



Reprinted
April 14, 2015

ENGROSSED HOUSE BILL No. 1453

DIGEST OF HB 1453 (Updated April 13, 2015 4:22 pm - DI 77)

Citations Affected: IC 14-8; IC 14-22; IC 15-17; IC 35-52.

Synopsis: Hunting preserves. Provides for the initial licensing and operation of hunting preserves: (1) on which Indiana farm raised and released cervidae are hunted; and (2) that operated during the 2014 calendar year. Establishes licensing requirements, inspection requirements, and fees. Exempts licensed hunting preserves from the licensing requirements for game breeders and shooting preserves. Provides that hunters on hunting preserves are required to have a special hunting license. Specifies that the fee for the special hunting license is equal to the fee for a nonresident annual hunting license. Provides that hunters are not subject to bag limits. Requires that a transportation tag be purchased and affixed to each cervidae taken on a hunting preserve. Prohibits computer assisted remote hunting on hunting preserves. Establishes penalties for certain violations.

Effective: Upon passage.

Eberhart, Leonard, Ober, Lehe

(SENATE SPONSORS — GLICK, MESSMER, YODER, STEELE, LEISING)

January 14, 2015, read first time and referred to Committee on Natural Resources.
February 10, 2015, amended, reported — Do Pass.
February 16, 2015, read second time, ordered engrossed.
February 17, 2015, engrossed. Read third time, passed. Yeas 55, nays 39.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Rules & Legislative Procedure.
March 26, 2015, reassigned to Committee on Natural Resources pursuant to Rule 68(b).
March 31, 2015, amended, reported favorably — Do Pass.
April 7, 2015, read second time, amended, ordered engrossed.
April 8, 2015, engrossed.
April 9, 2015, returned to second reading.
April 13, 2015, re-read second time, amended, ordered engrossed.

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Reprinted
April 14, 2015

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1453

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 14-8-2-37.6, AS ADDED BY P.L.93-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 37.6. "Cervidae", for purposes of
4 IC 14-22-20.5 ~~has the meaning set forth in IC 14-22-20.5-1.~~ **and**
5 **IC 14-22-20.7, means privately owned members of the cervidae**
6 **family, including deer, elk, moose, reindeer, and caribou.**
7 SECTION 2. IC 14-8-2-128.3 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE UPON PASSAGE]: **Sec. 128.3. "Hunting preserve",**
10 **for purposes of IC 14-22-20.7, has the meaning set forth in**
11 **IC 14-22-20.7-1.**
12 SECTION 3. IC 14-8-2-195 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 195. "Owner" has
14 the following meaning:
15 (1) For purposes of IC 14-11-4, the meaning set forth in

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- 1 IC 14-11-4-2.
 2 (2) For purposes of IC 14-15, a person who has the legal title to
 3 a watercraft.
 4 (3) For purposes of IC 14-16-1, the meaning set forth in
 5 IC 14-16-1-6.
 6 **(4) For purposes of IC 14-22-20.7, the meaning set forth in**
 7 **IC 14-22-20.7-2.**
 8 ~~(4)~~ (5) For purposes of IC 14-25-4, the meaning set forth in
 9 IC 14-25-4-4.
 10 ~~(5)~~ (6) For purposes of IC 14-27-7, the meaning set forth in
 11 IC 14-27-7-1.
 12 ~~(6)~~ (7) For purposes of IC 14-27-7.5, the meaning set forth in
 13 IC 14-27-7.5-4.
 14 ~~(7)~~ (8) For purposes of IC 14-36, the term includes the following:
 15 (A) Owners in fee.
 16 (B) Life tenants.
 17 (C) Tenants for years.
 18 (D) Holders of remainder of reversionary interests.
 19 (E) Holders of leaseholds or easements.
 20 (F) Holders of mineral rights.
 21 ~~(8)~~ (9) For purposes of IC 14-37, a person who has the right to
 22 drill into and produce from a pool and to appropriate the oil and
 23 gas produced from the pool for:
 24 (A) the person or others; or
 25 (B) the person and others.
 26 ~~(9)~~ (10) For the purposes of IC 14-22-10-2, the meaning set forth
 27 in IC 14-22-10-2(c).
 28 SECTION 4. IC 14-8-2-200.5 IS ADDED TO THE INDIANA
 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
 30 [EFFECTIVE UPON PASSAGE]: **Sec. 200.5. "Permitted animal",**
 31 **for purposes of IC 14-22-20.7, has the meaning set forth in**
 32 **IC 14-22-20.7-3.**
 33 SECTION 5. IC 14-22-20-1 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) **The owner**
 35 **of a hunting preserve licensed under IC 14-22-20.7 is not required**
 36 **to obtain a game breeder's license under this section.**
 37 (b) The department may, under rules adopted under IC 4-22-2, issue
 38 to a resident of Indiana, upon the payment of a fee of fifteen dollars
 39 (\$15), a license to:
 40 (1) propagate in captivity; and
 41 (2) possess, buy, or sell for this purpose only;
 42 game birds, game mammals, or furbearing mammals protected by



