader during the muzzleloader season, it could increase sales of this equipment for those who want to participate in this season and do not currently have a muzzleloader. The cost of this muzzleloader is approximately five hundred dollars (\$500). However, it will more likely encourage those who already have this equipment to use it during this season. The department does not have any concerns regarding deer population by allowing this muzzleloader during the muzzleloader season, and there are no additional safety concerns regarding the equipment. However, some survey respondents expressed concerns that allowing breech-loading muzzleloaders might negatively impact deer populations by making it easier to harvest more deer, thereby reducing the quality of hunting.

The department is also reducing regulations by proposing increases to the county antlerless bag limits for Fayette and Franklin Counties as the result of the deer population recovering from the impact of epizootic hemorrhagic disease (EHD). In 2023, the department began receiving reports of deer found dead in Fayette and Franklin Counties. Because it has been two (2) years since this major outbreak, the department would like to increase the antlerless quotas in Fayette and Franklin Counties to a number that will help manage the population and give hunters more opportunities to take deer. EHD is transmitted by biting midges (genus *Culicoides*), known as "no-see-ums," or gnats that breed and live in small pools of standing water. EHD is not known to spread to humans. Symptoms of the disease in deer may include reduced appetite, weakness, loss of fear of humans, circling, as well as other neurological signs. Deer that die from EHD may have swollen tongues, eyelids, necks, or heads. EHD is often fatal, but some deer survive and develop immunity. EHD is diagnosed by a qualified laboratory using blood or internal tissues. EHD occurs naturally in the deer population and affects small numbers of deer each year. EHD is not normally found in domestic animals, other than farmed white-tailed deer, but antibodies have been detected in sheep, pigs, and cattle. EHD can be found in domestic white-tailed deer. After the insect population is reduced by cold weather in the fall, the spread of the disease reduces. Therefore, one should expect new infections to stop shortly after the first hard freeze in the fall. However, hot, dry weather with little rain, often characterized by prolonged summer conditions extending into the fall, may increase the occurrence and duration of an EHD outbreak. As usual water sources become scarce, more deer use any water that is available. As deer gather around these limited water sources, more deer in the population may become exposed to infected biting midges. Large deer populations can further exacerbate an outbreak as more deer frequent the same watering holes.

In 2023, the department received nine hundred and eighty-one (981) verified reports of EHD cases involving 1,016 sick or dead deer observed. Two hundred ninety-four (294) of these reports originated

in the western half of Franklin County and forty-six (46) reports originated from the southern portion of Fayette County. Testing for EHD requires fresh samples of the spleen, liver, kidney, or blood. The department tested twenty-two (22) deer from seventeen (17) counties. The EHD virus identified included two (2) serotypes - EHDV-6 and EHDV-2. The department expects counties to have a number of EHD reports each year. Reports can be spread across the county or can be limited to small areas where an intense, but localized outbreak occurred.

In sum, the proposed changes are a regulatory reduction by: (1) allowing additional equipment during the muzzleloader season; and (2) allowing the taking of two (2) additional two (2) deer during hunting season in two (2) counties.

312 IAC 9-3-18.5: The department is proposing a regulatory reduction by eliminating the family “Dasypodidae” from the list of mammal families that cannot be taken except by resident landowners and tenants while causing substantial damage to property. Nine-banded armadillos are a member of this family and are now living and breeding in Indiana; therefore, they are no longer an exotic mammal as defined in state law in IC 14-8-2-87. The proposed changes are a regulatory reduction because they allow the species to now be taken, removing prior restrictions. This rule was last updated in 2018 under LSA #17-436.

312 IAC 9-4-2: The proposed changes are necessary to comply with federal law that sets forth the methods, shooting hours, season dates, and bag limits for migratory birds and waterfowl each year. Since the department does not have any of the methods, shooting hours, dates, or bag limits in state law, these changes are necessary to ensure that hunters comply with federal law in 50 CFR 20 when hunting migratory birds and waterfowl. By placing the department in line with federal requirements, the proposed changes do not add to regulations. Additional changes remove the reference to the migratory bird depredation permit because the permit is being repealed and allows the nuisance wild animal control permit to be used for taking wild animals that are causing damage or posing a health or safety risk, including birds, mammals, and reptiles. An additional regulatory reduction provides an exemption for individuals to take live migratory birds with a permit or written authorization from the U.S. Fish and Wildlife Service under 50 CFR 21. Some businesses may get a migratory bird depredation permit from the U.S. Fish and Wildlife Service, and this will exempt them from the need for a state permit. The change in subsection (t) complies with federal law for taking the nest and eggs of Canadian geese without a permit from the department and the change in subsection (u) allows individuals to either have the state permit as authorized under federal law or have the federal permit or federal authorization. The change in subsection (x) for the youth license is needed to comply with IC 14-22-12-1(a)(24). This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-4-7.1: The proposed change to the date is needed to comply with federal law. The date the crow hunting season ends needs to be changed to February 28th because 50 CFR 20.133 limits the season to no more than one hundred twenty-four (124) days each calendar year. By placing the department in line with federal requirements, the proposed changes do not add to regulations. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-4-14: The department is proposing a regulatory reduction by removing the Kirtland’s warbler from the state’s list of endangered species of birds. Kirtland’s warbler was first added to the state’s list of endangered species in 1967 to fulfill requirements of IC 14-22-34-1 that defines an

