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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Proposed Rule**  
LSA Document #20-602

DIGEST

Amends [312 IAC 9-3-3](#) governing muzzleloaders for deer hunting. Amends [312 IAC 9-3-11](#) governing beavers. Amends [312 IAC 9-4-11](#) governing equipment for wild turkey hunting. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[312 IAC 9-3-3](#); [312 IAC 9-3-11](#); [312 IAC 9-4-11](#)

SECTION 1. [312 IAC 9-3-3](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-3-3](#) Equipment for deer hunting**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22](#); [IC 35-47-1-6](#)

Sec. 3. (a) During the youth special deer season established in section 4(b) of this rule, a youth hunter must hunt deer only with the following equipment:

- (1) A bow and arrow as described in subsection (b)(1) through (b)(5).
- (2) A crossbow as defined in [312 IAC 9-1-5.3](#).
- (3) A shotgun as described in subsection (d)(1).
- (4) A muzzleloading long gun as described in subsection (d)(3).
- (5) A rifle, with the use of cartridges described in subsection (d)(4).
- (6) An air gun as defined in [312 IAC 9-1-1.2](#).

(b) During the archery season established in section 4(c) of this rule, an individual must hunt deer only with equipment as follows:

- (1) With a long bow, recurve bow, or compound bow that has at least thirty-five (35) pounds pull with a valid license identified **at in** section 2(f) of this rule.
- (2) With a crossbow with a valid license identified **at in** section 2(g) of this rule.
- (3) Arrows or bolts must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.
- (4) Poisoned or explosive arrows or bolts are unlawful.
- (5) For long bows, recurve bows, and compound bows, no portion of the bow's riser (handle) or any:
  - (A) track;
  - (B) trough;
  - (C) channel;
  - (D) arrow rest; or
  - (E) other device;that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(c) During the firearms season established in section 4(e) of this rule and the special antlerless season established in section 4(h) of this rule, an individual must hunt deer only with any of the following equipment:

- (1) A shotgun.
- (2) A shotgun with rifled barrel.
- (3) A handgun.
- (4) A muzzleloading long gun.
- (5) A muzzleloading handgun.
- (6) A rifle, with the use of cartridges described in subsection (d)(4) only.
- (7) An air gun as defined in [312 IAC 9-1-1.2](#).

(d) As used in section 2 of this rule, this section, and sections 4 and 8 of this rule, a firearm must meet the following specifications:

- (1) A shotgun must have a gauge 10, 12, 16, 20, 28, or .410 bore loaded with a single projectile.
- (2) A handgun must:
  - (A) conform to the requirements of [IC 35-47-1-6](#);
  - (B) have a barrel at least four (4) inches long;
  - (C) fire a bullet of two hundred forty-three thousandths (.243) inch diameter or larger; and
  - (D) not be a rifle that has a barrel less than eighteen (18) inches.

The handgun cartridge case, without bullet, must be at least one and sixteen-hundredths (1.16) inches long. Full metal jacketed bullets are unlawful. All 25/20, 32/20, 30 carbine, and 38 special ammunition is prohibited.

- (3) A muzzleloading long gun must be .44 caliber or larger, loaded with a bullet at least three hundred fifty-seven thousandths (.357) inch or larger. A muzzleloading handgun must be single shot, .50 caliber or larger, loaded with bullets at least .44 caliber and have a barrel at least twelve (12) inches long. The length of a muzzleloading handgun barrel is determined by measuring from the base of the breech plug, excluding tangs and other projections, to the end of the barrel, including the muzzle crown. ~~A muzzleloading gun~~ **The bullet or other projectile** must be capable of being loaded only from the muzzle. ~~including both powder and bullet.~~

- (4) A rifle must fire a cartridge that meets the following specifications:
  - (A) Fire a bullet of three hundred fifty-seven thousandths (.357) ~~of an~~ inch diameter or larger.
  - (B) Have a minimum case length of one and sixteen-hundredths (1.16) inches.
  - (C) Have a maximum case length of one and eight-tenths (1.8) inches.

Full metal jacketed bullets are unlawful.

(e) During the muzzleloader season established in section 4(f) of this rule, an individual must hunt deer only with a:

- (1) muzzleloading long gun as described in subsection (d)(3); or
- (2) muzzleloading handgun as described in subsection (d)(3).

(f) During the deer reduction season established in section 4(d) of this rule, an individual may hunt deer with bows and arrows described in subsection (b) from September 15 through January 31 of the following year, or with firearms described in subsections (c) and (d) from the first Saturday after November 11 through January 31 of the following year.