- 1 Indiana law.
 2 SECTION 6. IC 14-22-20.7 IS ADDED TO THE INDIANA CODE
 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 4 UPON PASSAGE]:
 5 **Chapter 20.7. Cervidae Hunting Preserves**
 6 **Sec. 1. As used in this chapter, "hunting preserve" means an**
 7 **area of land where permitted animals are hunted.**
 8 **Sec. 2. As used in this chapter, "licensed owner" means an**
 9 **owner of a hunting preserve who holds a license issued under this**
 10 **chapter.**
 11 **Sec. 3. As used in this chapter, "permitted animal" means a**
 12 **cervid:**
 13 (1) born and raised in Indiana; and
 14 (2) released on a hunting preserve.
 15 **Sec. 4. (a) The department shall issue an initial hunting preserve**
 16 **license to a person who:**
 17 (1) operated a hunting preserve during the 2014 calendar
 18 year;
 19 (2) meets all other requirements of this chapter; and
 20 (3) pays a fee of two thousand dollars (\$2,000).
 21 (b) A person seeking an initial hunting preserve license under
 22 this section must provide documentation to the department
 23 necessary to establish:
 24 (1) proof of the person's ownership of a hunting preserve in
 25 Indiana during the 2014 calendar year; and
 26 (2) proof that the person's hunting preserve was in operation
 27 during the 2014 calendar year.
 28 (c) A hunting preserve license issued under this section may be
 29 transferred or assigned. If a person acquires a hunting preserve
 30 through a sale, a lease, or a change in ownership of the hunting
 31 preserve, the person shall:
 32 (1) obtain a hunting preserve license from the department;
 33 and
 34 (2) meet the requirements set forth in this chapter;
 35 before maintaining or operating the hunting preserve. This
 36 subsection does not prevent a person who has acquired a hunting
 37 preserve from maintaining and operating the hunting preserve at
 38 a different location if the requirements in this chapter are met.
 39 (d) The department shall annually renew the hunting preserve
 40 license of a person who:
 41 (1) meets the requirements set forth in this chapter; and
 42 (2) pays an annual fee of three hundred dollars (\$300).



1 (e) All fees collected under this section must be distributed as
2 follows:

3 (1) Fifty percent (50%) to the department for deposit in the
4 fish and wildlife fund established by IC 14-22-3-2.

5 (2) Fifty percent (50%) to the Indiana board of animal health.

6 The fees must be used to pay necessary expenses incurred in
7 administering this chapter.

8 Sec. 5. Permitted animals, including their products, that are
9 born and raised on a farm in Indiana are the property of the
10 licensed owner of the hunting preserve containing the permitted
11 animals.

12 Sec. 6. (a) A hunting preserve must provide sufficient space and
13 cover to allow permitted animals the opportunity to elude hunters.

14 (b) A hunting preserve that allows hunting for cervidae must
15 meet the following requirements:

16 (1) The hunting preserve must contain at least one hundred
17 (100) contiguous acres in the area where cervidae are hunted.

18 (2) The hunting preserve must be enclosed by a fence that is
19 at least eight (8) feet in height and not more than six (6) inches
20 above the ground.

21 (3) Reasonable efforts must be made to clear the hunting
22 preserve of wild deer.

