

IC 14-22-6

Chapter 6. Regulation of Birds and Mammals

IC 14-22-6-1

Taking of wild animals governed by laws and rules

Sec. 1. A person may not take, chase, or possess a wild animal, except as provided by:

- (1) a statute; or
- (2) a rule adopted under IC 4-22-2 to implement this article.

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

IC 14-22-6-2

Migratory birds; taking governed by article

Sec. 2. A person may not:

- (1) take, possess, sell, offer for sale, purchase, or offer to purchase;
- (2) ship, transport, or carry; or
- (3) deliver or receive for shipment, transportation, or carriage in any manner outside Indiana;

a migratory bird designated in this article or a part, nest, or egg of a migratory bird, except as otherwise permitted by this article.

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

IC 14-22-6-3

Migratory birds; permit or license requirement

Sec. 3. A person may not take or possess for any purpose, during the closed season, a migratory bird or the nest, eggs, or increase of a migratory bird without having a permit or license issued by the director under this article.

As added by P.L.1-1995, SEC.15. Amended by P.L.69-2009, SEC.7.

IC 14-22-6-4

Trapping; tending traps

Sec. 4. A person may not do the following:

- (1) Tend or visit a trap or remove a furbearing animal from a trap that is not the person's property without the permission of the owner.
- (2) Fail to tend or visit or have tended or visited a trap and remove a furbearing animal from a trap that is the person's property within a period not exceeding twenty-four (24) hours.

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

IC 14-22-6-5

Trapping; underwater box traps

Sec. 5. A person may trap furbearing animals with an underwater box trap during trapping season.

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

IC 14-22-6-6

Trapping; snares

Sec. 6. (a) A person may not use a snare for the trapping of animals, except upon land owned by the user or with the written permission of the owner.

(b) A snare that permits a circumference of more than fifteen (15) inches may not be used for the trapping of animals unless:

- (1) at least fifty percent (50%) of the loop of the snare is covered by water; or
- (2) the snare employs a relaxing snare lock.

As added by P.L.1-1995, SEC.15. Amended by P.L.183-1995, SEC.1.

IC 14-22-6-7

Jacklighting prohibited

Sec. 7. (a) This section does not apply to an employee of the department, an employee of a federal wildlife management agency, or a person who:

- (1) is acting in the performance of the employee's or a person's duties or in accordance with the conditions of a license; and
- (2) has received the express written consent of the director for the employee's or person's action.

(b) An individual may not knowingly throw or cast the rays of any spotlight or other artificial light:

- (1) not required by law on a motor vehicle; and
- (2) in search of or upon any wild bird or wild animal;

from a vehicle while the person possesses a firearm, bow, or crossbow, if by throwing or casting the rays a wild bird or wild animal could be killed. This subsection applies even though the animal is not killed, injured, shot at, or otherwise pursued.

(c) An individual may not take any wildlife, except furbearing mammals, with the aid of illumination of any spotlight, searchlight, or other artificial light.

(d) An individual may not shine a spotlight, searchlight, or other artificial light for the purpose of taking, attempting to take, or assisting another person to take a deer.

As added by P.L.1-1995, SEC.15. Amended by P.L.13-2007, SEC.1; P.L.151-2012, SEC.10.

IC 14-22-6-8

Sale of wild birds or mammals governed by article

Sec. 8. (a) As used in this section, "sell" includes serving as a part of a meal by a restaurant, a hotel, a boardinghouse, or an eating house keeper.

(b) A person may not sell, offer to buy, trade, or offer to trade a wild bird or mammal, or meat from a wild bird or mammal, that:

- (1) is live or dead; and
- (2) is taken in:
 - (A) Indiana; or
 - (B) another state and brought into Indiana;

except as otherwise provided in this article.

(c) Proof that a bird or mammal was served constitutes prima facie evidence that the bird or mammal was served in violation of this

article. However, a restaurant, a hotel, a boardinghouse, or an eating house keeper may prepare and serve during open season to:

- (1) a guest, patron, or boarder; and
- (2) the family of the guest, patron, or boarder;

a bird or mammal legally taken by the guest, patron, or boarder during the open season.

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

IC 14-22-6-9

Shooting from or across public highways prohibited

Sec. 9. A person may not:

- (1) hunt, shoot, shoot at, or kill an animal; or
- (2) shoot at an object;

from within, into, upon, or across a public highway in Indiana.

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

IC 14-22-6-10

Shooting into or across waters of the state

Sec. 10. A person may not shoot into or across:

- (1) the waters of the state; or
- (2) the boundary waters of the state;

except in the lawful pursuit of wild animals.

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

IC 14-22-6-11

Repealed

(Repealed by P.L.289-2013, SEC.5.)

IC 14-22-6-12

Taking of coyotes

Sec. 12. A person:

- (1) who possesses land; or
- (2) designated in writing by a person who possesses land;

may take coyotes on the land at any time.

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

IC 14-22-6-13

Controlled hunts in state parks

Sec. 13. If the director:

- (1) determines that a species of wild animal present within a state park poses an unusual hazard to the health or safety of one (1) or more individuals;

(2) determines, based upon the opinion of a professional biologist, that it is likely that:

(A) a species of wild animal present within a state park will cause obvious and measurable damage to the ecological balance within the state park; and

(B) the ecological balance within the state park will not be maintained unless action is taken to control the population of the species within the state park; or

(3) is required under a condition of a lease from the federal government to manage a particular wild animal species; the director shall authorize the taking of a species within the state park under rules adopted under IC 4-22-2.

As added by P.L.47-1995, SEC.2. Amended by P.L.18-2009, SEC.1; P.L.140-2013, SEC.16; P.L.219-2014, SEC.23.

IC 14-22-6-14

Control of deer population; landowner assistance program

Sec. 14. (a) The:

- (1) division of fish and wildlife of the department; and
- (2) division of soil conservation established within the Indiana state department of agriculture by IC 15-11-4-1, through the soil and water conservation districts established under IC 14-32;

shall, in cooperation with other conservation education organizations and one (1) or more organizations of hunters, establish a program to help landowners with problems determined by the director to be caused by localized deer population.

(b) The program established under this section must educate landowners concerning the means by which a landowner can:

- (1) control; or
- (2) obtain assistance in controlling;

the deer population on the landowner's tract of land.

(c) Under the program established under this section, one (1) or more hunters or organizations of hunters may, upon request by a landowner, work with the department and the landowner to alleviate problems caused by localized deer populations.

(d) In each county, the division of fish and wildlife, in cooperation with the soil and water conservation district established within the county under IC 14-32, shall disseminate information about the program established under this section.

As added by P.L.47-1995, SEC.3. Amended by P.L.1-2006, SEC.213; P.L.2-2008, SEC.30; P.L.120-2008, SEC.7.