

INDIANA GAME BREEDER LICENSE LAWS

IC 14-22-20 Chapter 20. Breeder's License

IC 14-22-20-1

Issuance; fee

Sec. 1. The department may, under rules adopted under IC 4-22-2, issue to a resident of Indiana, upon the payment of a fee of fifteen dollars (\$15), a license to:

- (1) propagate in captivity; and
- (2) possess, buy, or sell for this purpose only;

game birds, game mammals, or furbearing mammals protected by Indiana law.

As added by P.L.1-1995, SEC.15.

IC 14-22-20-2

Sales authorized; application

Sec. 2. A license issued under this chapter authorizes the sale of nonmigratory game birds, game mammals, or furbearing mammals for breeding purposes or for release and nonmigratory game birds for food purposes.

A person who:

- (1) acquires a game bird, game mammal, or furbearing mammal alive, legally in open season; or
- (2) purchases the bird or mammal from a licensed game breeder;

may apply for a breeder's license within five (5) days after acquiring the animal from the licensed game breeder or within five (5) days after the last day of the open season for the animal. Otherwise, the animal shall be released.

As added by P.L.1-1995, SEC.15.

IC 14-22-20-3

Importation of out-of-state animals

Sec. 3. An animal raised domestically by an out-of-state breeder may be imported into Indiana and sold for food purposes. A purchaser of such an animal raised domestically by an out-of-state breeder must be able to show legal proof of out-of-state origin for all animals possessed.

As added by P.L.1-1995, SEC.15.

312 IAC 9-10-4 Game breeder and exotic cervidae licenses

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-20

Affected: IC 4-21.5; IC 14-22-20.5-2

Sec. 4. (a) A person shall apply for a license as a game breeder on a departmental form.

(b) A license holder under this section may possess one (1) or more of the following:

- (1) Ring-necked pheasant (*Phasianus colchicus*).
- (2) Bobwhite quail (*Colinus virginianus*).
- (3) Eastern cottontail rabbit (*Sylvilagus floridanus*).
- (4) Gray squirrel (*Sciurus carolinensis*).
- (5) Fox squirrel (*Sciurus niger*).
- (6) Beaver (*Castor canadensis*).
- (7) Coyote (*Canis latrans*).
- (8) Gray fox (*Urocyon cinereoargenteus*).
- (9) Red fox (*Vulpes vulpes*).
- (10) Mink (*Mustela vison*).
- (11) Muskrat (*Ondatra zibethicus*).
- (12) Opossum (*Didelphis marsupialis*).

- (13) Raccoon (*Procyon lotor*).
- (14) Striped skunk (*Mephitis mephitis*).
- (15) Long-tailed weasel (*Mustela frenata*).
- (16) Least weasel (*Mustela nivalis* or *Mustela rixosa*).

(c) Notwithstanding subsections (a) and (b), a person shall apply for a cervidae breeder license authorized at IC 14-22-20.5 on a departmental form to lawfully acquire and possess cervidae, including deer (all species), elk (*Cervus canadensis*), caribou (all species), moose (*Alces alces*), or a first generation hybrid or genetically altered mammal of the cervidae family that is:

- (1) privately-owned;
- (2) legally obtained;
- (3) born in captivity; and
- (4) possessed by a cervidae livestock operation in accordance with IC 14-22-20.5-2.

(d) A license holder under subsection (a) may lawfully acquire and possess the following:

- (1) Furbearing mammals and eastern cottontail rabbits that must have been one (1) of the following:
 - (A) Lawfully taken in season.
 - (B) Born in captivity.
- (2) Fox squirrels and gray squirrels must have been born in captivity.
- (3) Ring-necked pheasants and bobwhite quail must have been hatched in captivity.

(e) A license holder under subsection (a) may possess the following:

- (1) Furbearing mammals, squirrels, and eastern cottontail rabbits for breeding purposes under IC 14-22-20.
- (2) Ring-necked pheasants and bobwhite quail for:
 - (A) breeding purposes;
 - (B) food; or
 - (C) release.