23 (4) The hunting preserve may not be bisected by a public
24 road, fencing, or any other barrier.

25 (5) The fence enclosing the hunting preserve must be marked
26 with signs that meet the specifications of the department.

27 (6) The hunting preserve must pass an annual inspection by
28 the department and the Indiana board of animal health.

29 Sec. 7. If a cervidae escapes from a hunting preserve, the owner
30 must report the escape to the department within twenty-four (24)
31 hours after the escape is discovered.

32 Sec. 8. (a) The owner of a hunting preserve may not release a
33 privately owned cervidae into the wild.

34 (b) The owner of a hunting preserve may not release cervidae on
35 a hunting preserve unless the cervid is a permitted animal.

36 Sec. 9. (a) A person who takes or hunts a permitted animal on
37 a hunting preserve is required to have a special hunting license
38 issued by the department.

39 (b) The department:

40 (1) shall issue a special hunting license that is required under
41 subsection (a); and

42 (2) may appoint owners or managers of a hunting preserve as



agents to sell the special hunting license.

(c) A special hunting license expires on April 30 immediately following the date the license is effective.

(d) The fee for a special hunting license issued under this section is equal to the fee charged by the department for a nonresident annual hunting license. All fees collected under this section shall be deposited in the fish and wildlife fund established by IC 14-22-3-2.

Sec. 10. (a) The department shall provide the licensed owner of a hunting preserve either a transportation tag or a cull tag for every cervidae taken on the hunting preserve. The licensed owner shall pay the department a fee of seventy-five dollars (\$75) per buck and twenty-five dollars (\$25) per doe for each transportation tag. The department shall provide cull tags to the licensed owner of a hunting preserve without charge.

(b) The owner of a hunting preserve shall cause a transportation tag to be affixed to each cervidae taken on the hunting preserve.

(c) An individual may not transport or possess a cervidae taken from a hunting preserve without a transportation tag.

(d) The transportation tag affixed to a cervidae taken on a hunting preserve under subsection (b) is considered to be the bill of sale for the sale of the cervidae by the owner of the hunting preserve to the hunter.

(e) An owner of a hunting preserve is not required to purchase a transportation tag for cervidae culled by the owner from the hunting preserve and transported directly for personal consumption, or to a butcher or charity. However, the owner shall cause a cull tag to be affixed to each cervidae culled by the owner.

Sec. 11. (a) A licensed owner of a hunting preserve must keep records of:

(1) the number of each permitted animal species purchased for the hunting preserve;

(2) the number of each species harvested in the hunting preserve; and

(3) the full name and address of each hunter who takes a permitted animal in the hunting preserve.

(b) All information required by this chapter must be recorded on forms supplied by the department. The records must be maintained for a period of two (2) years and must be open for inspection by employees of the department and the Indiana board of animal health during regular business hours.

Sec. 12. (a) Permitted animals may be hunted on a hunting preserve licensed under this chapter between one-half (1/2) hour



1 before sunrise and one-half (1/2) hour after sunset, but only from
2 August 15 through April 15.

3 (b) For permitted animals taken on the hunting preserve there
4 is not a bag limit, and both male and female animals may be taken.

5 (c) A licensed owner may charge fees for hunting on the hunting
6 preserve that reflect the class of animal hunted.

7 Sec. 13. (a) Only weapons that may legally be used in hunting on
8 other property in Indiana may be used in hunting on a hunting
9 preserve.

10 (b) A hunting preserve may not allow computer assisted remote
11 hunting.

12 (c) If a cervidae has been sedated, the hunting preserve may not
13 allow the cervidae to be hunted within twenty-four (24) hours of
14 sedation.

15 Sec. 14. (a) The department may not adopt rules that have the
16 effect of prohibiting or of unreasonably restricting the operation
17 of a hunting preserve.

18 (b) At any reasonable time, the:

19 (1) department may inspect a hunting preserve to investigate
20 a complaint; and

21 (2) Indiana board of animal health may inspect a hunting
22 preserve to investigate an issue concerning animal health.

23 Sec. 15. (a) Except as provided in subsection (b), a person who
24 violates this chapter is subject to the penalties set forth in
25 IC 14-22-38-1.