(g) An individual must not erect, place, or hunt from a permanent tree or ground blind on state owned lands. A tree or ground blind placed on:

- (1) a DNR property as defined at in [312 IAC 8-1.5-6](#);
- (2) U.S. Forest Service lands; or
- (3) any national wildlife refuge;

must be portable and may be left overnight only between noon on September 15 and January 10. A fastener used in conjunction with a tree blind and a tree or pole climber that penetrates a tree more than one-half (1/2) inch is prohibited. Each tree or ground blind must be legibly marked with the name, address, and telephone number of the owner of the blind in the English language or the individual's customer identification number issued by the department.

(h) An individual must not use infrared sensors to locate or take deer. An individual must not hunt or retrieve deer with the aid of an infrared detector.

(i) An individual must not possess or use an electronic deer call while hunting deer.

*(Natural Resources Commission; [312 IAC 9-3-3](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2703; filed Nov 13, 1997, 12:09 p.m.: 21 IR 1272; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1530; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 538; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Jun 29, 2007, 2:30 p.m.: [20070725-IR-312060272FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Nov 3, 2009, 3:34 p.m.: [20091202-IR-312090044FRA](#); filed Dec 1, 2011, 4:01 p.m.: [20111228-IR-312110101FRA](#); filed Sep 13, 2013, 3:02 p.m.: [20131009-IR-312120670FRA](#); errata filed Dec 6, 2013, 11:12 a.m.: [20140101-IR-312130537ACA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#); filed Nov 16, 2020, 9:30 a.m.: [20201216-IR-312200069FRA](#))*

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SECTION 2. [312 IAC 9-3-11](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-3-11](#) Beavers**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22](#)

Sec. 11. An individual may take beavers (*Castor canadensis*) from ~~8 a.m. on~~ November 15 until ~~noon on~~ March 15 of the following year.

*(Natural Resources Commission; [312 IAC 9-3-11](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2706; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 539; filed Apr 4, 2008, 2:56 p.m.: [20080430-IR-312070659FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))*

SECTION 3. [312 IAC 9-4-11](#) IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 9-4-11](#) Wild turkeys**

**Authority:** [IC 14-10-2-4](#); [IC 14-22-2-6](#)

**Affected:** [IC 14-22](#); [IC 35-47](#)

Sec. 11. (a) Except as provided in subsection (c), an individual may hunt wild turkeys (*Meleagris gallopavo*) in the spring from the first Wednesday after April 20 and continuing for an additional eighteen (18) consecutive days. On property managed by the division of fish and wildlife, an individual may hunt wild turkeys under this subsection only until noon (central time) or 1:00 p.m. (Eastern time).

(b) An individual may hunt wild turkeys (*Meleagris gallopavo*) during the fall as follows:

(1) With firearms from the first Wednesday after October 14 and continuing for an additional eleven (11) consecutive days in the following counties only:

- (A) Bartholomew.
- (B) Brown.
- (C) Clark.
- (D) Clay
- (E) Crawford.
- (F) Daviess.
- (G) Dearborn.
- (H) DeKalb.
- (I) Dubois.
- (J) Elkhart.
- (K) Fayette.
- (L) Floyd.
- (M) Fountain.
- (N) Franklin.
- (O) Gibson.
- (P) Greene.
- (Q) Harrison.
- (R) Jackson.
- (S) Jefferson.
- (T) Jennings.
- (U) Knox.
- (V) Kosciusko.
- (W) LaGrange.
- (X) LaPorte.
- (Y) Lawrence.
- (Z) Marshall.
- (AA) Martin.
- (BB) Monroe.
- (CC) Morgan.
- (DD) Noble.

- (EE) Ohio.
- (FF) Orange.
- (GG) Owen.
- (HH) Parke.
- (II) Perry.
- (JJ) Pike.
- (KK) Posey.
- (LL) Putnam.
- (MM) Ripley.
- (NN) Scott.
- (OO) Spencer.
- (PP) St. Joseph.
- (QQ) Starke.
- (RR) Steuben.
- (SS) Sullivan.
- (TT) Switzerland.
- (UU) Union.
- (VV) Vanderburgh.
- (WW) Vermillion.
- (XX) Vigo.
- (YY) Warren.
- (ZZ) Warrick.
- (AAA) Washington.

(2) With a bow and arrows from:

- (A) October 1 to the end of the fall turkey season with firearms as established in subdivision (1); and
- (B) the first Saturday after the closing day of deer firearms season as established in [312 IAC 9-3-4\(e\)](#) through the first Sunday in January.

(c) The spring and fall seasons for hunting and possessing wild turkeys on Camp Atterbury shall be determined by the director on an annual basis to prevent interference with military training exercises.