(f) A license holder under subsection (c) may possess cervidae and their products for:

- (1) breeding;
- (2) propagating;
- (3) purchasing;
- (4) marketing; and
- (5) selling;

under IC 14-22-20.5.

(g) A person must apply for a license under this section within five (5) days after the:

- (1) acquisition of an animal within Indiana; or
- (2) importation of an animal into Indiana.

Each enclosure for these animals must be inspected by a conservation officer before a license may be issued.

(h) A license holder under this section may add a species other than those identified in the application upon:

- (1) an inspection by a conservation officer; or
- (2) approval by the division of fish and wildlife.

A conservation officer must be notified within five (5) days of acquisition of the new species.

(i) A license holder under this section who imports:

- (1) any live animal under this license; or
- (2) the eggs of birds covered under this license;

must secure a certificate of veterinary inspection from an accredited veterinarian in the state of origin before the animal is shipped into Indiana. Documentation in the form of a copy of a valid game breeder license or valid dated receipt that establishes lawful acquisition or ownership must accompany any transportation of wild animals.

(j) A license holder under this section must present at least one (1) of the following for inspection upon the request of a conservation officer for each animal possessed:

- (1) A receipt.
- (2) An invoice.
- (3) Other satisfactory evidence of lawful acquisition, including documentation of natural birth.

(k) For ring-necked pheasants, bobwhite quail, furbearing mammals, eastern cottontail rabbits, fox squirrels, and gray squirrels, the following requirements apply:

- (1) A wild animal must be confined in a cage or other enclosure that:
 - (A) makes escape of the animal unlikely; and
 - (B) prevents the entrance of a free-roaming animal of the same species.
- (2) The cage or enclosure shall be large enough to:
 - (A) allow the wild animal to turn about freely; and
 - (B) make normal postural adjustments.
- (3) All chainlink or welded wire edges shall be:
 - (A) smoothly secured to prevent injury to the animals; and
 - (B) kept properly repaired.
- (4) Night quarters, holding pens, and nesting boxes may not be used as primary housing.
- (5) The following shall be provided as required for the comfort of the particular species of animal:
 - (A) Fresh water.
 - (B) Rainproof dens.
 - (C) Nest boxes.
 - (D) Windbreaks.
 - (E) Shelters.
 - (F) Shade.
 - (G) Bedding.
- (6) Each animal shall be handled, housed, and transported in a sanitary and humane manner.
- (7) An enclosure must be provided with sufficient drainage to prevent standing water from accumulating.
- (8) The cages or other enclosures must be made available upon request for inspection by a conservation officer.

(l) For cervidae, the following enclosure requirements apply:

- (1) The enclosure must have a perimeter fence with a height of at least eight (8) feet from the ground to the top of the fence at all parts of the structure to:
 - (A) make the escape of an animal unlikely; and
 - (B) prevent the entrance of a free-roaming animal of the same species.
- (2) Fence bottoms shall be installed at or near the ground level but not more than six (6) inches above ground level.
- (3) If topographic, natural, or other conditions exist that would enable an animal to pass through, over, or under the fence, the permit holder must supplement the fence as necessary to prevent egress.
- (4) Perimeter fencing materials shall be of a fencing strength, weave, and construction that prevents the escape of an animal into the wild and may include, but are not limited to, high tensile game fence that is at least fourteen and one-half (14 1/2) gauge, chainlink fence of at least nine (9) gauge, welded wire fence of at least twelve and one-half (12 1/2) gauge, wood fence or farm buildings.
- (5) All chainlink or welded wire fence edges shall be:
 - (A) smoothly secured to prevent injury to the animals; and
 - (B) kept properly repaired.
- (6) The license holder under this section or their designees must maintain the perimeter fencing in good condition at all times.

(7) The license holder under this section or their designees must maintain a log of perimeter fence inspections that records the following:

- (A) The inspection date.
- (B) The inspection time.
- (C) The individual or individuals performing the inspection.
- (D) Any noted deficiencies or repairs made.