26 (b) A person who knowingly or intentionally violates section 7,
27 8, 13(b), or 13(c) of this chapter commits a Level 6 felony.

28 SECTION 7. IC 14-22-31-0.5 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE UPON PASSAGE]: Sec. 0.5. This chapter does not
31 apply to a hunting preserve licensed under IC 14-22-20.7.

32 SECTION 8. IC 15-17-7-7, AS ADDED BY P.L.2-2008, SECTION
33 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
34 PASSAGE]: Sec. 7. (a) This section does not apply to cervidae on a
35 hunting preserve licensed under IC 14-22-20.7.

36 (a) (b) Owners of cattle, goats, or cervids that are destroyed because
37 they have:

38 (1) reacted positively to a tuberculin test administered by:

39 (A) the state veterinarian or the state veterinarian's agent; or

40 (B) an agent of the United States Department of Agriculture;

41 or

42 (2) been exposed to tubercular animals;



1 are entitled to be indemnified for the cattle, goats, or cervids under the
 2 rules of the board and the United States Department of Agriculture, as
 3 applicable.

4 ~~(b)~~ (c) Indemnification by the state may not exceed the per animal
 5 limit set in the rules of the board.

6 ~~(c)~~ (d) Joint federal-state indemnity, plus salvage, may not exceed
 7 the appraised value of each animal.

8 ~~(d)~~ (e) State indemnity may not exceed federal indemnity on each
 9 animal.

10 SECTION 9. IC 15-17-10-7, AS ADDED BY P.L.2-2008,
 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 UPON PASSAGE]: Sec. 7. (a) Except as provided in subsection (b), an
 13 indemnity payment may not be made for the following:

14 (1) Animals or objects belonging to the United States.

15 (2) Animals or objects belonging to the state.

16 (3) Animals or objects brought into the state or moved in violation
 17 of this article, the rules of the board, or an agreement for the control of
 18 diseases or pests.

19 (4) Animals that were previously affected by any other disease or
 20 pest, which, from its nature and development, caused an incurable
 21 condition and was necessarily fatal.

22 (5) Animals or objects affected with disease or pest of animals
 23 that the owner purchased, knowing that the animals or objects were
 24 infected with or exposed to a disease or pest of animals, including
 25 animals or objects purchased from a place where a contagious disease
 26 or pest of animals was known to exist.

27 (6) Any animal or object that the owner or the owner's agent
 28 intentionally infects with or exposes to a disease or pest of animals.

29 (7) Any animal or object for which the owner received indemnity
 30 or reimbursement from any other source.

31 **(8) Any cervidae or objects on a hunting preserve licensed**
 32 **under IC 14-22-20.7.**

33 (b) The board may pay indemnity for animals or objects described
 34 in subsection (a)(3) through (a)(5) if the board finds that payment of
 35 indemnity is necessary to accomplish the purposes of this article.

36 SECTION 10. IC 35-52-14-27.5 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: **Sec. 27.5. IC 14-22-20.7-15 defines**
 39 **a crime concerning a hunting preserve.**

40 SECTION 11. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1453, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 7 through 11.

Page 3, line 16, delete "the" and insert **"farm raised and released cervidae."**

Page 3, delete lines 17 through 20.

Page 3, between lines 22 and 23, begin a new line block indented and insert:

"(1) owned and operated a hunting preserve in Indiana before December 31, 2014;

(2) meets the requirements set forth in this chapter; and

(3) pays a fee of two thousand dollars (\$2,000).

(b) A person seeking a hunting preserve license under this section must provide documentation to the department necessary to establish:

(1) proof of the person's ownership of a hunting preserve in Indiana before December 31, 2014; and

(2) proof that the person's hunting preserve was in operation before December 31, 2014.

(c) A hunting preserve license issued under this section may not be transferred or assigned. If a person acquires a hunting preserve through a sale, a lease, or a change in ownership of the hunting preserve, the person shall:

(1) obtain a hunting preserve license from the department; and

(2) meet the requirements set forth in this chapter;

before maintaining or operating the hunting preserve."

Page 3, delete lines 23 through 30.

