TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule

LSA Document #23-525

DIGEST

Temporarily amends <u>312 IAC 8-2-3</u> to remove the licensure requirement for a person to possess a handgun on a department of natural resources property other than a reservoir owned by the U.S. Army Corp of Engineers and Falls of the Ohio State Park to reflect changes in Indiana law. Effective June 30, 2023.

SECTION 1. (a) A person may not possess a firearm or bow and arrows on a DNR property unless one (1) of the following conditions applies:

- (1) The firearm or bow and arrows are:
 - (A) unloaded and unnocked; and
 - (B) placed in a case or locked within a vehicle.
- (2) The firearm or bow and arrows are possessed at, and of a type designated for usage on:
 - (A) a rifle;
 - (B) a pistol;
 - (C) a shotgun; or
 - (D) an archery;

range.

- (3) The firearm or bow and arrows are used in the lawful pursuit of the following:
 - (A) A wild animal on a department property authorized for that purpose.
 - (B) A groundhog as authorized by a license.
- (4) The person possesses a handgun on a DNR property other than a reservoir owned by the U.S. Army Corps of Engineers or Falls of the Ohio State Park.
- (b) Except as provided in subsection (a)(1) or (a)(4), a firearm or bow and arrows may not be possessed on a department property in any of the following locations:
 - (1) A nature preserve or other property administered by the division of nature preserves unless hunting is authorized under subsection (d).
 - (2) A property administered by the division of state museums and historic sites.
 - (3) A campground.
 - (4) A picnic area.
 - (5) A beach.
 - (6) A service area.
 - (7) A headquarters building.
 - (8) A hunter check station.
 - (9) A developed recreation site.
 - (c) A person may not discharge a firearm or bow and arrows on a DNR property except as follows:
 - (1) As authorized for a law enforcement officer.
 - (2) In the lawful defense of a person or property.
 - (3) Under a department permit that authorizes the discharge.
 - (4) As authorized at a shooting range.
 - (5) In the lawful pursuit of a wild animal, except when the discharge occurs less than two hundred (200) feet from the following:
 - (A) A campsite.
 - (B) A boat dock.
 - (C) A launching ramp.
 - (D) A picnic area.
 - (E) A bridge.
 - (d) A person may hunt on the following department properties:
 - (1) A state forest administered by the division of forestry, including a portion of a state forest that is a nature preserve.
 - (2) A reservoir property administered by the division of state parks and reservoirs.
 - (3) A wildlife area administered by the division of fish and wildlife, including a portion of a wildlife area that is a nature preserve.

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(4) A nature preserve or another property administered by the division of nature preserves, if

approved in a written authorization by:

- (A) the director of the division of nature preserves; and
- (B) the owner of the nature preserve, if the owner is other than the state of Indiana.
- (e) A person hunting in an area described in subsection (d) shall do the following:
- (1) Comply with all federal and state:
 - (A) hunting;
 - (B) trapping; and
 - (C) firearms;

laws.

- (2) In a fish and wildlife area and a reservoir property, obtain a one (1) day hunting permit and record from a checking station. The person shall:
 - (A) retain the permit and record card while in the field for the authorized date; and
 - (B) as directed, return the permit and record card to the department.
- (3) Refrain from hunting on a nature preserve if prohibited by signage posted at the site.
- (f) Unless otherwise posted or designated on a property map, a person may not place a trap except as authorized by a license issued for a property by an authorized representative. This license is in addition to the licensing requirement for a trap under IC 14-22-11-1.
 - (g) A person may not run a dog, except:
 - (1) during the lawful pursuit of a wild animal; or
 - (2) as authorized by a license for a field trial or in a designated training area.

A property administered by the division of fish and wildlife may be designated for training purposes without requiring a license for a field trial. Only dogs may be used during a field trial on a department property, except where authorized by a license for a fish and wildlife property.

- (h) A person may not construct or place a tree blind or other hunting blind except under 312 IAC 9-3-3 and 312 IAC 9-4-2.
 - (i) The following terms apply to the use of shooting ranges:
 - (1) A person may not use a shooting range unless the person is:
 - (A) at least eighteen (18) years of age; or
 - (B) accompanied by a person who is at least eighteen (18) years of age.
 - (2) A person may:
 - (A) register with the department; and
 - (B) pay any applicable fees:

before using a shooting range.

- (3) Except as otherwise provided in this subdivision, a person may shoot only at paper targets placed on target holders provided by the department. An authorized representative may approve the use of an alternative target on a supervised shooting range if the department determines a hazard to public safety would not result.
- (4) A person may fire downrange and take reasonable care to assure any projectile is stopped by the range backstop.
- (5) Shot not larger than size six (6) must be used on a shotgun range.
- (6) A person may not:
 - (A) discharge a firearm using automatic fire;
 - (B) use tracer, armor-piercing, or incendiary rounds;
 - (C) play on, climb on, walk on, or shoot into or from the side berms; or
 - (D) shoot at clay pigeons, except on a site designated for shooting clay pigeons.

Glass and other forms of breakable targets may not be used on a shooting range.

- (7) A person shall dispose of the targets used by the person under section 2(a) of this rule [sic, $\underline{312}$ [AC 8-2-2(a)].
- (8) Permission must be obtained from the department in advance for a shooting event that involves the following:

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- (A) An entry fee.
- (B) Competition for the following:
 - (i) Cash.
 - (ii) Awards.
 - (iii) Trophies.
 - (iv) Citations.

- (v) Prizes.
- (C) The exclusive use of the range or facilities.
- (D) A portion of the event occurs between sunset and sunrise.
- (9) On a field course, signs and markers must be staked. Trees must not be marked or damaged.
- (j) A person may not take a reptile or an amphibian unless the person is issued a scientific purposes license under 312 IAC 9-10-6 except for the following:
 - (1) an eastern snapping turtle;
 - (2) a smooth softshell turtle;
 - (3) a spiny softshell turtle;
 - (4) a bullfrog; and
 - (5) a green frog;

taken under 312 IAC 9-5-6 from a department property where hunting or fishing is authorized.

(k) A person may not possess lead shot while hunting mourning doves on a department property.

SECTION 2. This document shall expire July 1, 2024.

LSA Document #23-525

Filed with Publisher: June 20, 2023, 1:40 p.m.

Posted: 06/28/2023 by Legislative Services Agency

An html version of this document.