(d) An individual may take one (1):

- (1) bearded or male wild turkey during the spring season; and
- (2) wild turkey of either sex during the fall season.

(e) An individual must not do the following:

(1) Hunt wild turkeys except between one-half (1/2) hour before sunrise and sunset.

(2) Take a wild turkey except with the use of any of the following:

(A) A shotgun or muzzleloading shotgun **with a barrel length of at least eighteen (18) inches (forty-six (46) cm):**

(i) ~~not smaller than~~ **of 28, 20, 16, 12, and 10 gauge; and or**

(ii) ~~not larger than 10 gauge; of .410 caliber;~~

loaded only with shot of size 4, 5, 6, 7, or 7 1/2, **or smaller. Shot size smaller than size 7 1/2 must be comprised of tungsten super shot or equivalent pellet density only. Shot sizes of equal or greater diameter than 6 shot (diameter equal to eleven-hundredths (0.11) inch) up through and including 4 shot (diameter equal to thirteen-hundredths (0.13) inch) must have a density composition equal to or less than fifteen (15) grams per cubic centimeter.**

(B) A bow and arrows, including crossbows as defined in [312 IAC 9-1-5.3](#), with the following restrictions:

(i) An individual must not use a:

(AA) long bow; or

(BB) compound bow;

of less than thirty-five (35) pounds pull.

(ii) Arrows must be equipped with metal or metal-edged (or flint, chert, or obsidian napped) broadheads.

(iii) An individual must not use a:

(AA) crossbow of less than one hundred twenty-five (125) pounds pull;

(BB) crossbow without a mechanical safety; or

(CC) poisoned or explosive arrow.

(iv) No portion of a bow's riser (handle) or:

(AA) track;

(BB) trough;

- (CC) channel;
- (DD) arrow rest; or
- (EE) other device;

that attaches to the bow's riser shall contact, support, or guide the arrow from a point rearward of the bow's brace height.

(3) Hunt wild turkeys in the fall season that takes place during the deer muzzleloader season as established in [312 IAC 9-3-4\(f\)](#) or during the deer special late antlerless season in a location where authorized as established in [312 IAC 9-3-4\(h\)](#) unless that individual wears hunter orange.

(4) Call wild turkeys for another individual unless licensed in accordance with subsection (j) or (k). The individual who calls the wild turkey may have already harvested a wild turkey.

(f) The special youth season for hunting wild turkeys under this subsection is two (2) consecutive days beginning on the Saturday immediately before the start of the spring turkey season established in subsection (a). As used in this subsection, "youth" means an individual who is less than eighteen (18) years of age on the date of the hunt. A youth who hunts a wild turkey under this section must be accompanied by an adult who is at least eighteen (18) years of age. An adult accompanying a youth hunter must not possess a firearm, bow and arrow, or crossbow while in the field. The seasonal limit for hunting wild turkeys under this subsection is one (1) bearded or male wild turkey. A youth hunter who takes a wild turkey under this subsection must not take another wild turkey during the spring turkey season in the same year.

(g) An individual must not use or possess:

- (1) a dog;
- (2) another domesticated animal;
- (3) a live decoy;
- (4) a recorded call;
- (5) an electronically powered or controlled decoy; or
- (6) bait;

while hunting a wild turkey. An area is considered baited for ten (10) days after the removal of the bait, but an area is not considered to be baited that is attractive to wild turkeys resulting from normal agricultural practices.

(h) An individual may possess a handgun while hunting wild turkeys in accordance with [IC 35-47](#).

(i) Except as provided under [IC 14-22-11-1](#) and [IC 14-22-11-11](#), an individual must not hunt:

- (1) wild turkeys unless possessing a completed and signed license bearing the individual's name; or
- (2) with a wild turkey license issued to another individual.

(j) An individual may take a wild turkey during the spring season established under subsection (a) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under [IC 14-22-11-10\(b\)](#);
  - (B) a resident spring turkey license under [IC 14-22-11-10\(a\)](#) or [IC 14-22-12-1\(a\)\(20\)](#);
  - (C) a nonresident spring turkey license under [IC 14-22-12-1\(a\)\(21\)](#);
  - (D) a resident youth consolidated hunting license under [IC 14-22-12-1\(a\)\(24\)](#);
  - (E) a nonresident youth spring turkey license under [IC 14-22-12-1\(a\)\(27\)](#);
  - (F) a lifetime comprehensive hunting license under [IC 14-22-12-7\(a\)\(4\)](#) before its repeal;
  - (G) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7\(a\)\(5\)](#) before its repeal; or
  - (H) an apprentice spring turkey hunting license under [IC 14-22-12-1.7](#); or
- (2) hunting under [IC 14-22-11-1](#).