“endangered species” as “any species or subspecies of fish or wildlife appearing on the United States list of endangered and threatened native fish and wildlife (50 CFR 17, Appendix D).” Simply, all federally listed species that have been observed in Indiana must be included on the State’s Endangered list. In November 2019, Kirtland’s warbler was removed from the federal Endangered Species List and declared to be fully recovered by the U.S. Fish and Wildlife Service. This change in its federal status warrants its removal as a state endangered species because: (1) Indiana cannot significantly contribute to the conservation and management of this species as it is an accidental species in the state; and (2) Indiana does not provide suitable breeding or wintering habitat or frequented stopover sites for this species where conservation action can be most effective. The current range of the Kirtland’s warbler extends from the jack pine forests of Michigan, Wisconsin, and Ontario to early successional habitats of the Bahamas. Only rarely does it pass through Indiana during spring or fall migration. Hence, the species has an accidental occurrence in Indiana with a maximum of a couple Kirtland’s warblers seen annually. Because of its extreme rarity in the state, the department’s Nongame Bird Technical Advisory Committee that is comprised of the division’s ornithologist, a representative from the Indiana Audubon Society, and professors specializing in bird research from several universities, unanimously recommended delisting the Kirtland’s warbler as a fully recovered species based primarily on its recovered federal status and Indiana’s minor role in its conservation due to its rarity in the state. The proposed changes remove an animal from an endangered species list and place the department in line with federal regulations and guidelines, which is a regulatory reduction. Additional changes in the rule for the common and scientific names of the birds are needed to comply with the taxonomic list managed by the American Ornithological Society and are consistent with the terms used in federal regulations. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-5-4: The department is proposing technical changes by updating the names of the species of endangered reptiles and amphibians to match the 9th edition of the Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, published in March of 2025 by the Society for the Study of Amphibians and Reptiles. Because the copperbelly watersnake and eastern massasauga are also federally endangered, the names need to match federal law to be clear that these are the same species of snakes. The proposed changes put the department in line with federal regulations. This rule was last updated in 2011 under LSA #11-196.

312 IAC 9-5-6: The department is proposing a regulatory reduction by allowing additional frog gigs, air rifles, and dip nets to take frogs. Changes are proposed to the specifications for frog gigs in subsection (j) to allow for gigs that do not have a single row of tines. This proposed change would allow any number of tines or design (single row, square, cone, etc.). By using a gig with four (4) prongs, frog retrieval may be easier, meaning that fewer might be injured and escape. The proposed changes were the result of a petition to the commission last year. Kentucky, Ohio, Michigan, and Illinois all allow gigs to be used to take frogs without specifying their size or number of tines. The change in subsection (j)(7) would allow air rifles to be used that don’t have lead shot, allowing for other types of ammunition to be used. Lead can cause illness or death in birds that ingest lead by eating the frogs; therefore, this change could help provide for less lead used to take frogs (since not every frog that is shot is likely to be retrieved). Allowing dipnets to take frogs will also allow children and others to collect frogs with this method, which is commonly used to collect crayfish and other aquatic species. A person must still comply with the season dates and bag limits for taking frogs but

would have additional options for taking frogs. The proposed changes are a regulatory reduction because they permit more equipment for taking frogs. This rule was last updated in 2015 under LSA #14-453.

312 IAC 9-5-7: The department is proposing technical changes by changing the names of the species of endangered reptiles and amphibians for the same reasons set forth above for 312 IAC 9-5-4. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-5-9: The department is proposing a regulatory reduction by removing the fee in subsection (d). The fee was changed and is now found under 312 IAC 1.5. The department is also changing the common and scientific name for the gray ratsnake, now central ratsnake, to match the 9th edition of the Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-10-11: The department is proposing a reduction in the regulations by allowing migratory birds such as Canadian geese and mallard ducks that are causing damage or posing a health or safety risks to be taken under this permit, rather than obtaining another permit for that purpose. This rule was last updated in 2022 under LSA #21-451.

312 IAC 9-10-18: The department is proposing a regulatory reduction by allowing limited take permits to be issued for endangered species that are state endangered and not federally endangered and removing the requirement of a Habitat Conservation Plan. This will provide a permit option for businesses that inadvertently take state endangered bats or other state endangered species during the normal course of operation or when they are unable to prevent the take. It also removes the requirement that a Habitat Conservation Plan be submitted because the plan is available online for federally endangered species permits through the U.S. Fish and Wildlife Service. For applicants that also need a permit for construction in a floodway from the department, they will have already submitted a mitigation plan or provided funds in lieu of on-site mitigation that may involve taking an endangered species. This rule has not been updated since it was first adopted in 1997.

312 IAC 9-10-23: The department is proposing a reduction in regulations by repealing this rule. Language has been proposed to be removed in 312 IAC 9-10-11 to allow nuisance wild animal control permits to be issued to take migratory birds that are causing damage or posing a health or safety threat to people or domestic animals. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-10-25: The department is proposing a regulatory reduction by allowing deer control permits to be issued for more than ninety (90) days, which will help landowners and tenants that are experiencing damage to their crops and other vegetation throughout the growing season. This will eliminate the need for the permit holder to renew or obtain an additional permit during the growing season when damage is still occurring. This will save time for both permit holders and staff that issue the permits and permit amendments. This rule has not been updated since it was first adopted in 2018 under LSA #17-436.

