

**IC 14-23**

**ARTICLE 23. FORESTRY**

**IC 14-23-1**

**Chapter 1. Duties of Department**

**IC 14-23-1-1**

**Duties of department**

Sec. 1. The department shall do the following:

- (1) Have the care, custody, and control of the forest land owned by the state, exclusive of state parks.
- (2) Adopt necessary rules to properly enforce this chapter.
- (3) Establish, operate, and maintain nurseries for the production of trees to be used in reforestation. The trees may be:
  - (A) used to reforest land owned by the state;
  - (B) supplied to owners of private land at a price not exceeding cost of production; or
  - (C) used for planting on public roads or land under the terms that are considered by the department to be for the public benefit.
- (4) Prepare, print, post, or distribute printed matter relating to forestry.
- (5) Make investigations or experiments with regard to forestry questions.
- (6) Subject to the approval of the governor, purchase land and forests. For the purpose of acquiring land and forests, the commission may exercise the right of eminent domain in the manner provided in IC 14-17-3.
- (7) Receive and accept, in the name of the people of Indiana, by gift or devise, the fee or other estate in land or forests.
- (8) Examine the forest land owned by the state or by a state institution for the purpose of advising and cooperating in securing proper forest management of the land.
- (9) Employ, with approval of the authorities having control of the state penal institutions, convicts committed to a penal institution for the purpose of producing or planting trees, building roads, or doing other work in the forests and in clearing, draining, or developing land purchased or acquired by the state for forestry purposes.
- (10) Propagate trees and shrubs for state institutions or for planting along highways. A common carrier may transport trees or shrubs grown by the state at a rate less than the established tariff to and from points within Indiana.
- (11) Have the custody of all abstracts of title, papers, contracts, or related memoranda, except original deeds to the state, for land purchased or received under this section.
- (12) Examine private forest land:
  - (A) upon request of; and
  - (B) at the expense of;the owner for the purpose of advising the owner on the proper

methods of forest management.  
*As added by P.L.1-1995, SEC.16.*

**IC 14-23-1-2**

**Nursery stock and wildflower seed sales**

Sec. 2. (a) This section does not apply to the following:

(1) The sale or distribution of nursery stock or wildflower seeds to the following:

- (A) An individual who resides in Indiana.
- (B) A governmental entity.
- (C) A nonprofit organization or an educational institution.
- (D) An agricultural research program.

(2) The exchange of nursery stock or wildflower seeds with a person or an entity.

(b) The department may not sell or distribute nursery stock or wildflower seeds to the following:

(1) An individual who resides in a state other than Indiana, unless the individual:

- (A) owns land in Indiana; and
- (B) submits an affidavit that affirms that the nursery stock or wildflower seeds will be planted in Indiana.

(2) A retail business that sells nursery stock or wildflower seeds.

(3) A wholesale business that sells nursery stock or wildflower seeds.

*As added by P.L.82-2007, SEC.3.*