(8) A license holder under this section must report the escape of any cervidae possessed under this section to a conservation officer within twenty-four (24) hours after knowledge of the escape or knowledge of potential escape. Knowledge of potential escape shall include, but not be limited to, significant damage to the perimeter fence that is likely to allow escape or the license holder is unable to account for all of the animals possessed under this license, or both.

(9) A license holder under this section shall secure and install padlocks on all remote perimeter gates.

(10) Upon a request by a conservation officer, any enclosure must be made available for inspection.

(m) To provide for the comfort and overall health of each cervidae possessed under this section, the license holder shall provide the following:

(1) Fresh water must be provided as follows:

- (A) Available at all times.
- (B) May be provided by:
 - (i) public water utilities;
 - (ii) wells;
 - (iii) cisterns;
 - (iv) ponds; or
 - (v) streams.

(2) Feed must be provided as follows:

- (A) Where adequate pasture or natural vegetation is available to meet the nutritional needs of each animal, supplemental feeding is not necessary.
- (B) Where adequate pasture or natural vegetation is not available to meet the nutritional needs of each animal, supplemental feed or a complete feed ration must be made available to prevent:
 - (i) malnutrition;
 - (ii) poor body condition;
 - (iii) debility;
 - (iv) stress;
 - (v) illness; or
 - (vi) disease.

(3) Windbreaks, shelters, and shade must be provided as follows:

- (A) Protection of each animal from the extreme elements of heat, cold, or wind must be provided at all times and in all enclosures where animals are housed.
- (B) Protection from the elements may include, but shall not be limited to, one (1) or more of the following:
 - (i) Barns.
 - (ii) Shelters.
 - (iii) Man-made or natural windbreaks.
 - (iv) Tarps.
 - (v) Shade cloth.
 - (vi) Trees.
 - (vii) Hedge rows.
 - (viii) Tall grass and weeds.

(4) Bedding must be provided as follows:

(A) Each enclosure must provide high ground, shelters, or bedding areas that prevent the animal from lying or standing in mud or water that is ankle deep for more than ten (10) consecutive days.

(B) Each enclosure used to house cervidae must be provided with sufficient drainage to prevent stagnant water or deep mud throughout the enclosure such that the animals in the enclosure can turn about freely and obtain food and water without standing in stagnant water or deep mud.

(5) Enclosures must be provided as follows:

(A) Each enclosure shall be large enough to allow the animal to:

- (i) turn about freely; and
- (ii) make normal postural adjustments.

(B) Periodic crowding of animals of less than four (4) months may be necessary for the following:

- (i) Wintering of animals and pasture preservation.
- (ii) Breeding.
- (iii) Medicating or vaccinating, or both.
- (iv) Tuberculosis and brucellosis testing to maintain herd status.
- (v) Handling and tranquilization.

(6) Each cervidae shall be handled, housed, and transported in a sanitary and humane manner.

(n) Each cervidae possessed under this section must be individually and uniquely identified in accordance with 345 IAC 2-7 prior to leaving the license holder's premises.

(o) A license holder under this section that possesses cervidae must do the following:

(1) Register with the state veterinarian each location where cervidae are being kept and acquire a premises identification under 345 IAC 2-7.

(2) Register with the state veterinarian and enroll in the chronic wasting disease (CWD) program under 345 IAC 2-7.

(3) Adhere to Indiana cervidae importation requirements as designated by the state veterinarian. Prior to importation, a permit from the state veterinarian must be acquired under 345 IAC 1-3 and 345 IAC 2-7.

(4) Handle all deaths of cervidae older than twelve (12) months of age as follows in accordance with 345 IAC 2-7:

(A) Report each incident to the state veterinarian.

(B) Test each disease-susceptible cervid for CWD if suitable for testing.

(C) Follow CWD sample submission protocol that is designated by the state veterinarian.

