

IC 14-22-11

Chapter 11. Licenses and Permits; General Provisions

IC 14-22-11-1

"Farmland" defined; license requirements and conditions

Sec. 1. (a) As used in this section, "farmland" means agricultural land that is:

- (1) devoted or best adaptable for the production of crops, fruits, timber, and the raising of livestock; or
- (2) assessed as agricultural land for property tax purposes.

(b) An individual may not take or chase, with or without dogs, a wild animal without having a license, except as follows:

- (1) An individual who is a resident or nonresident of Indiana while participating in a field trial that has been sanctioned by the director is not required to possess a license while participating in the trial.
- (2) Subject to subsection (d), an owner of farmland located in Indiana who is a resident or nonresident of Indiana and the spouse and children living with the owner may hunt, fish, and trap without a license on the land that the owner owns.
- (3) A lessee of farmland who farms that land and is a resident of Indiana and the spouse and children living with the lessee may hunt, fish, and trap without a license on the leased land.

This subdivision does not apply to land that is:

- (A) owned, leased, or controlled by; and
- (B) leased from;

the department.

(4) An individual who:

- (A) is less than thirteen (13) years of age;
- (B) does not possess a bow or firearm; and
- (C) is accompanying an individual who:
 - (i) is at least eighteen (18) years of age; and
 - (ii) holds a valid license;

may chase a wild animal without having a license.

(c) The exceptions provided in this section do not apply to a commercial license issued under this article.

(d) The right of a nonresident who owns farmland in Indiana (and of the spouse and children who reside with the nonresident) to hunt, fish, and trap on the farmland without a license under subsection (b)(2) is subject to the following conditions:

- (1) The nonresident may hunt, fish, and trap on the farmland without a license only if the state in which the nonresident resides allows residents of Indiana who own land in that state to hunt, fish, and trap on their land without a license.
- (2) While hunting, fishing, or trapping on the farmland, the nonresident must keep proof that the nonresident owns the farmland (for example, a tax receipt identifying the nonresident as owner) in a place where the proof is readily accessible by the nonresident.

As added by P.L.1-1995, SEC.15. Amended by P.L.139-1997, SEC.1;

P.L.25-1998, SEC.1; P.L.186-2003, SEC.60.

IC 14-22-11-2

Raccoon hunting

Sec. 2. (a) Except as provided in subsection (b), the season for taking raccoons is closed to nonresidents of Indiana.

(b) The director may open the season on raccoons to the residents of another state on the same days and during the same hours that the raccoon season in the nonresident's state of residence is open to residents of the nonresident's state. However, a nonresident may not take raccoons in Indiana when the season is closed in Indiana even if the raccoon taking season is open in the nonresident's state.

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

IC 14-22-11-3

License; issuance; form

Sec. 3. (a) An applicant for a hunting, trapping, or fishing license must provide the applicant's Social Security number in order to obtain the license. Social Security numbers acquired under this subsection shall be kept confidential and used only to carry out the purposes of the Title IV-D program.

(b) The director and agents appointed by the director as authorized representatives of the department shall issue hunting, trapping, and fishing licenses.

(c) The clerk of the circuit court in each county may issue hunting, trapping, and fishing licenses.

(d) Each hunting, trapping, or fishing license must be in a form prescribed by the director. The director may furnish the clerks and agents with all necessary equipment needed to issue a license.

(e) All licenses, stamps, or permits purchased electronically are valid only with the original signature of the licensee on the form prescribed by the director. The licensee's signature serves as an affidavit that the license, stamp, or permit information is true and accurate.

(f) A person who violates the confidentiality requirement of subsection (a) commits a Class A infraction.

As added by P.L.1-1995, SEC.15. Amended by P.L.188-2001, SEC.2; P.L.52-2002, SEC.2; P.L.86-2002, SEC.4; P.L.176-2002, SEC.8; P.L.1-2003, SEC.59; P.L.225-2005, SEC.20.

IC 14-22-11-4

License; expiration

Sec. 4. (a) Except as provided in IC 14-22-13-9 and IC 14-22-15-3, each yearly hunting or fishing license expires on March 31 of the year following the year in which the license became effective.

(b) A yearly trapping license expires on March 31 of the year following the year in which the license became effective.

As added by P.L.1-1995, SEC.15. Amended by P.L.17-1997, SEC.4; P.L.225-2005, SEC.21.

IC 14-22-11-5

Hunter education

Sec. 5. (a) This section does not apply to an individual issued an apprentice license under IC 14-22-12-1.7.

(b) In addition to other requirements for obtaining a hunting license, a person born after December 31, 1986, must have successfully completed the course of instruction in hunter education offered by the department or the department's agent under IC 14-22-35.