312 IAC 9-11-2: The department is proposing a regulatory reduction by removing the requirement that an animal be examined by a veterinarian within forty-five (45) days of the issuance of a permit. Individuals have difficulty getting an animal examined by a veterinarian within this timeframe and may already have a health certificate signed by a veterinarian that was provided by the breeder when

the animal was purchased. The department does not believe this is necessary since the animal must be examined by a veterinarian every calendar year to renew a permit under 312 IAC 9-11-3(c). The fee is being removed in subsection (g) because the fee was changed and is under 312 IAC 1.5. This rule was last updated in 2018 under LSA #17-436.

b. Scope of the Rule –

The proposed rules govern a number of areas under the department's jurisdiction of fish and wildlife. The covered areas include deer hunting, lists of endangered species, hunting of migratory birds and waterfowl, the crow hunting season, frog hunting season, and limited take permits for certain endangered species. The rules also update certain definitions and species' names.

c. Statement of Need –

Executive Order 25-17 establishes a twenty-five percent (25%) regulatory reduction requirement by January 1, 2029. The proposed permanent rule changes create regulatory reductions in almost every section to put the department closer to the regulatory reduction requirement and also put the department in line with federal rules and regulations.

d. Statutory Authority for the Proposed Rule – The department has the authority under IC 14-22-2-6 to establish the methods, means, and time of taking and transporting wild animals in Indiana. The department has the authority under IC 14-22-2-4 to write and issue licenses and permits required by this article. The department has the authority to adopt rules for the nuisance wild animal control permits under IC 14-22-28-2. The department has the authority to establish rules governing endangered species under IC 14-22-34-17. The department has the authority to adopt rules governing the wild animal possession permit under IC 14-22-26-3. The department is also required to develop rules based upon the: (A) welfare of the wild animal; (B) relationship of the wild animal to other animals; and (C) welfare of the people in IC 14-22-2-6. "Wild animal" is defined in IC 14-8-2-318 and includes mammals. The commission has the statutory authority to adopt rules under IC 14-10-2-4.

e. Fees, Fines, and Civil Penalties – The proposed rule changes do not change or add a fee, fine, or civil penalty, so an analysis under IC 4-22-2-19.6 is not required.

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The anticipated effective date of the proposed rule is September of 2026.

b. Estimated Fiscal Impact on State and Local Government – The department anticipates that there will be no fiscal impact to local governments or regulated entities. There will be fewer costs to the department by eliminating the need for the separate migratory bird depredation permits to take migratory birds and only requiring the permit for endangered species, Canadian geese, and mallard ducks. This will save the issuance of approximately thirty (30) permits a year and allow businesses that have damage from non-endangered species like gulls to obtain only the federal permit. This will result in cost savings of approximately two hundred dollars (\$200) each year for staff to issue these permits. There will be some additional administrative costs for department staff to notify permit holders and deer hunters of the proposed changes, but the notification will be made by email, news

releases, and the new Hunting & Trapping Guidebook, and is in the ordinary course of business for the department.

There are expected to be minimal expenditures of approximately three hundred seventy-two dollars and fifty cents (\$372.50) for approximately five (5) hours of staff time out of the Fish and Wildlife Fund (39745) for the administrative work required of the department regarding: (1) updating the department's website and Hunting & Trapping Guidebook; (2) notifying regulated entities (i.e. permit holders and deer hunters) via email; and (3) sending news releases. The required administrative work, which will be primarily by email, is part of the ordinary course of business. Administrative duties are paid for out of the Fish and Wildlife Fund (39745) and are considered part of normal operating costs. An additional three (3) hours of time is needed in the first year to update the permit regulations and website, and to notify permit holders of the changes to 312 IAC 9-4-2, 9-10-18, 9-10-25, and 9-11-2. This will cost the department an estimated two hundred twenty-three dollars and fifty cents (\$223.50) for the first year. Administrative expenses imposed by the rules will be approximately five hundred ninety-six dollars (\$596) the first year the rules are effective. There are no expected changes to revenue.

c. Sources of Expenditures or Revenues Affected by the Rule – There will be no need for an appropriation from the General Assembly, and no changes in the distribution of revenue resulting from the proposed rule changes. The anticipated effective date of the proposed rules is September 15, 2026, and the 2026-2027 deer hunting seasons will be impacted. There should be no additional fiscal impact.

III. Impacted Parties

The proposed rule changes will likely affect at least twenty-one thousand (21,000) deer hunters who hunt with a rifle and muzzleloader. The proposed changes to 312 IAC 9-3-4 will likely affect approximately four thousand eight hundred and seventeen (4,817) deer hunters in the two (2) counties. They will have one (1) additional antlerless deer they may take in these counties during the 2026-2027 deer hunting seasons, as well as two (2) additional deer that they can take in Franklin County starting in October of 2027. Deer processors may be indirectly affected by having more deer to process; approximately seven (7) deer processors are registered in these counties.

The changes to 312 IAC 9-10-11 will likely impact approximately thirty (30) nuisance wild animal control permit holders. The changes in 312 IAC 9-10-25 will impact about three hundred and fifty (350) deer control permit holders. The changes to 312 IAC 9-10-18 governing limited take permits will affect approximately five (5) businesses each year. The changes to 312 IAC 9-10-23 governing migratory bird depredation permits will likely affect about thirty (30) businesses that have been required to get a state permit and will no longer need one. The changes to 312 IAC 9-11-2 will likely affect approximately two hundred and fifty (250) new wild animal possession permit holders.

Farmers and others impacted by deer causing damage to their crops or other vegetation may experience relief through the authorization of increased deer harvesting in Fayette and Franklin Counties. Farmers and other landowners experiencing damage will have more time to take deer that are causing damage without the need for additional paperwork or permits during the growing season.

