

**TITLE 312 NATURAL RESOURCES COMMISSION**

**Final Rule**  
LSA Document #24-379

DIGEST

**LAW ENFORCEMENT HIRING**

Amends [312 IAC 4-4-6](#) to delete the definition of "spot appointment" and remove the provision concerning spot appointments to a permanent grade for returning conservation officers. Amends [312 IAC 4-5-2](#) concerning education, degree, and military service requirements for conservation officers. Amends [312 IAC 4-5-3](#) concerning the use of additional standards to select, train, and promote conservation officers. Effective 30 days after filing with the publisher.

**HISTORY**

Notice of First Public Comment Period published October 9, 2024: [20241009-IR-312240379FNA](#)  
Regulatory Analysis submitted with Notice of First Public Comment Period: [20241009-IR-312240379RAA](#)  
Date of Hearing: November 8, 2024

**CITATIONS AFFECTED:** [312 IAC 4-4-6](#); [312 IAC 4-5-2](#); [312 IAC 4-5-3](#)

**SUMMARY/RESPONSE TO COMMENTS**

The Natural Resources Commission (commission) requested public comment from October 9, 2024, through November 8, 2024, and during the public hearing on November 8, 2024. The commission received no comments in response to the Notice of First Public Comment Period.

**FINAL RULE**

SECTION 1. [312 IAC 4-4-6](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 4-4-6](#) Review of actions; termination, demotion, or suspension of conservation officer**

Authority: [IC 14-9-8-3](#); [IC 14-10-2-1](#); [IC 14-10-2-4](#)  
Affected: [IC 4-21.5-5](#); [IC 14-9-8](#)

Sec. 6. (a) Except as provided in subsection (c), a conservation officer:

- (1) whose employment is terminated; or
- (2) who is demoted or suspended;

as a result of **due to** a final determination by the division director, or a person designated by the division director's **designee**, may seek administrative review from the commission under [IC 4-21.5](#) and [312 IAC 3-1](#).

(b) ~~Through the issuance of a general order,~~ The division director may establish a board to provide informal review of any **a disciplinary action by issuing a general order**. A determination:

- (1) that is subject to administrative review under subsection (a); and
- (2) for which informal review is available under this subsection;

is not a final determination until the board completes the **informal** review and makes a written report of its findings.

(c) ~~Without **Absent** charges being made filed~~ under section 5 of this rule and without a predisciplinary meeting,

- (1) a probationary employee may be terminated.
- (2) ~~At the will of the division director and subject to approval of the director, an officer who received a spot appointment may be returned to the officer's permanent grade before the spot appointment.~~

~~An **A termination** action under this subsection does not entitle a person~~ **an individual** to administrative review under subsection (a) or to **an** informal review under subsection (b).

(d) As used in this section, "spot appointment" means a temporary elevation in grade to captain, major, or lieutenant colonel that:

- (1) is granted in writing at the discretion of the division director, subject to the approval of the director;
- (2) states the permanent grade to which the officer would return; and
- (3) takes effect after July 1, 2014.

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

*(Natural Resources Commission; [312 IAC 4-4-6](#); filed Aug 3, 2001, 11:07 a.m.: 24 IR 3937; readopted filed May 29, 2007, 9:49 a.m.: [20070613-IR-312070145RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130170RFA](#); filed Oct 14, 2014, 3:29 p.m.: [20141112-IR-312130448FRA](#); readopted filed Jul 18, 2019, 8:40 a.m.: [20190814-IR-312190290RFA](#); filed Mar 11, 2025, 10:29 a.m.: [20250309-IR-312240379FRA](#))*

SECTION 2. [312 IAC 4-5-2](#) IS AMENDED TO READ AS FOLLOWS:

### **[312 IAC 4-5-2](#) Prerequisites; conservation officer applicant**

Authority: [IC 14-9-8-3](#); [IC 14-10-2-4](#)

Affected: [IC 14-9-8](#)

Sec. 2. A person **An individual** who wishes to apply **applies** to become a conservation officer must **shall** meet each of the following requirements in order to be favorably considered:

(1) Be **Provide proof the individual is** a United States citizen, **including:**

**(A) a copy of the individual's birth certificate; or**

**(B) a copy of the individual's:**

**(i) naturalization certificate;**

**(ii) certificate of citizenship;**

**(iii) United States passport; or**

**(iv) Consular Report of Birth Abroad (FS-240).**

(2) Possess **Demonstrate** the strength and agility needed to complete the physical conditioning and psychomotor skills requirements established by the Indiana law enforcement training board under [250 IAC 2-3](#).