(5) Allow for an annual herd inspection by the Indiana state board of animal health and provide records under 345 IAC 2-7 for the following:

(A) Official cervid identifications.

(B) Additions and removals from herd that include dates, names, addresses or contact information.

(C) Postmortem reports.

(p) Cervidae and their products may be sold in Indiana in accordance with IC 14-22-20 or out of state for any legal purpose.

(q) An animal possessed under this section may be administered a pharmaceutical product in accordance with state and federal laws and approved by a state or federal agency for the purpose of prevention or treatment of any of the following:

(1) Malnutrition.

(2) Illness.

(3) Disease.

- (4) Injury.
- (5) Stress.

A licensed veterinarian may administer to an animal an immobilizing agent, tranquilizer, or drug for euthanasia in compliance with all state and federal laws. A license holder under this section or authorized handler may use an immobilizing agent or tranquilizer, as directed by a licensed veterinarian, to assist in the safe handling and transportation of cervidae.

(r) A license holder under this section shall not release animals possessed under this section except for bobwhite quail and ring-necked pheasants. A license holder under this section shall not release known diseased bobwhite quail and ring-necked pheasants.

(s) A license holder under this section must not sell an animal possessed under this section if the animal is known to be diseased.

(t) A license holder under this section must comply with all applicable state, local, or other federal laws that govern the possession and sale of the animals possessed under this section.

(u) A license holder under this section shall do the following:

- (1) Maintain an inventory of all wild animals possessed under this section.
- (2) Record all additions and deletions to the inventory for every wild animal that is:
 - (A) born or has died;
 - (B) sold;
 - (C) traded;
 - (D) loaned;
 - (E) bartered; or
 - (F) given to another person;

on a signed departmental form or computerized record with a signature that is either electronic or in ink. If recorded on a departmental form, the person must complete the form in ink.

(3) Keep a copy of the complete and accurate inventory on the premises of the game breeder.

(4) Provide a copy of the inventory to a conservation officer upon request.

(5) Issue a valid, dated receipt prepared in ink for all animals or their products that are sold, traded, bartered, or gifted and include the following information:

- (A) Game breeder license number.
- (B) Buyer and seller name and address.
- (C) Number of animals or products sold.
- (D) Species of animal sold.

A copy of all of the receipts issued must be on the premises of the game breeder for at least five (5) years after the year of the transaction.

(v) A license expires on December 31 of the year the license is issued. The license holder must file an application with the division by January 31 of each year in order to renew the license. The annual report must accompany the renewal application and shall include for each species possessed under this license the number:

- (1) bought;
- (2) sold;
- (3) born;
- (4) traded;
- (5) gifted;
- (6) of deaths; and
- (7) on hand.

(w) A conservation officer may enter the premises of the license holder at all reasonable hours to conduct an inspection in accordance with subsections (x) and (y).

(x) During an inspection, the license holder or the license holder's designee shall comply with both of the following:

- (1) Meet the conservation officer at the time of inspection to provide access to all enclosures where animals possessed under a license issued under this section are housed.
- (2) Provide access to all records relative to the license issued under this section.

(y) While conducting an inspection, the conservation officer must comply with the following:

- (1) Upon request of the license holder or the license holder's designee and prior to entering the enclosure where animals are housed, follow appropriate sanitation practices to prevent the spread of disease if the license holder provides sanitation supplies or protective equipment.
- (2) Give due consideration to the safety and welfare of the animals.
- (3) Notify the license holder if the inspection reveals a violation of this section or IC 14-22-20. The conservation officer may make a second inspection after no sooner than fifteen (15) days after the reported violations unless critical conditions exist as determined at the reasonable discretion of the conservation officer. The wild animals may be confiscated if the license holder fails to correct the violations of the license requirements.

(z) A license may be suspended, denied, or revoked under IC 4-21.5 if the license holder fails to comply with any of the following:

- (1) A provision of a license issued under this section.
- (2) IC 14-22-20.
- (3) All applicable state, local, or other federal laws.

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