Page 3, line 31, delete "(b)" and insert **"(d)"**.

Page 3, line 34, delete "hundred fifty dollars (\$250)." and insert **"thousand dollars (\$2,000)."**

Page 3, between lines 34 and 35, begin a new paragraph and insert:

"(e) All fees collected under this section must be distributed as follows:

(1) Fifty percent (50%) to the department.

(2) Fifty percent (50%) to the Indiana board of animal health.

The fees must be used to pay necessary expenses incurred in administering this chapter."

Page 4, line 6, delete "If a person begins to operate a preserve after



December" and insert "**The hunting preserve must contain at least one hundred (100) acres in the area where cervidae are hunted.**".

Page 4, delete lines 7 through 8.

Page 4, line 9, delete "preserve" and insert "**hunting preserve**".

Page 4, line 12, delete "preserve" and insert "**hunting preserve**".

Page 4, line 14, delete "preserve" and insert "**hunting preserve**".

Page 4, line 14, delete " road or" and insert "**road, fencing, or any other barrier.**".

Page 4, delete line 15.

Page 4, line 16, delete "preserve" and insert "**hunting preserve**".

Page 4, between lines 17 and 18, begin a new line block indented and insert:

"(6) The hunting preserve must pass a site inspection by the department and the Indiana board of animal health."

Page 4, delete lines 18 through 26.

Page 4, line 27, delete "8." and insert "7."

Page 4, line 30, delete "9." and insert "8."

Page 4, line 32, delete "10." and insert "9."

Page 4, line 42, delete "a leg of".

Page 5, line 4, delete "The owner of a hunting preserve shall provide each hunter".

Page 5, delete line 5.

Page 5, line 6, delete "hunting preserve."

Page 5, line 6, delete "leg of a".

Page 5, line 14, delete "a leg of".

Page 5, line 16, delete "11." and insert "10."

Page 5, line 29, delete "12." and insert "11."

Page 5, line 37, delete "13." and insert "12."

Page 5, between lines 41 and 42, begin a new paragraph and insert:

"Sec. 13. The department may not adopt rules that have the effect of prohibiting or of unreasonably restricting the operation of a hunting preserve."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1453 as introduced.)

EBERHART

Committee Vote: yeas 8, nays 4.



COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1453, 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:

Replace the effective dates in SECTIONS 1 through 7 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 36, delete "breeders" and insert "**breeder's**".

Page 3, delete lines 15 through 17, begin a new line block indented and insert:

"(1) either:

(A) meets the requirements set forth in this chapter; or

(B) for a person who operated a hunting preserve during the 2014 calendar year, meets the requirements set forth in this chapter, except as provided in section 6(c) and 6(d) of this chapter; and"

Page 3, line 18, delete "(3)" and insert "(2)".

Page 3, line 19, delete "this" and insert "**subsection (a)(1)(B)**".

Page 3, line 20, delete "section".

Page 3, line 23, delete "before December 31," and insert "**during the**".

Page 3, line 23, after "2014" insert "**calendar year**".

Page 3, line 24, after "operation" insert "**during the 2014 calendar year.**".

Page 3, delete line 25.

Page 3, line 37, delete "two thousand dollars (\$2,000)." and insert "**three hundred dollars (\$300).**".

Page 3, line 38, delete "distributed" and insert "**deposited**".

Page 3, line 40, delete "department." and insert "**fish and wildlife fund established by IC 14-22-3-2.**".

Page 4, delete lines 2 through 10, begin a new paragraph and insert:

"Sec. 5. Permitted animals, including their products, that are born and raised on a farm in Indiana are the property of the licensed owner of the hunting preserve containing the permitted animals."

Page 4, delete lines 15 and 16, begin a new line block indented and insert:

"(1) Except as provided under subsection (c), the hunting preserve must contain at least:

(A) one hundred twenty-five (125) contiguous acres where cervidae are hunted; and



(B) one hundred sixty (160) acres total."

Page 4, line 17, delete "The" and insert **"Except as provided under subsection (d), the"**.

Page 4, line 18, delete "eight (8)" and insert **"ten (10)"**.