(3) Have achieved one (1) of the following:

(A) An associate's degree (two (2) year program), evidenced by a certified transcript, from a college or university accredited by an organization recognized by the United States Secretary of Education at 34 CFR 602.2.

(B) Completion of at least two (2) years toward a bachelor's degree (four (4) year program), evidenced by a certified transcript, from a college or university accredited by an organization recognized by the United States Secretary of Education at 34 CFR 602.2.

(C) Four (4) years of full-time active duty United States military service with honorable discharge. **Achieve a high school diploma or a general education diploma (GED).**

(4) Be at least twenty-one (21) years of age on the date of appointment.

(5) Possess a valid driver's license to operate an automobile.

(6) Be willing, if appointed, **Attest the individual is willing** to reside and serve any place within Indiana as in **any location** designated by the division director **in a form and manner prescribed by the department.**

(7) Demonstrate an ability to:

(A) swim one hundred (100) yards without stopping; and

(B) tread water for at least five (5) minutes.

(8) Successfully complete physical agility testing.

(9) If requested by the division, submit to and satisfy the following:

(A) Standard psychological testing.

(B) A polygraph examination.

*(Natural Resources Commission; [312 IAC 4-5-2](#); filed Aug 3, 2001, 11:07 a.m.: 24 IR 3938; readopted filed May 29, 2007, 9:49 a.m.: [20070613-IR-312070145RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130170RFA](#); filed Oct 14, 2014, 3:29 p.m.: [20141112-IR-312130448FRA](#); errata filed Oct 17, 2014, 2:14 p.m.: [20141112-IR-312130448ACA](#); filed Jul 11, 2016, 3:33 p.m.: [20160810-IR-312150343FRA](#); readopted*

filed Jul 18, 2019, 8:40 a.m.: [20190814-IR-312190290RFA](#); filed Mar 11, 2025, 10:29 a.m.: [20250309-IR-312240379FRA](#))

SECTION 3. [312 IAC 4-5-3](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 4-5-3](#) Conservation officer applicant; additional standards**

Authority: [IC 14-9-8-3](#)

Affected: [IC 14-9-8](#)

Sec. 3. **(a)** The division director shall establish additional written standards for the recruitment, selection, training, and promotion of a conservation officers **officer**.

**(b) If requested by the division, submit to and satisfy the following:**

**(1) Standard psychological testing.**

**(2) A polygraph examination.**

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

**(1) life experiences; and**

**(2) interest in and commitment to natural resources.**

*(Natural Resources Commission; [312 IAC 4-5-3](#); filed Aug 3, 2001, 11:07 a.m.: 24 IR 3938; readopted filed May 29, 2007, 9:49 a.m.: [20070613-IR-312070145RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130170RFA](#); readopted filed Jul 18, 2019, 8:40 a.m.: [20190814-IR-312190290RFA](#); filed Mar 11, 2025, 10:29 a.m.: [20250309-IR-312240379FRA](#))*

LSA Document #24-379(F)

Notice of First Public Comment Period: [20241009-IR-312240379FNA](#)

Hearing Held: November 8, 2024

Approved by Attorney General: March 3, 2025

Approved by Governor: March 4, 2025

Filed with Publisher: March 11, 2025, 10:29 a.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Steve Hunter, Director, Division of Law Enforcement, Department of Natural Resources, Indiana Government Center South, 402 West Washington Street, Room W255D, Indianapolis, IN 46204, (317) 232-4010, [shunter@dnr.in.gov](mailto:shunter@dnr.in.gov)

Posted: 04/09/2025 by Legislative Services Agency