



Reprinted
February 28, 2014

ENGROSSED SENATE BILL No. 52

DIGEST OF SB 52 (Updated February 27, 2014 2:30 pm - DI 77)

Citations Affected: IC 9-31; IC 14-15; IC 14-16; IC 14-21; IC 14-22; IC 14-24; IC 14-25; IC 14-25.5; IC 14-26; IC 14-27; IC 14-29; IC 14-36; IC 14-37; IC 14-38; IC 33-37; IC 35-51.

Synopsis: Natural resources criminal penalties. Amends penalties for violating certain statutes in IC 14 (natural and cultural resources). Amends certain boating requirements. Provides that a law enforcement officer may not stop, inspect, search, or detain a boat solely to determine compliance with certain boating laws. Repeals law prohibiting a boat from sounding a horn. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

Effective: July 1, 2014.

Steele, Randolph

(HOUSE SPONSORS — EBERHART, MCMILLIN)

January 7, 2014, read first time and referred to Committee on Corrections & Criminal Law.
January 30, 2014, amended, reported favorably — Do Pass.
February 3, 2014, read second time, ordered engrossed. Engrossed.
February 4, 2014, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 10, 2014, read first time and referred to Committee on Courts and Criminal Code.
February 20, 2014, amended, reported — Do Pass.
February 27, 2014, read second time, amended, ordered engrossed.

ES 52—LS 6164/DI 106



Reprinted
February 28, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 52

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-31-3-11 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) The owner shall
3 paint on or attach to each side of the bow of the motorboat the
4 registration number assigned under section 10 of this chapter. **Subject**
5 **to subsection (b)**, the number ~~shall~~ **must be displayed**, painted on, or
6 attached ~~in the manner prescribed by rules adopted by the bureau~~ so
7 that the number is **legible and** clearly visible. The registration number
8 shall be maintained in legible condition.

9 **(b) If a motorboat is required to be registered under 33 CFR**
10 **173, the registration number must be displayed in the manner**
11 **prescribed by 33 CFR 173.27.**

12 SECTION 2. IC 14-15-2-4 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) This section does
14 not apply to a motorboat competing in and during a motorboat race for
15 which a permit has been issued by the department.

16 (b) A person may not operate a motorboat on Indiana water unless

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1 the boat motor is equipped with:

- 2 (1) a muffler;
 3 (2) an underwater exhaust; or
 4 (3) other device;

5 that muffles or suppresses the sound of the exhaust. ~~to prevent~~
 6 ~~excessive and unusual noise at all speeds.~~

7 SECTION 3. IC 14-15-2-15, AS AMENDED BY P.L.137-2007,
 8 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2014]: Sec. 15. (a) ~~Except as provided in subsection (b);~~ A
 10 person who violates **section 1, 2, 3, 4, 5, 6, 7(b), 9, 10, 12, 13, or 14** of
 11 this chapter commits a Class C infraction.

12 (b) A person who violates section 7(c) or 8 of this chapter commits
 13 a Class A infraction. Notwithstanding IC 34-28-5-4(a), a judgment of
 14 at least one thousand dollars (\$1,000) shall be imposed for each Class
 15 A infraction committed in violation of section 7(c) or 8 of this chapter.

16 SECTION 4. IC 14-15-2-16 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2014]: **Sec. 16. Except when enforcing the requirements**
 19 **concerning the display of a light on a boat as provided in section**
 20 **10, 11, 12, 13, or 14 of this chapter, a boat may not be stopped,**
 21 **inspected, searched, or detained by a law enforcement officer solely**
 22 **to determine compliance with the requirements of this chapter.**

23 SECTION 5. IC 14-15-3-21 IS REPEALED [EFFECTIVE JULY 1,
 24 2014]. ~~Sec. 21: (a) A person operating or occupying a boat may not~~
 25 ~~sound a whistle or horn when:~~

- 26 ~~(1) the passage of the boat is clear and without danger; or~~
 27 ~~(2) a warning signal is not necessary to prevent injury to person~~
 28 ~~or property.~~

29 ~~(b) Unnecessary sounding of a whistle or horn is:~~

- 30 ~~(1) a public nuisance; and~~
 31 ~~(2) prohibited.~~

32 SECTION 6. IC 14-15-3-31 AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2014]: Sec. 31. (a) ~~Except as provided in~~
 34 ~~subsection (b);~~ A person who violates **section 2, 3, 5, 7, 8, 9, 10, 14,**
 35 **15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, or 30** of this chapter
 36 commits a Class C infraction.

37 (b) A person who **knowingly or intentionally** violates section 6 of
 38 this chapter commits a Class C misdemeanor.