IV. Changes in Proposed Rule

Subsection	Changes to the rule	Reason for the Change
312 IAC 9-1-5.5	Repeals the definition of “disability” in 312 IAC 9-1-5.5	Allows individuals that have a disability as the result of age to be eligible for a special permit under 312 IAC 9-10-10 to comply with the Americans with Disabilities Act
312 IAC 9-1-7.5	Removes grouse from the definition of “game bird”	Grouse cannot be hunted in Indiana
312 IAC 9-1-9.7	Repeals the definition of “inland water” in 312 IAC 9-1-9.7	Duplicative of IC 14-8-2-131.7.
312 IAC 9-1-13.2	Repeals the definition of “relaxing snare lock” in 312 IAC 9-1-13.2	The language for “snare lock” is being amended to include the description of a relaxing snare lock
312 IAC 9-1-13.7	Adds Language referring to a relaxing snare lock	Combines information about snare locks into one (1) rule to eliminate confusion and another rule
312 IAC 9-1-14.5	Removes the reference to another state law (IC 35-31.5-2-292) regarding serious bodily and uses the term medically significant instead	Clarifies the venomous reptiles for which a permit is required by the department and simplifies what is meant by significant bodily injury
312 IAC 9-3-3(d)	Allows deer hunters to use a handgun that has a longer barrel, additional muzzleloaders during the muzzleloader season, and additional rifles	Compliance with IC 14-22-2-8 for rifles, as well as to allow deer hunters the ability to use additional handguns and muzzleloaders
312 IAC 9-3-4(d)	Changes number to 3 deer in Fayette and Franklin Counties in 2026 and 4 deer in Franklin County beginning Oct. 1, 2027	See description in the History and Background of the Rule in Section I; deer population has recovered from EHD
312 IAC 9-3-18.5	Removes the mammal family Dasypodidae from the list of exotic mammals	Nine-banded armadillos are now living and breeding in Indiana and no longer meet the definition of exotic mammal in IC 14-8-2-87
312 IAC 9-4-2	Clarifies that hunting methods, equipment, and shooting hours are set forth in federal law. Sets forth the age of youth hunters since the age is not specified in 50 CFR 20.105; removes the term “fishing” in subsection (l)(F) and (y)(2) since fishing is no longer listed under that license; changes the date for which the eggs and nests of Canada geese can be taken	Needed to clarify the federal law for season dates, hours, and equipment for hunting migratory birds and waterfowl, eliminates the need for a duplicate state permit when the entity already has a federal permit or authorization. The resident youth license change is needed to match state law in IC 14-22-12-1(a)(24)

	under federal law; provides exemption in subsection (u) for migratory birds taken under a federal permit or authorization.	
312 IAC 9-4-7.1	Changes the closing date of the crow hunting season	To comply with federal law in 50 CFR 21.133 for the last day of the crow season on leap years
312 IAC 9-4-14	Removes the Kirtland's warbler from the endangered species of birds list and changes the scientific names of seven (7) other species	The Kirtland's warbler is no longer a federally endangered species, and the scientific names are needed to be consistent with the Checklist of North and Middle American Birds from the American Ornithological Society
312 IAC 9-5-4	Changes the common names of four (4) common names of reptiles and amphibians	To comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-5-6	Removes the language of "a single row of tines" for frog gigs, removes the requirement for lead shot in air rifles, and adds dip nets	Allows additional frog gigs by not limiting them to a single row of tines, allows additional air rifles that don't fire lead shot, and adds dip nets as a legal method to take frogs
312 IAC 9-5-7	Changes the common and scientific names of twenty-one (21) amphibians and reptiles	To comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-5-9	Removes the annual fee for a license in subsection (c). Changes the common and scientific name of the gray ratsnake to the central ratsnake, <i>Pantherophis alleghaniensis</i>	The fee was changed under a previous rulemaking and is now found in 312 IAC 1.5-4-18. The name of the gray ratsnake was changed to comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-10-11	Removes the prohibition in subsection (o) to be able to issue a permit for migratory birds such as Canada geese and mallard ducks	Eliminates the need for a separate migratory bird depredation permit to take migratory birds such as Canada geese and mallard ducks.
312 IAC 9-10-18	Removes the language that the permit only be available for state endangered species that are federally proposed or federally listed species and requires a	Businesses have requested a permit for state endangered species that are not federally listed and there is not a need to submit a Habitat Conservation

	habitat conservation plan only if the species is federally endangered. Also changes subsection (b) by eliminating the requirement for the department to provide information for the Habitat Conservation Plan and clarifies the information needed on an application	Plan for species that are not federally endangered, since that is a federal permit requirement. The change in subsection (b) is needed to eliminate the requirement for the department to provide information for the habitat conservation plan to save staff time and clarify the information needed on an application since a habitat conservation plan won't be required for all species
312 IAC 9-10-23	Repeals migratory bird depredation permit	Eliminates the need for businesses and individuals to get a permit to take a migratory bird that is causing damage or posing a health or safety threat except for endangered species, and this has been moved under the nuisance wild animal control permit in 312 IAC 9-10-11. This change also saves time for applicants and department staff by eliminating the need for a state permit in most cases. A federal permit would still be required under federal law for federally protected migratory birds.
312 IAC 9-10-25	Changes the timeframe for deer control permits to outside the season instead of ninety (90) days; specifies that the permit to take deer during the hunting season may only be issued for one hundred eighty (180) days instead of ninety (90) days; removes permit renewal option	Eliminates the need to renew or amend a permit during the growing season when permits are issued for only ninety (90) days. Also saves time for applicants (i.e. farmers) and department staff.
312 IAC 9-11-2	Removes the requirement that an animal be examined by a veterinarian within forty-five (45) days of receiving a permit and removes the language specifying the fee in subsection (g)	Eliminates this unnecessary burden and cost to the permit holder for the veterinarian's examination and potential for a violation.