(c) If an applicant for a hunting license who is subject to subsection (b) requests that a hunter education course be offered in the applicant's county of residence, the department or the department's agent shall offer a hunting safety course under IC 14-22-35 in the applicant's county of residence not more than ninety-two (92) days after receiving a request.

As added by P.L.1-1995, SEC.15. Amended by P.L.14-2008, SEC.1.

IC 14-22-11-6

Possession of hunting license

Sec. 6. Except as provided in sections 1 and 18 of this chapter, every person must have a hunting license in the person's possession when hunting.

As added by P.L.1-1995, SEC.15. Amended by P.L.132-2006, SEC.2.

IC 14-22-11-7

Possession of trapping license

Sec. 7. Except as provided in section 1 of this chapter, every person must have a trapping license in the person's possession when trapping.

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

IC 14-22-11-8

Fishing license and trout - salmon stamp requirements; exceptions

Sec. 8. (a) This section does not apply to the following:

- (1) A person who is:
 - (A) a resident of Indiana; and
 - (B) an individual born before April 1, 1943.
- (2) A person who is less than eighteen (18) years of age.
- (3) A person who is legally blind.
- (4) A person who is a resident patient of a state mental institution.
- (5) A person who is:
 - (A) a resident of a health facility (as defined in IC 16-18-2-167) licensed in Indiana; and
 - (B) taking part in a supervised activity of the health facility.
- (6) A person who:
 - (A) is a resident of Indiana; and
 - (B) has a developmental disability (as defined by IC 12-7-2-61).
- (7) A person whose only participation in fishing is to assist an

individual described in subdivision (3), (4), (5), or (6).

(8) A resident of Indiana who fishes during a free sport fishing day designated under IC 14-22-18.

(b) Every person must have a fishing license in the person's possession when fishing in:

- (1) waters containing state owned fish;
- (2) waters of the state; or
- (3) boundary waters of the state.

(c) Every person must have a valid trout-salmon stamp in the person's possession to legally fish for or take trout or salmon in:

- (1) waters containing state owned fish;
- (2) waters of the state; or
- (3) boundary waters of the state.

As added by P.L.1-1995, SEC.15. Amended by P.L.84-2000, SEC.1; P.L.149-2002, SEC.1; P.L.14-2007, SEC.1; P.L.18-2009, SEC.2.

IC 14-22-11-9

Special licenses

Sec. 9. If a special hunting, trapping, or fishing license is issued, a regular license is not required.

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

IC 14-22-11-10

Resident licenses for nonresidents

Sec. 10. (a) A nonresident of Indiana who is:

- (1) on active duty with a branch or department of the armed forces of the United States while stationed in Indiana; or
- (2) in the employment of:
 - (A) the United States Fish and Wildlife Service; or
 - (B) the conservation department of a state, territory, or possession of the United States; and

in Indiana for the purpose of advising or consulting with the department;

may hunt or fish in Indiana after obtaining the proper resident license. A nonresident described in this subsection must carry on the nonresident's person, when fishing or hunting, the license and a card or other evidence that identifies the nonresident as a person qualified to obtain a license under this subsection.

(b) A nonresident of Indiana who:

- (1) is less than eighteen (18) years of age; and
- (2) has a parent, grandparent, or legal guardian who is a resident of Indiana;

may hunt, fish, or trap in Indiana after obtaining the proper resident license.

As added by P.L.1-1995, SEC.15. Amended by P.L.77-2000, SEC.1.

IC 14-22-11-11

Resident members of armed forces

Sec. 11. A resident of Indiana on leave from the armed forces of the United States may hunt or fish any species in season without a

license for the duration of the person's leave. However, when the person is hunting or fishing, the person must show the person's leave orders and motor vehicle operator's license or voter registration card to prove residence in Indiana to a law enforcement officer requesting to see the leave orders and license or card.

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

IC 14-22-11-12

Form; scope of rules or restrictions

Sec. 12. (a) Each license, permit, certificate, seal, stamp, tag, order, and rule required or authorized by this article must be in the form prescribed by the director, unless otherwise provided in this article.

(b) A rule or restriction that the director is authorized by this article to make or prescribe and incorporate in or attach to a license or permit issued under this article means only the rules or restrictions that are:

- (1) necessary and proper for adequate protection or propagation of wild animals; or
- (2) necessary to promote the general purpose of this article.

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

IC 14-22-11-13

Resident license falsely procured by nonresident

Sec. 13. (a) A nonresident of Indiana may not represent falsely to an officer or agent authorized to sell a license or permit under this article that the nonresident is a resident of Indiana for the purpose of procuring a resident license or permit under this article.

(b) A license or permit procured by violating this section:

- (1) is void; and
- (2) does not confer a right or privilege to engage in the pursuit mentioned in the license or permit.