Page 4, line 26, delete "a site" and insert **"an annual"**.

Page 4, between lines 27 and 28, begin a new paragraph and insert:

"(c) The hunting preserve for a person who qualifies for a license under section 4(a)(1)(B) of this chapter must contain not less than one hundred (100) contiguous acres in the area where cervidae are hunted.

(d) The hunting preserve for a person who qualifies for a license under section 4(a)(1)(B) of this chapter must be enclosed by a fence that is at least eight (8) feet in height and not more than six (6) inches above the ground. This subsection expires December 31, 2015."

Page 4, line 34, delete "not".

Page 4, line 34, after "have a" insert **"special"**.

Page 4, line 34, delete "." and insert **"issued by the department.**

(b) The department:

(1) shall issue a special hunting license that is required under subsection (a); and

(2) may appoint owners or managers of a hunting preserve as agents to sell the special hunting license.

(c) A special hunting license expires on April 30 immediately following the date the license is effective.

(d) All fees collected under this section shall be deposited in the fish and wildlife fund established by IC 14-22-3-2."

Page 4, line 35, delete "(b)" and insert **"Sec. 10. (a)"**.

Page 4, line 38, delete "fifty dollars (\$50)" and insert **"seventy-five (\$75)"**.

Page 4, line 42, delete "(c)" and insert **"(b)"**.

Page 5, line 2, delete "(d)" and insert **"(c)"**.

Page 5, line 4, delete "(e)" and insert **"(d)"**.

Page 5, line 5, delete "(c)" and insert **"(b)"**.

Page 5, line 8, delete "(f)" and insert **"(e)"**.

Page 5, line 13, delete "10." and insert **"11."**

Page 5, line 26, delete "11." and insert **"12."**

Page 5, line 34, delete "12." and insert **"13."**

Page 5, between lines 38 and 39, begin a new paragraph and insert:

"(c) If a cervidae has been sedated, the hunting preserve may not allow the cervidae to be hunted within twenty-four (24) hours of sedation."



Page 5, line 39, delete "13." insert "**14. (a)**".

Page 5, between lines 41 and 42, begin a new paragraph and insert:

"(b) At any reasonable time, the:

(1) department may inspect a hunting preserve to investigate a complaint; and

(2) Indiana board of animal health may inspect a hunting preserve to investigate an issue concerning animal health."

Page 6, after line 3, begin a new paragraph and insert:

"SECTION 8. IC 15-17-7-7, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a) This section does not apply to cervidae on a hunting preserve licensed under IC 14-22-20.7.**

~~(a)~~ **(b)** Owners of cattle, goats, or cervids that are destroyed because they have:

(1) reacted positively to a tuberculin test administered by:

(A) the state veterinarian or the state veterinarian's agent; or

(B) an agent of the United States Department of Agriculture;

or

(2) been exposed to tubercular animals;

are entitled to be indemnified for the cattle, goats, or cervids under the rules of the board and the United States Department of Agriculture, as applicable.

~~(b)~~ **(c)** Indemnification by the state may not exceed the per animal limit set in the rules of the board.

~~(c)~~ **(d)** Joint federal-state indemnity, plus salvage, may not exceed the appraised value of each animal.

~~(d)~~ **(e)** State indemnity may not exceed federal indemnity on each animal.

SECTION 9. IC 15-17-10-7, AS ADDED BY P.L.2-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Except as provided in subsection (b), an indemnity payment may not be made for the following:

(1) Animals or objects belonging to the United States.

(2) Animals or objects belonging to the state.

(3) Animals or objects brought into the state or moved in violation of this article, the rules of the board, or an agreement for the control of diseases or pests.

(4) Animals that were previously affected by any other disease or pest, which, from its nature and development, caused an incurable condition and was necessarily fatal.

(5) Animals or objects affected with disease or pest of animals that the owner purchased, knowing that the animals or objects were



infected with or exposed to a disease or pest of animals, including animals or objects purchased from a place where a contagious disease or pest of animals was known to exist.

(6) Any animal or object that the owner or the owner's agent intentionally infects with or exposes to a disease or pest of animals.

(7) Any animal or object for which the owner received indemnity or reimbursement from any other source.