Code Cite	Direct Effects	Indirect Effect	Fiscal Impact to the department	Business Impacts
312 IAC 9-1-5.5	Repeals the definition of “disability” to comply with the Americans with Disabilities Act and allow those who are disabled due to other factor such as age to be eligible for a permit	Allows those who are disabled due to age to be eligible for a special permit for disabled hunter in 312 IAC 9-10-10	Insignificant. May slightly increase the number of permits issued	None known. Only affects permits issued to individuals who are disabled.
312 IAC 9-1-7.5	Removes grouse from the list of birds considered to be a game bird in Indiana	None known.	None known. There has not been a hunting season for grouse since 2020.	None known. This does not affect the hunting, sale, or possession of grouse in Indiana.
312 IAC 9-1-9.7	Repeals the definition of “inland water” since it is already defined in IC 14-8-2-131.7	None known.	None known.	None known since the definition is still in state law.
312 IAC 9-1-13.2	Repeals the definition of “relaxing snare lock” since it is being combined with the definition of “snare lock”	None known.	None known.	None known since this definition is being combined with the definition of snare lock.
312 IAC 9-1-13.7	Combines the definition of “relaxing snare lock” with “snare lock.” The term of relaxing snare lock is needed for trappers to comply with requirements in 312 IAC 9-3-18.	None known.	None known since there are no changes to what is meant by relaxing snare lock.	None known. This does not change the definition or the requirements for a relaxing snare lock.
312 IAC 9-1-14.5	Clarifies what is meant by a “venomous reptile”, affecting the need for a permit and restrictions on the sale of venomous reptiles under 312	May reduce the number of wild animal possession permits that are needed to possess a	Insignificant. May reduce the number of wild animal possession permits required for	None known. Permits are issued to individuals to possess a venomous snake, and the snakes cannot

	IAC 9-5-8 and 312 IAC 9-11-8	venomous reptile.	venomous snakes.	be sold under 312 IAC 9-11-14.
312 IAC 9-3-3(d)(2) (governing handguns)	Allows deer hunters to use a handgun that has a longer barrel	May increase the use and sales of these handguns	Insignificant	Insignificant. May increase the sales of these handguns
312 IAC 9-3-3(d)(3) (governing muzzleloading long guns)	Allows deer hunters to use muzzleloaders that can be loaded from the breech end, both powder and bullet, in the muzzleloader season	May increase the use and sales of these muzzleloaders	Insignificant	May increase the sales of these muzzleloaders
312 IAC 9-3-3(d)(4) (governing rifles)	Allows deer hunters to use any rifles allowed under IC 14-22-2-8 for deer hunting	May increase the use of additional rifles for deer hunting and sales of these rifles	Insignificant	May increase the sales of rifles that have not been allowed in the past
312 IAC 9-3-4	Deer hunters will have more antlerless deer to harvest	Hunters will have more deer to harvest to help feed their families or donate to others, and deer processors may have more deer to process	Insignificant	Commercial deer processors may have more deer to process
312 IAC 9-3-18.5	Individuals will be able to take nine-banded armadillos at any time without a permit.	None known.	Insignificant	None known, although a business would not need a permit to take one that is causing damage
312 IAC 9-4-2	Clarifies permit requirements and federal law for migratory birds and provides an exemption from a state permit for migratory birds causing damage or posing a health or safety threat	None known	Insignificant	Allows business to have someone take Canada goose nests and eggs to be starting in January instead of March when they are causing a health or safety

				issue, which is already allowed under federal law. Removes requirement for state migratory bird permit if the person has a federal permit
312 IAC 9-4-7.1	Changes ending date for taking crows to February 28 to comply with federal law, so it removes one day from the season on leap years	None known	Insignificant	None known. Crows cannot be sold.
312 IAC 9-4-14	Removed the Kirtland's warbler from the list of endangered species and make other technical changes to common and scientific names	None known	Insignificant	None known
312 IAC 9-5-4	Makes technical changes to the common names of several endangered species to comply with the current taxonomy in the 9 th publication of the Society for the Study of Reptiles and Amphibians	None known.	Insignificant	None known. These species already cannot be sold in Indiana.
312 IAC 9-5-6	Allows frog gigs other than those with a single row of tines, so it provides other options, allows air rifles to be used that use shot other than lead, and adds dipnets to the legal methods for taking frogs	May increase the number of game frogs taken or change the methods used by some individuals to take frogs	Insignificant	None known. Frogs taken from the wild cannot be sold in Indiana.
312 IAC 9-5-7	Corrects common and scientific names	May allow the possession of	Insignificant	None known.

	for native reptiles and amphibians to comply with current published taxonomy in the 9 th publication of the Society for the Study of Reptiles and Amphibians	some ratsnakes that were previously under a different scientific name.		
312 IAC 9-5-9	Removes the fee since that has been increased and is now in 312 IAC 1.5-4-18. Correct the scientific name of one species to comply with current taxonomy in the 9 th publication of the Society for the Study of Reptiles and Amphibians	None known	Insignificant	None known.
312 IAC 9-10-11	Allows the taking of migratory birds under this permit	Removes the need for a separate permit for migratory birds that are causing damage or posing a health or safety threat	Insignificant	Insignificant. Allows businesses to only need one state permit to take nuisance wild animals, including migratory birds reducing time.
312 IAC 9-10-18	Allows businesses to obtain a limited take permit for state endangered species that are not federally threatened or endangered and removes the need for a habitat conservation plan	Businesses that accidentally take endangered species through their normal operations and are unable to avoid the taking of an endangered species	Insignificant	Businesses that accidentally take endangered species through their normal operations and are unable to avoid the take
312 IAC 9-10-23	Repeals the migratory bird depredation permit.	Eliminates the need for a separate state permit for taking migratory birds that are causing damage or	Insignificant	Insignificant. Eliminates the need for business to get both a state and federal permit for migratory birds that are

