

# 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.*

### IC 14-22-20-4

#### Exemption for certain animals

Sec. 4. (a) This section applies to the following:

- (1) Marten.
- (2) Nutria.
- (3) Mink.
- (4) Chinchilla.
- (5) Domesticated rabbits, except cottontail.
- (6) Swamp rabbits.

(b) The:

- (1) breeding, raising, and producing in captivity; and
- (2) marketing;

of an animal listed in subsection (a) is considered an agricultural pursuit. All animals so raised in captivity are considered domestic animals so that a game breeding license is not required to possess such an animal.

(c) A person engaged in the breeding, raising, and producing in captivity and marketing of the furbearing mammals listed in subsection (a) shall, upon request, do the following:

- (1) Register with the department.
- (2) Make annual reports concerning the number of animals held and sold. These reports are confidential.

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

### 312 IAC 9-10-4 Game breeder licenses

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

Affected: IC 14-22

Sec. 4. (a) An application for a license as a game breeder of one (1) or more of the following species of wild animals (common names are included for public convenience, but the scientific names control) shall be made on a departmental form:

- (1) Ring-necked pheasant (*Phasianus colchicus*)
- (2) Bobwhite quail (*Colinus virginianus*)
- (3) White-tailed deer (*Odocoileus virginianus*)
- (4) Eastern cottontail rabbit (*Sylvilagus floridanus*).
- (5) Gray squirrel (*Sciurus carolinensis*)
- (6) Fox squirrel (*Sciurus niger*)
- (7) Southern flying squirrel (*Glaucomys volans*)
- (8) Beaver (*Castor canadensis*)
- (9) Coyote (*Canis latrans*)
- (10) Gray fox (*Urocyon cinereoargenteus*)
- (11) Red fox (*Vulpes vulpes*)
- (12) Mink (*Mustela vison*)
- (13) Muskrat (*Ondatra zibethicus*)
- (14) Opossum (*Didelphis marsupialis*)
- (15) Raccoon (*Procyon lotor*)
- (16) Striped skunk (*Mephitis mephitis*)
- (17) Long-tailed weasel (*Mustela frenata*)
- (18) Least weasel (*Mustela nivalis* or *Mustela rixosa*)

(b) An application for a permit under this section must be made within five (5) days after the acquisition of an animal within Indiana or within five (5) days after the importation of an animal into Indiana. Each cage or enclosure will be inspected by a conservation officer before a license may be issued.

(c) A license holder may add a species to a game breeder license other than those identified in the application upon an inspection by a conservation officer and approval by the division of fish and wildlife. A conservation officer must be notified within five (5) days of acquisition of the new species.

(d) Each animal possessed under this section must be lawfully acquired. A receipted invoice, bill of lading, or other satisfactory evidence of lawful acquisition shall be presented for inspection upon the request of a conservation officer. Game or furbearing mammals or game birds, other than wild turkeys, lawfully taken in season may be retained alive after the close of the season. Any person wishing to import any live animal under this license, or 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.

(e) A wild animal must be confined in a cage or other enclosure that makes escape of the animal unlikely and prevents the entrance of a free-roaming animal of the same species. The cage or enclosure shall be large enough to provide the wild animal with ample space for exercise and to avoid overcrowding. All chain link or welded wire edges shall be smoothly secured to prevent injury to the animals and be kept properly repaired. Night quarters, holding pens, and nesting boxes may not be used as primary housing. Fresh water, rainproof dens, nest boxes, windbreaks, shelters, shade, and bedding shall be provided as required for the comfort of the particular species of animal. Each animal shall be handled, housed, and transported in a sanitary and humane manner. An enclosure must be provided with sufficient drainage to

prevent standing water from accumulating. The cages or other enclosures must be made available upon request for inspection by a conservation officer.

(f) No wild animals may be released except for bobwhite quail and ring-necked pheasants. Known diseased bobwhite quail and ring-necked pheasants may not be released. A license holder must report the escape of any white-tailed deer to a conservation officer within twenty-four (24) hours.

(g) A known diseased wild animal possessed under this section shall not be sold.

(h) A license holder must comply with all applicable state, local or other federal laws.

(i) A license holder shall do the following:

- (1) Record all transactions by which a wild animal is sold, traded, loaned, bartered or given to another person on a departmental form or computerized record.
- (2) Keep a copy of the transaction record on the premises of the game breeder for at least two (2) years after the transaction and a copy must be provided to a conservation officer upon request.
- (3) Issue a valid, dated receipt for all animals 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 sold.
  - (D) Species of animal sold.

(j) The license holder shall provide an annual report to the division by February 15. The annual report shall include for each species possessed under this license the following information:

- (1) number bought.
- (2) number sold.
- (3) number born.
- (4) number traded.
- (5) number gifted.
- (6) number of deaths.

(k) A conservation officer may enter the premises of the license holder at all reasonable hours to inspect those premises and any records relative to the license. The conservation officer shall immediately notify the license holder if the inspection reveals that the wild animals are being kept under unsanitary or inhumane conditions. The conservation officer may make a second inspection after ten (10) days, and the license may be suspended or revoked under IC 4-21.5 and the wild animals may be confiscated if the license holder fails to comply with a provision of the license.

(l) 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.

*(Natural Resources Commission; 312 IAC 9-10-4; filed May 12, 1997, 10:00 a.m.: 20 IR 2728; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Jan 26, 2004, 10:45 a.m.: 27 IR 1789)*