



Reprinted
February 15, 2022

ENGROSSED HOUSE BILL No. 1248

DIGEST OF HB 1248 (Updated February 14, 2022 4:34 pm - DI 129)

Citations Affected: IC 14-8; IC 14-22.

Synopsis: Direct contact with specified animals. Prohibits a person that owns or possesses a specified animal from allowing a member of the public to come into direct contact, or enter into a proximity that allows for or permits direct contact, with the specified animal. Prohibits the department of natural resources from adopting a rule to designate additional specified animals. Requires that a person who owns a specified animal must have a commercial animal dealer, breeder, or exhibitor's license issued by the United States Department of Agriculture. Provides that a violation of the law is a Class B infraction. Excludes from the substance of the bill physical contact or proximity between certain persons and a specified animal. Defines terms.

Effective: July 1, 2022.

Abbott, Campbell, Boy

(SENATE SPONSORS — DORIOT, BOHACEK)

January 6, 2022, read first time and referred to Committee on Natural Resources.
January 24, 2022, reported — Do Pass.
January 26, 2022, read second time, amended, ordered engrossed.
January 27, 2022, engrossed. Read third time, passed. Yeas 68, nays 27.

SENATE ACTION

February 1, 2022, read first time and referred to Committee on Natural Resources.
February 7, 2022, amended, reported favorably — Do Pass.
February 14, 2022, read second time, amended, ordered engrossed.

EH 1248—LS 6982/DI 129



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Second Regular Session of the 122nd General Assembly (2022)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2021 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1248

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-70.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]: **Sec. 70.8. "Direct contact", for purposes of IC 14-22-26.5,**
4 **has the meaning set forth in IC 14-22-26.5-2.**

5 SECTION 2. IC 14-8-2-215.7 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2022]: **Sec. 215.7. "Professional production**
8 **crew", for purposes of IC 14-22-26.5, has the meaning set forth in**
9 **IC 14-22-26.5-2.5.**

10 SECTION 3. IC 14-8-2-221.5 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2022]: **Sec. 221.5. "Proximity", for purposes**
13 **of IC 14-22-26.5, has the meaning set forth in IC 14-22-26.5-3.**

14 SECTION 4. IC 14-8-2-221.7 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2022]: **Sec. 221.7. "Public", for purposes of**
17 **IC 14-22-26.5, has the meaning set forth in IC 14-22-26.5-3.5.**

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1 SECTION 5. IC 14-8-2-262.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2022]: **Sec. 262.5. "Specified animal", for**
4 **purposes of IC 14-22-26.5, has the meaning set forth in**
5 **IC 14-22-26.5-4.**

6 SECTION 6. IC 14-8-2-282.5 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2022]: **Sec. 282.5. "Trained", for purposes of**
9 **IC 14-22-26.5, has the meaning set forth in IC 14-22-26.5-5.**

10 SECTION 7. IC 14-22-26.5 IS ADDED TO THE INDIANA CODE
11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2022]:

13 **Chapter 26.5. Specified Animals**

14 **Sec. 1. This chapter does not apply to physical contact or**
15 **proximity between a specified animal and any of the following:**

- 16 (1) The owner of a specified animal.
17 (2) The owner of the facility in which the specified animal is
18 kept.
19 (3) A trained employee of the facility's owner who is
20 conducting the trained employee's duties, as determined by
21 the facility's owner, for the specified animal.
22 (4) A contractor, intern, service provider, professional
23 production crew, or another person who:
24 (A) is accompanied by the facility's owner; and
25 (B) is performing duties requiring the presence of the
26 specified animal;
27 under a contract or other engagement with the facility's
28 owner.
29 (5) A licensed veterinarian.
30 (6) A veterinary intern or specialist accompanying a licensed
31 veterinarian.
32 (7) A registered veterinary technician under the direct or
33 indirect supervision of a licensed veterinarian.
34 (8) A veterinary student under the direct supervision of a
35 licensed veterinarian.

36 **Sec. 2. (a) As used in this chapter, "direct contact" means**
37 **physical contact between the public and a specified animal.**

38 **(b) The term includes the taking of a photograph of a specified**
39 **animal except where there is located between the public and the**
40 **specified animal a permanent physical barrier designed to prevent**
41 **physical contact between the public and the specified animal.**

42 **Sec. 2.5. (a) As used in this chapter, "professional production**



1 crew" means a cast or crew member of a production team and
 2 includes a professional photographer, videographer, or
 3 cinematographer.

4 (b) The term includes a member of the news media.

5 Sec. 3. As used in this chapter, "proximity" means a distance
 6 created by a visual or physical barrier, including a barrier fence,
 7 safety line, or other means to signify a restricted area, that is
 8 designed to prevent a member of the public from touching a
 9 primary, permeable barrier that contains a specified animal.