		posing a health or safety threat		causing damage or posing a health or safety threat.
312 IAC 9-10-25	Allows deer control permits to be issued throughout the growing season instead of ninety (90) days	Reduces time spent for applicants to obtain permits or ask for an extension and for department staff to have to amend or issue as many permits	Insignificant	Insignificant. Reduces time spent requesting extensions or applying for new permits.
312 IAC 9-11-2	Eliminates the need for a wild animal to be examined by a veterinarian within 45 days of getting a permit and removes the fee since it has been changed and is now in 312 IAC 1.5-4-23.	Veterinarians may have to examine certain animals less often. The animal is still required to be examined by a veterinarian to renew the permit each year under 312 IAC 9-11-3	Insignificant	None known. Permits are issued to individuals, not businesses.

V. Benefit Analysis

The direct and indirect effects of the proposed rule changes are described on pages one (1) through five (5) of this document in Sections I and IV.

The benefits of repealing the definition of “disability” in 312 IAC 9-1-5.5 is to allow additional hunters to be eligible for the special permit for disabled hunters to have special accommodations, regardless of whether it is due to age, illness, or injury under 312 IAC 9-10-10.

The benefit of the change in 312 IAC 9-1-9.7 is to eliminate unnecessary rules.

The benefit of the change in 312 IAC 9-1-13.2 is to eliminate confusion for trappers by having two definitions for snare locks.

The benefit of the change in 312 IAC 9-1-14.5 is to clarify the reptiles that are considered a “venomous reptile” for the purposes of clarifying permit requirements for venomous reptiles under 312 IAC 9-11-8.

The significant benefits in 312 IAC 9-3-3 are to deer hunters that will be able to use additional muzzleloaders during the muzzleloader season and comply with state law in IC 14-22-2-8 governing rifles used for deer hunting. Proposed changes also allow more antlerless deer to be taken in Fayette and Franklin Counties in future years since the deer population has recovered from EHD in those

areas. Allowing additional handguns, muzzleloaders and rifles to take deer may result in more individuals hunting deer. An indirect benefit by allowing more antlerless deer to be harvested in Fayette and Franklin Counties could result in more hunters purchasing licenses as well as having more deer meat to feed their families and donate the others. These proposed changes could result in hunters purchasing new equipment and supplies to hunt deer, and deer processors having more deer to process.

The benefit of 312 IAC 9-3-18.5 is to change nine-banded armadillos to a native species and allow them to be taken from the wild by individuals other than landowners and tenants without a permit.

The benefits of the changes in 312 IAC 9-4-2 are to eliminate the need for an additional state permit to take migratory birds and waterfowl that are causing damage or posing a health or safety issue, saving money for businesses and others that have to currently get a state permit. Additional benefits clarify requirements for hunters.

The benefit of the change in 312 IAC 9-4-7.1 is to comply with federal law.

The benefit of the change in 312 IAC 9-4-14 is to eliminate unnecessary restrictions for construction or other activities as a result of the Kirtland's warbler being an endangered species and comply with the state law to review the list of endangered species under IC 14-22-34-11. The benefit of the change in 312 IAC 9-5-4 and 9-5-7 is to be consistent with terms used by herpetologists throughout the country.

The benefit of the change in 312 IAC 9-5-6 allows individuals to use additional equipment for taking frogs from the wild with additional frog gigs, allowing dip nets to take frogs, and eliminating the need to use lead shot.

The benefit of the change in 312 IAC 9-5-9 is to eliminate confusion from having a different name listed in this rule than is in 312 IAC 1.5-4-18 and being consistent with terms used by herpetologists for the snakes allowed under this license.

The benefit of the change in 312 IAC 9-10-11 is to eliminate the need for a separate permit to take a migratory bird that is causing damage or posing a health or safety threat, saving time and money by reducing administrative work for entities needing a permit for multiple species.

The benefit of the change in 312 IAC 9-10-18 is to allow state endangered species to be taken in a limited manner by businesses and reduce requirements when applying for the limited take permit, reducing the time needed to apply for the permit.

The benefit of the change in 312 IAC 9-10-25 is to deer control permit holders by reducing the need to request an amendment or apply for an additional permit after ninety (90) days.

The benefit of the change in 312 IAC 9-11-2 is to wild animal possession permit holders that will not need to take their animal to a veterinarian within forty-five (45) days of obtaining the permit, saving money to have the animal examined by a veterinarian and time needed to submit the paperwork to the department.

There are no changes or additions to fees, fines, or civil penalties.

a. Estimate of Primary and Direct Benefits of the Rule – The primary benefits of the proposed changes are to reduce regulations related to hunting and other interactions with wildlife and are outlined in Sections IV and V. Examples include:

- (1) allowing deer hunters to use additional muzzleloaders during the muzzleloader season;
- (2) allowing individual deer hunters to take more antlerless deer in Fayette and Franklin Counties;
- (3) reducing regulations for deer control permits, nuisance wild animal control permits, wild animal possession permits, and hunters with disability permits;
- (4) allowing businesses to take migratory birds without a state permit in some circumstances; and
- (5) providing more options to take frogs from the wild.

