IC 14-22-26

Chapter 26. Wild Animal Permit

IC 14-22-26-1

Applicability of chapter

Sec. 1. This chapter does not apply to licensed commercial animal dealers, zoological parks, circuses, or carnivals. *As added by P.L.1-1995, SEC.15.*

IC 14-22-26-2

"Zoological park" defined

Sec. 2. As used in this chapter, "zoological park" means:

- (1) a permanent establishment that is a member of the American Association of Zoological Parks and Aquariums; or
- (2) an agency of local government, open to and administered for the public, to provide education, conservation, and preservation of the earth's fauna.

As added by P.L.1-1995, SEC.15.

IC 14-22-26-3

Rules regarding permits

- Sec. 3. The director may adopt rules under IC 4-22-2 to require and issue the following:
 - (1) A permit to possess a wild animal protected by statute or rule.
 - (2) A permit to possess a wild animal that may be harmful or dangerous to plants or animals. A separate permit is required for each wild animal described in this subdivision.

As added by P.L.1-1995, SEC.15.

IC 14-22-26-4

Form; issuance; expiration; fee

Sec. 4. A permit issued under this chapter:

- (1) must be in the form prescribed by the director;
- (2) may not be issued unless the director is satisfied that the permit should be issued;
- (3) has an expiration date fixed by the director; and
- (4) has a fee of ten dollars (\$10).

As added by P.L.1-1995, SEC.15.

IC 14-22-26-5

Suspension of permit; seizure and holding of animals; adjudicative proceedings; costs

- Sec. 5. (a) If an emergency exists, the director may summarily suspend a permit issued under this chapter. The director may summarily seize and hold an animal for which a permit is required under this chapter, pending the outcome of the proceedings under this section, if either of the following conditions exist:
 - (1) A permit has not been issued to possess the animal.
 - (2) A permit has been issued to possess the animal, but the

director believes that an emergency exists because at least one (1) of the following conditions exists:

- (A) The animal is in a position to harm another animal.
- (B) The life or health of the animal is in peril.
- (b) After suspending a permit or seizing and holding an animal under subsection (a), the department shall proceed as quickly as feasible to provide the opportunity for completed adjudicative proceedings under IC 4-21.5. The proceedings may result in the revocation, temporary suspension, or modification of the permit. Provision may be made for a final disposition with respect to the wild animal, including confiscation of the animal. IC 4-21.5 provides the exclusive remedy available to a person aggrieved by a determination of the department under this section.
- (c) The director may contract with experts in the handling of animals for which a permit is required under this chapter to assist the director in seizing and holding an animal under this section. A person who seizes and holds an animal under a contract with the director is not subject to legal action arising from the seizure or holding to the same extent as if the person was an employee of the department.
- (d) The owner of an animal seized under this section is liable for the costs of seizing and holding the animal and of the proceedings under this section, including a trial, if any.

As added by P.L.1-1995, SEC.15.

IC 14-22-26-6

Rules regarding safety and health

- Sec. 6. Rules adopted under this chapter must provide for the following:
 - (1) The safety of the public.
 - (2) The health of the animals.

As added by P.L.1-1995, SEC.15.