

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.

HOUSE ENROLLED ACT No. 1248

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

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

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

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.**

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

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.**

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

HEA 1248 — Concur



IC 14-22-26.5-4.

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

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

Chapter 26.5. Specified Animals

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

- (1) The owner of a specified animal.**
- (2) The owner of the facility in which the specified animal is kept.**
- (3) A trained employee of the facility's owner who is conducting the trained employee's duties, as determined by the facility's owner, for the specified animal.**
- (4) A contractor, intern, service provider, professional production crew, or another person who:**
 - (A) is accompanied by the facility's owner; and**
 - (B) is performing duties requiring the presence of the specified animal;****under a contract or other engagement with the facility's owner.**
- (5) A licensed veterinarian.**
- (6) A veterinary intern or specialist accompanying a licensed veterinarian.**
- (7) A registered veterinary technician under the direct or indirect supervision of a licensed veterinarian.**
- (8) A veterinary student under the direct supervision of a licensed veterinarian.**

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

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

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.



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

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.

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

- (1) An animal from the following species of Felidae:
 - (A) Lions (*Panthera leo*).
 - (B) Tigers (*Panthera tigris*).
 - (C) Leopards (*Panthera pardus*).
 - (D) Snow leopards (*Panthera uncia*).
 - (E) Jaguars (*Panthera onca*).
 - (F) Mountain lions (*Puma concolor*).
 - (G) Any hybrid of a species listed in clauses (A) through (F).
- (2) A bear (Ursidae).

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

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

- (1) come into direct contact with; or
- (2) enter into a proximity that allows for or permits direct contact with;

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

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.

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

Sec. 9. A person that violates this chapter commits a Class B infraction. 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.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1248 — Concur