The direct and primary benefit of the change in 312 IAC 9-1-7.5 for the definition of "Game bird" is to clarify species that are included in the term. The direct benefit of the change in the definition of "snare lock" in 312 IAC 9-1-13.7 is to eliminate confusion regarding legal snare locks and reduce the number of rules. The direct benefit of the change in the definition of venomous reptile in 312 IAC 9-1-14.5 is to clarify and reduce permit requirements for venomous reptiles. A direct benefit of the proposed rule changes in 312 IAC 9-3-3 and 312 IAC 9-3-4 is to individual deer hunters who hunt deer with handguns, rifles and muzzleloaders, as well as deer hunters who hunt in Fayette and Franklin Counties. The direct benefit of the change in 312 IAC 9-3-18.5 is to allow nine-banded armadillos to be taken from the wild by individuals other than landowners or tenants and remove them from the list of "exotic mammals." The changes in 312 IAC 9-4-2 governing requirements for migratory birds and waterfowl are to clarify the federal law for season dates, hours, and equipment for hunting migratory birds and waterfowl, eliminate the need for a duplicative state permit when the entity already has a federal permit or authorization, and comply with state law regarding the resident youth license. The primary and direct benefit of the change in 312 IAC 9-4-7.1 governing the season for taking American crows is to comply with federal law. The primary and direct benefits of the changes in 312 IAC 9-4-14 governing endangered species of birds are to establish consistency with the names used by the American Ornithological Society to eliminate confusion with the species and remove the Kirtland's warbler from the list of endangered species, which will reduce restrictions for construction in an area where they are found. The primary and direct benefit of the changes to the names of endangered species of reptiles and amphibians in 312 IAC 9-5-4 is to comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians and reduce confusion for the species on the list. The primary and direct benefits of the proposed changes in 312 IAC 9-5-6 are to individuals who want to use additional frog gigs, use additional air rifles to take game frogs, and use dip nets to take frogs. The primary and direct benefit of the proposed changes in 312 IAC 9-5-7 is to comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians and reduce confusion of the species on the list. The primary and direct benefits of the changes in 312 IAC 9-5-9 governing the reptile captive breeding license are to comply with the rule in 312 IAC 1.5-4-18 and reduce confusion regarding the fee as well as comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians regarding the species listed in the rule. The primary and direct benefit of the change in 312 IAC 9-10-11 governing the nuisance wild animal control permit is to allow migratory birds to be taken under this permit. The primary and direct benefits of the changes in 312 IAC 9-10-18 governing limited take permits for state endangered species are to allow for additional species to be taken under this permit (species that are state endangered, but not federally endangered) and reduce the administrative burden to apply for the permit with the elimination of the requirement for a habitat conservation plan. The primary and direct benefits of the proposed rule change governing the deer control permit in 312 IAC 9-10-25 are to permit holders by reducing the need to renew or amend a permit every ninety (90) days and reduce administrative work by department staff to issue a renewal or amendment. The primary and direct benefit of the change in 312 IAC 9-11-2 is to eliminate an unnecessary burden and cost to permit holders for the veterinarian's examination of the animal within

forty-five (45) days of the issuance of a permit. The primary and direct benefit of repealing the definition of “disability” in 312 IAC 9-1-5.5 is to allow individuals that have a disability as the result of age to be eligible for a special permit for hunting under 312 IAC 9-10-10. The primary and direct benefit of repealing the migratory bird depredation permit rule in 312 IAC 9-10-23 is to eliminate the need for businesses and individuals to get a permit to take a migratory bird that is causing damage or posing a health or safety threat. The primary and direct benefit of repealing the definition of “Inland water” in 312 IAC 9-1-9.7 is to remove the duplication in administrative code since it is in IC 14-8-2-131.7. The primary and direct benefit of repealing the definition of “relaxing snare lock” in 312 IAC 9-1-13.7 is to combine information about snare locks into one (1) rule and eliminate confusion and another rule.

b. Estimate of Secondary or Indirect Benefits of the Rule - Indirect benefits of the proposed rule are to the department to maintain a healthy deer population and have deer hunters who regularly purchase licenses to hunt deer, providing revenue for the department. Deer hunters also purchase rifles, muzzleloaders, ammunition, gas, and food, positively affecting nearby businesses that provide these goods and services. There may be an increase in fuel, food, and lodging revenue for nearby businesses by allowing hunters to take more deer in Franklin and Fayette Counties, as well as more business for local deer processors. Also, there is an indirect effect on commercial deer processors who may be impacted by having more deer to process in Fayette and Franklin counties.

c. Estimate of Any Cost Savings to Regulated Industries – There will be some cost savings for regulated industries from the proposed rule changes. There are fewer compliance costs to take migratory birds that are causing damage by exempting the entity from needing a state permit if they have a federal depredation permit under 312 IAC 9-4-2(u). This will result in a savings of approximately twenty-five dollars (\$25) each year for one (1) hour of time to complete and submit the required documents. With thirty (30) applicants each year, this is a cost savings of approximately seven hundred fifty dollars (\$750) each year. The limited take permit for endangered species has fewer compliance costs by removing the requirement of a habitat conservation plan, reducing the amount of time and compliance costs to obtain the permit by approximately two hundred dollars (\$200) every five (5) years. The department estimated one (1) permit each year. However, the habitat conservation plan is still required by the U.S. Fish and Wildlife Service for a federal incidental take permit to take federally listed species. Deer control permit holders will have fewer compliance costs by not needing to request an amendment or extension to their permit during the growing season; this will save them approximately twenty dollars (\$20) each year. There are approximately four hundred (400) permit holders each year, times fifty dollars (\$50) in labor, equals a savings of twenty thousand dollars (\$20,000) each year. There are fewer compliance costs with the change in 312 IAC 9-11-2 since an individual will not need to have the animal examined by a licensed veterinarian within forty-five (45) days of obtaining a wild animal possession permit and submitting the paperwork to the department. This will save the applicant approximately one hundred dollars (\$100) in the year the permit is obtained. With two hundred ninety (290) new permit holders, this is an annual cost savings of twenty-nine thousand dollars (\$29,000). Total annual compliance savings resulting from the rules are an average of approximately forty-nine thousand nine hundred fifty dollars (\$49,950) each year.