(k) An individual may take a wild turkey during the fall season established under subsection (b) only if:

- (1) issued a license to hunt wild turkeys with:
  - (A) a resident youth consolidated hunting license under [IC 14-22-11-10\(b\)](#);
  - (B) a resident fall turkey license under [IC 14-22-11-10\(a\)](#) or [IC 14-22-12-1\(a\)\(22\)](#);
  - (C) a nonresident fall turkey license under [IC 14-22-12-1\(a\)\(23\)](#);
  - (D) a resident youth consolidated hunting license under [IC 14-22-12-1\(a\)\(24\)](#);
  - (E) a nonresident youth fall turkey license under [IC 14-22-12-1\(a\)\(28\)](#);
  - (F) a lifetime comprehensive hunting license under [IC 14-22-12-7\(a\)\(4\)](#) before its repeal;
  - (G) a lifetime comprehensive hunting and fishing license under [IC 14-22-12-7\(a\)\(5\)](#) before its repeal; or
  - (H) an apprentice fall turkey hunting license under [IC 14-22-12-1.7](#); or

(2) hunting under [IC 14-22-11-1](#).

(l) Immediately after taking a wild turkey, an individual must attach a piece of paper to a leg of the turkey directly above the spur stating the following:

- (1) The name and address of the individual who took the turkey.
- (2) The license number (if applicable) of the individual who took the turkey.
- (3) The date the wild turkey was taken.
- (4) The sex of the wild turkey taken.

(m) An individual who takes a wild turkey must do one (1) of the following:

(1) Cause delivery of the wild turkey to an official turkey checking station within forty-eight (48) hours of taking as follows:

- (A) Register the wild turkey in the name of the individual who took the wild turkey.
- (B) Provide the check station with true and accurate information that includes the information on the piece of paper described in subsection (l).
- (C) Record the confirmation number provided by the department's electronic harvest reporting system on the piece of paper described in subsection (l).

(2) Cause the reporting of the take by providing true and accurate information required on the department's electronic harvest reporting system within forty-eight (48) hours of taking. The individual who took the wild turkey or the individual reporting the take of the turkey must record the department's electronic harvest confirmation number on the piece of paper described in subsection (l). This confirmation number must be maintained with the turkey until processing of the turkey begins.

(n) The department's electronic harvest confirmation number must be maintained with a wild turkey that is gifted to another individual until processing of the wild turkey begins.

(o) The official wild turkey checking station operator shall accurately report the taking of the wild turkey on the department's electronic harvest reporting system and give the individual the confirmation number.

(p) The feathers and beard of a wild turkey must remain attached while the wild turkey is in transit from the site where taken.

(q) As used in this section, "bait" means to:

- (1) place;
- (2) expose;
- (3) deposit;
- (4) distribute; or
- (5) scatter;

grain, salt, or other feed to lure, attract, or entice a wild turkey to an area where a person may take the wild turkey.

*(Natural Resources Commission; [312 IAC 9-4-11](#); filed May 12, 1997, 10:00 a.m.: 20 IR 2710; filed May 28, 1998, 5:14 p.m.: 21 IR 3715; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1533; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 541; filed May 25, 2005, 10:15 a.m.: 28 IR 2946; filed Jun 23, 2006, 2:24 p.m.: [20060719-IR-312050214FRA](#); filed Jan 8, 2007, 9:11 a.m.: [20070207-IR-312060193FRA](#); filed Sep 6, 2007, 12:20 p.m.: [20071003-IR-312070023FRA](#); readopted filed Nov 24, 2008, 11:08 a.m.: [20081210-IR-312080672RFA](#); filed Apr 3, 2009, 1:48 p.m.: [20090429-IR-312080740FRA](#); filed Mar 12, 2010, 1:28 p.m.: [20100407-IR-312090479FRA](#); filed Aug 27, 2010, 10:52 a.m.: [20100922-IR-312090984FRA](#); filed Dec 18, 2012, 2:00 p.m.: [20130116-IR-312120115FRA](#); readopted filed May 20, 2014, 9:43 a.m.: [20140618-IR-312140017RFA](#); filed Jun 15, 2015, 3:43 p.m.: [20150715-IR-312140453FRA](#); filed Jun 21, 2018, 1:45 p.m.: [20180718-IR-312170436FRA](#); readopted filed Sep 18, 2019, 1:16 p.m.: [20191016-IR-312190325RFA](#))*

### [Notice of Public Hearing](#)

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