(8) Any cervidae or objects on a hunting preserve licensed under IC 14-22-20.7.

(b) The board may pay indemnity for animals or objects described in subsection (a)(3) through (a)(5) if the board finds that payment of indemnity is necessary to accomplish the purposes of this article.

SECTION 10. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1453 as printed February 10, 2015.)

GLICK, Chairperson

Committee Vote: Yeas 6, Nays 3.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1453 be amended to read as follows:

Page 3, line 11, delete "farm" and insert "**a cervid:**

(1) born and raised in Indiana; and

(2) released on a hunting preserve."

Page 3, delete line 12.

Page 3, delete lines 16 through 20, begin a new line double block indented and insert:

"(A) meets the acreage requirements set forth in section 6(b)(1) of this chapter and the fencing requirements set forth in section 6(b)(2) of this chapter; or

(B) for a person who operated a hunting preserve during the 2014 calendar year, meets the acreage requirements set forth in section 6(c) of this chapter and the fencing requirements set forth in section 6(d) of this chapter (before its expiration);

(2) meets all other requirements of this chapter; and"

Page 3, line 21, delete "(2)" and insert "(3)".

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Page 3, line 41, delete "deposited" and insert "**distributed**".

Page 4, line 1, after "to" insert "**the department for deposit in**".

Page 4, line 31, delete "a license" and insert "**an initial license**".

Page 4, line 35, delete "a license" and insert "**an initial license**".

Page 5, line 13, after "(d)" insert "**The fee for a special hunting license issued under this section is equal to the fee charged by the department for a nonresident annual hunting license.**".

Page 5, line 18, after "seventy-five" insert "**dollars**".

(Reference is to EHB 1453 as printed April 1, 2015.)

GLICK

SENATE MOTION

Madam President: I move that House Bill 1453, which is eligible for third reading, be returned to second reading for purposes of amendment.

GLICK

SENATE MOTION

Madam President: I move that Engrossed House Bill 1453 be amended to read as follows:

Page 3, line 17, delete "either:".

Page 3, delete lines 18 through 20.

Page 3, line 21, delete "(B) for a person who".

Page 3, line 22, delete ", meets the acreage requirements set" and insert ";".

Page 3, run in lines 17 through 22.

Page 3, delete lines 23 through 25.

Page 3, line 28, delete "a" and insert "**an initial**".

Page 3, line 29, delete "subsection (a)(1)(B)" and insert "**this section**".

Page 3, line 35, delete "not".

Page 3, line 42, after "preserve." insert "**This subsection does not prevent a person who has acquired a hunting preserve from maintaining and operating the hunting preserve at a different location if the requirements in this chapter are met.**".

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Page 4, line 20, delete "Except as provided under subsection (c), the" and insert "**The**".

Page 4, line 21, delete ":" and insert "**one hundred (100) contiguous acres in the area where cervidae are hunted.**".

Page 4, delete lines 22 through 24.

Page 4, line 25, delete "Except as provided under subsection (d), the" and insert "**The**".

Page 4, line 26, delete "ten (10)" and insert "**eight (8)**".

Page 4, delete lines 37 through 42.

Page 5, delete lines 1 through 3.

Page 5, line 7, after "8." insert "**(a)**".

Page 5, between lines 8 and 9, begin a new paragraph and insert:
"(b) The owner of a hunting preserve may not release cervidae on a hunting preserve unless the cervid is a permitted animal."

(Reference is to EHB 1453 as reprinted April 8, 2015.)

GLICK

SENATE MOTION

Madam President: I move that Engrossed House Bill 1453 be amended to read as follows:

Page 6, between lines 37 and 38, begin a new paragraph and insert:

"Sec. 15. (a) Except as provided in subsection (b), a person who violates this chapter is subject to the penalties set forth in IC 14-22-38-1.

(b) A person who knowingly or intentionally violates section 7, 8, 13(b), or 13(c) of this chapter commits a Level 6 felony."

Page 8, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 10. IC 35-52-14-27.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 27.5. IC 14-22-20.7-15 defines a crime concerning a hunting preserve."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1453 as reprinted April 8, 2015.)

GLICK