10 Sec. 3.5. As used in this chapter, "public" refers to a person or
 11 an individual who is not listed or otherwise described in section 1
 12 of this chapter. However, the term does not include a trespasser.

13 Sec. 4. As used in this chapter, "specified animal" means a live
 14 animal that is any of the following:

15 (1) An animal from the following species of Felidae:

16 (A) Lions (*Panthera leo*).

17 (B) Tigers (*Panthera tigris*).

18 (C) Leopards (*Panthera pardus*).

19 (D) Snow leopards (*Panthera uncia*).

20 (E) Jaguars (*Panthera onca*).

21 (F) Mountain lions (*Puma concolor*).

22 (G) Any hybrid of a species listed in clauses (A) through

23 (F).

24 (2) A bear (*Ursidae*).

25 Sec. 5. As used in this chapter, "trained" means having
 26 participated in specific instruction with a specified animal.

27 Sec. 6. A person that owns or possesses a specified animal may
 28 not allow a member of the public to:

29 (1) come into direct contact with; or

30 (2) enter into a proximity that allows for or permits direct
 31 contact with;

32 the specified animal, regardless of the age of the specified animal.

33 Sec. 7. A person who owns a specified animal must have a
 34 commercial animal dealer, breeder, or exhibitor's license issued by
 35 the United States Department of Agriculture.

36 Sec. 8. The department may adopt rules under IC 4-22-2 to
 37 implement this chapter. However, the department may not adopt
 38 a rule to add any additional specified animal to the definition
 39 provided in section 4 of this chapter.

40 Sec. 9. A person that violates this chapter commits a Class B
 41 infraction. The court shall assess the amount of the fine authorized
 42 by this section solely on the basis of the individual members of the



1 public who are exposed to a specified animal when the court
2 imposes the fine on a person that violates this chapter.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1248, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1248 as introduced.)

EBERHART

Committee Vote: Yeas 7, Nays 5

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1248 be amended to read as follows:

Page 2, line 13, delete "who is performing duties for the specified animal" and insert "**who:**

(A) is accompanied by the facility's owner; and

(B) is performing duties requiring the presence of the specified animal;".

Page 2, line 13, beginning with "under" begin a new line block indented.

Page 3, delete lines 3 through 4.

(Reference is to HB 1248 as printed January 24, 2022.)

ABBOTT

 COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 2. IC 14-8-2-215.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 215.7. "Professional production crew", for purposes of IC 14-22-26.5, has the meaning set forth in IC 14-22-26.5-2.5."**

Page 1, between lines 8 and 9, begin a new paragraph and insert:

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"SECTION 4. IC 14-8-2-221.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: **Sec. 221.7. "Public", for purposes of IC 14-22-26.5, has the meaning set forth in IC 14-22-26.5-3.5.**"

Page 2, between lines 6 and 7, begin a new line block indented and insert:

"(1) The owner of a specified animal."

Page 2, line 7, delete "(1)" and insert "(2)".

Page 2, line 9, delete "(2)" and insert "(3)".

Page 2, line 12, delete "(3)" and insert "(4)".

Page 2, line 12, after "provider," insert **"professional production crew,"**

Page 2, line 19, delete "(4)" and insert "(5)".

Page 2, line 20, delete "(5)" and insert "(6)".

Page 2, line 22, delete "(6)" and insert "(7)".

Page 2, line 24, delete "(7)" and insert "(8)".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"Sec. 2.5. (a) As used in this chapter, "professional production crew" means a cast or crew member of a production team and includes a professional photographer, videographer, or cinematographer.

(b) The term includes a member of the news media."

Page 2, between lines 36 and 37, begin a new paragraph and insert:

"Sec. 3.5. As used in this chapter, "public" refers to a person or an individual who is not listed or otherwise described in section 1 of this chapter. However, the term does not include a trespasser."

Page 3, between lines 14 and 15, begin a new paragraph and insert:

"Sec. 7. A person who owns a specified animal must have a commercial animal dealer, breeder, or exhibitor's license issued by the United States Department of Agriculture."

Page 3, line 15, delete "Sec. 7." and insert "Sec. 8."

Page 3, line 16, after "chapter." insert **"However, the department may not adopt a rule to add any additional specified animal to the definition provided in section 4 of this chapter."**



Page 3, line 17, delete "Sec. 8." and insert "**Sec. 9.**".
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1248 as reprinted January 27, 2022.)

GLICK, Chairperson

Committee Vote: Yeas 7, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1248 be amended to read as follows:

Page 3, line 41, after "infraction." insert "**The court shall assess the amount of the fine authorized by this section solely on the basis of the individual members of the public who are exposed to a specified animal when the court imposes the fine on a person that violates this chapter.**".

(Reference is to EHB 1248 as printed February 8, 2022.)

DORIOT