VI. Cost Analysis

Compliance costs are not increased. There will be no additional money to pay based on the proposed rule changes. The proposed rule changes do not require individuals or businesses to change behaviors.

The changes should not require regulated entities to purchase new equipment or software, dedicate additional time to completing tasks, hire workers, complete new trainings, establish new procedures, provide additional information, or take additional actions. Costs have not increased; indeed, they should decrease for the reasons provided above. The regulations should not make it more difficult to enter the market, and do not increase the price of goods.

a. Estimate of Compliance Costs for Regulated Entities – There are no new compliance costs for regulated entities or businesses to comply with the proposed rule changes, See Section V above.

b. Estimate of Administrative Expenses Imposed by the Rules – There are fewer administrative expenses to regulated parties as a result of these rule changes as described in Section IV (b). There are no additional administrative expenses to comply with the requirements in these rules. There are no legal, consulting, reporting, or accounting fees imposed by the requirements of these rules.

c. The fees, fines, and civil penalties analysis required by IC 4-22-2-19.6 – The proposed rule changes do not add or change a fee, fine, or civil penalty so an analysis is not required under IC 4-22-2-19.6.

d. If the implementation costs of the proposed rule are expected to exceed the threshold set in IC 4-22-2-22.7(c)(6) – The proposed rule changes do not have implementation or compliance costs that are expected to be at least one million dollars (\$1,000,000) over any two (2) year period for businesses, units, or individuals. Any costs associated with the proposed rule are expected to be well below the threshold set in IC 4-22-2-22.7(c)(6).

VII. Sources of Information

a. Independent Verifications or Studies - The number of deer hunters was obtained from the number of deer harvested in Fayette and Franklin Counties and number of licenses sold. The number of deer control permit holders and wild animal possession permit holders was obtained from the department's database of permit holders.

The initial testing which resulted in the detection of EHD in the deer in the state was performed by the Southeastern Cooperative Wildlife Disease Study in Athens, Georgia.

b. Sources Relied Upon in Determining and Calculating Costs and Benefits – The benefits and costs of the proposed rule changes were obtained from staff of the division of fish and wildlife.

VIII. Regulatory Analysis

Compliance and implementation costs for regulated entities and the department are as follows:

- Eliminating the need for the state migratory bird depredation permit in 312 IAC 9-10-23: reduction of one (1) hour of time each year for an annual cost of approximately twenty-five dollars (\$25) each year multiplied by 30 permit holders = \$750
- Eliminating the need for a habitat conservation plan in 312 IAC 9-10-18. However, it will likely take approximately two (2) hours to apply for the permit. The permit is required only once every five (5) years, costing approximately two hundred dollars (\$200) every five (5) years to submit the application. The DNR estimates one permit applicant per year, so the total savings is \$200 per year.

- Eliminating the need for an extension for a deer control permit by removing the 90-day timeframe in 312 IAC 9-10-25: average cost of one (1) hour of time to apply for the permit and submit the required report, costing approximately fifty dollars (\$50) in labor costs each year if a person applies for and obtains a permit. The applicant will have fewer costs than in the past since they will not need to request an amendment or extension to their permit during the growing season. There are approximately 400 permit holders each year multiplied by \$50 in labor means a savings of \$20,000.00
- Eliminating the need for the animal examined by a licensed veterinarian within forty-five (45) days of obtaining a wild animal possession permit and submitting the paperwork to the department under 312 IAC 9-11-2 11-2. There are approximately two hundred ninety new permits each year, and with an estimated veterinarian cost of \$100 per animal, the cost savings is \$29,000.
- There are no new costs for regulated entities.
- The costs for the DNR are estimated at \$596 the first year the rules are in effect.
- Therefore, a total cost savings for permit holders of \$49,950 (adding up all of the cost savings listed above), minus the costs to the DNR of \$596, with a total benefit of \$49,354. Therefore, the benefits outweigh the costs.

This amount includes compliance costs for regulated entities and the administrative work required of the department regarding: (1) updating the department's website and Hunting & Trapping Guidebook; (2) notifying deer hunters and permit holders; and (3) sending news releases and electronic newsletters. Notifying hunters and permit holders will be done by regular mail in the normal course of business with permit renewals or via email. No other agency, federal, state, or local should be affected. The benefits of the proposed rule will preserve the deer population in Indiana, which will outweigh the harm of a significantly reduced deer population in future hunting seasons. The benefits are also to reduced administrative work for the department by removing a state permit requirement for migratory birds that are causing damage when the person has a federal permit and removing the need for an extension or permit amendment for a deer control permit during the growing season. The benefits outweigh costs associated with the rules.

IX. Contact Information of Staff to Answer Substantive Questions

Linnea Petercheff, Permitting and Rules Supervisor
 Indiana DNR, Division of Fish and Wildlife
 402 W. Washington Street, Rm W273
 Indianapolis, IN 46204
 317-233-6527
LPetercheff@dnr.in.gov