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

IC 14-22-11-14

Possession; display to enforcement officers; alteration

Sec. 14. (a) A person who has procured a license or permit required under this article must have the license or permit on the person when engaged in the pursuit for which the license or permit was issued. Upon request of an officer authorized to enforce this article or the fish and wildlife laws of Indiana, the person must produce and exhibit the license or permit. If the person does not produce and exhibit the license or permit, the person may not engage in the pursuit authorized by the license or permit.

(b) A person or an authorized licensing agent may not falsify, predate, change, alter, or counterfeit a license or permit issued under this article.

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

IC 14-22-11-15

Compliance with laws and rules express condition of license or permit; revocation; hearing

Sec. 15. (a) Each license and permit issued under this article is issued upon the express condition, to which the licensee or permittee by acceptance of the license or permit is considered to agree and consent, that the licensee or permittee will obey and comply with the following:

- (1) All the terms, conditions, and rules:
 - (A) made by the director under this article; and
 - (B) incorporated in or attached to the license or permit when issued.
- (2) This article.
- (3) A wildlife law (as defined by IC 14-22-41-4(p)) while the licensee is in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).

(b) A license or permit may be revoked by the director at any time without refund for any of the following:

- (1) Failure to comply with or violation of the terms, conditions, rules, or restrictions incorporated in or attached to the license or permit when issued.
- (2) Violation of this article.
- (3) Violation of a wildlife law (as defined by IC 14-22-41-4(p)) while the licensee is in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).

(c) A person whose license or permit has been revoked by the director under this article may, by written request to the director, have a hearing on the revocation. Upon receipt of written request for a hearing on the revocation, the director shall do the following:

- (1) Set a date for the hearing, which may not be more than fifteen (15) days from the date of receipt of the request.
- (2) Give the person requesting the hearing at least five (5) days notice of the date of the hearing, which shall be held in the office of the director.
- (3) Receive and keep a record of all evidence presented by the person.
- (4) After considering the evidence presented at the hearing, rescind or affirm the order revoking the license or permit.

(d) Every court having jurisdiction of an offense committed in violation of an Indiana law for the protection of wildlife may, at the court's discretion, revoke the license of the offender for any of the following periods:

- (1) Thirty (30) days.
- (2) Sixty (60) days.
- (3) Ninety (90) days.
- (4) One (1) year.

(e) After a revocation, the court shall forward to the division a record of the conviction of the person in the court for a violation of the law. At the time of the conviction, the court shall do the following:

- (1) Obtain the license certificate of the defendant.

(2) Return the license certificate to the division.
*As added by P.L.1-1995, SEC.15. Amended by P.L.23-1999, SEC.1;
P.L.14-2000, SEC.39.*

IC 14-22-11-16

Interstate agreements regarding boundary waters and Ohio River

Sec. 16. (a) If a state bordering Indiana permits the holder of an Indiana resident fishing license to fish in the bordering state's part of public waters forming a common boundary line between the bordering state and Indiana without obtaining a nonresident fishing license issued by the bordering state, the director may enter into an interstate agreement on behalf of Indiana with the bordering state to permit the holder of an equivalent resident fishing license of the bordering state to fish in the Indiana part of the waters without obtaining an Indiana nonresident fishing license.

(b) The director may, on behalf of Indiana, enter into a reciprocal agreement with Kentucky that recognizes a hunting or trapping license issued by either state as valid on the other state's part of the main stem of the Ohio River.

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

IC 14-22-11-17

Violations

Sec. 17. A person who violates section 6, 7, or 8 of this chapter commits a Class C infraction.

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

IC 14-22-11-18

Free hunting days

Sec. 18. (a) The director may designate not more than four (4) days each year as free hunting days for youth hunters.

(b) During a free hunting day for youth hunters designated under subsection (a), a resident who is less than eighteen (18) years of age may:

- (1) hunt using hunting methods that are designated by the director and that are legal for that hunting season; and
- (2) exercise the same privileges that a resident is entitled to under IC 14-22-12-1(24).

A youth hunter is not required to pay a fee or possess a hunting license.

(c) A youth hunter who hunts during a free hunting day for youth hunters under this section must:

- (1) comply with the conditions and rules adopted by the director; and
- (2) be accompanied by an individual who:
 - (A) is at least eighteen (18) years of age; and
 - (B) holds a valid hunting license under IC 14-22-12 or is not required to have a hunting license under this chapter.

(d) The individual under subsection (c)(2) who accompanies the youth hunter:

(1) must be in close enough proximity to monitor the youth hunter's activities and communicate with the youth hunter at all times; and

(2) may assist the youth hunter, including calling, but may not carry a firearm or bow and arrow.

As added by P.L. 132-2006, SEC.3. Amended by P.L. 18-2009, SEC.3.