39 SECTION 7. IC 14-15-4-4, AS AMENDED BY P.L.158-2013,
 40 SECTION 199, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2014]: Sec. 4. A person who **knowingly or**
 42 **intentionally** violates **section 1, 2, or 3** of this chapter commits a Class



- 1 C misdemeanor. However, the offense is:
 2 (1) a Class A misdemeanor if the accident or collision results in
 3 an injury to a person;
 4 (2) a Level 6 felony if:
 5 (A) the accident or collision results in serious bodily injury to
 6 a person; or
 7 (B) within the five (5) years preceding the commission of the
 8 offense, the person had a previous conviction of any of the
 9 offenses listed in IC 9-30-10-4(a), IC 35-46-9-6, or
 10 IC 14-15-8-8 (before its repeal); or
 11 (3) a Level 5 felony if the accident or collision results in the death
 12 of a person.
- 13 SECTION 8. IC 14-15-5-3 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. A person who
 15 violates **section 1** of this chapter commits a Class C infraction.
- 16 SECTION 9. IC 14-15-6-10 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. A person who
 18 violates **section 1, 5, 7, 8, or 9** of this chapter commits a Class C
 19 infraction.
- 20 SECTION 10. IC 14-15-7-6 IS REPEALED [EFFECTIVE JULY 1,
 21 2014]. ~~Sec. 6: A person who violates this chapter commits a Class C~~
 22 ~~infraction.~~
- 23 SECTION 11. IC 14-15-9-8 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who
 25 violates section 4, 5, 6, or 7(a) of this chapter commits a Class C
 26 ~~misdemeanor.~~ **infraction.**
- 27 SECTION 12. IC 14-15-13-4, AS ADDED BY P.L.165-2011,
 28 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2014]: Sec. 4. An individual who violates **section 3** of this
 30 chapter commits a Class C infraction.
- 31 SECTION 13. IC 14-16-1-29, AS AMENDED BY P.L.1-2006,
 32 SECTION 210, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2014]: Sec. 29. (a) ~~Except as provided in~~
 34 ~~subsections (b) and (c);~~ A person who violates **section 8, 9, 11.5, 13,**
 35 **14, 20, 21, 23(a)(3) through 23(a)(14), or 27** of this chapter commits
 36 a Class C infraction.
- 37 (b) A person who **knowingly or intentionally** violates section 17,
 38 18(a), 18(b), 18(c), 23(a)(1), 23(a)(2), or 24 of this chapter commits a
 39 Class B misdemeanor.
- 40 (c) A person who violates section 18(d) or 18(e) of this chapter
 41 commits a Class A infraction.
- 42 SECTION 14. IC 14-21-1-16 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) Except as
 2 provided in section 18 and sections 25 through 27 of this chapter, a
 3 person who, ~~knowingly~~, without a permit, conducts a field investigation
 4 or alters historic property within the boundaries of property owned or
 5 leased by the state commits a Class A ~~misdemeanor~~: **infraction.**

6 **(b) Notwithstanding IC 34-28-5-4, a judgment for a Class A**
 7 **infraction imposed under this section may not exceed five thousand**
 8 **dollars (\$5,000).**

9 SECTION 15. IC 14-21-1-27, AS AMENDED BY P.L.26-2008,
 10 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2014]: Sec. 27. (a) A person who disturbs buried human
 12 remains or burial grounds shall do the following:

13 (1) Notify the department within two (2) business days of the time
 14 of the disturbance.

15 (2) Treat or rebury the human remains in a manner and place
 16 according to rules adopted by the commission or a court order and
 17 permit issued by the state department of health under
 18 IC 23-14-57.

19 (b) A person who ~~recklessly, knowingly, or intentionally~~ violates
 20 this section commits a Class A ~~misdemeanor~~: **infraction.**

21 SECTION 16. IC 14-21-2-5 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. A person who
 23 knowingly violates a ~~provision section 3 or 4~~ of this chapter commits
 24 a Class C misdemeanor.

25 SECTION 17. IC 14-21-3-3 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~Beginning January~~
 27 ~~1, 2003~~, A person who violates section 1 of this chapter commits a
 28 Class C infraction.

29 SECTION 18. IC 14-22-6-15 IS ADDED TO THE INDIANA
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2014]: **Sec. 15. (a) A person who violates**
 32 **section 1, 3, 4, 6, or 10 of this chapter commits a Class C infraction.**
 33 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
 34 **imposed under this section may not exceed two hundred fifty**
 35 **dollars (\$250) if the violator does not have a prior unrelated**
 36 **conviction or adjudication for a violation of this article that**
 37 **occurred within the five (5) years immediately preceding the**
 38 **current violation.**

39 **(b) A person who knowingly or intentionally violates section 2,**
 40 **7, 8, or 9 of this chapter commits a Class C misdemeanor.**

41 SECTION 19. IC 14-22-7-6 IS ADDED TO THE INDIANA CODE
 42 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1 1, 2014]: **Sec. 6. A person who violates section 3 of this chapter**
 2 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
 3 **judgment for a Class C infraction imposed under this section may**
 4 **not exceed two hundred fifty dollars (\$250) if the violator does not**
 5 **have a prior unrelated conviction or adjudication for a violation of**
 6 **this article that occurred within the five (5) years immediately**
 7 **preceding the current violation.**

8 SECTION 20. IC 14-22-8-8 IS ADDED TO THE INDIANA CODE
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2014]: **Sec. 8. A person who violates section 4 of this chapter**
 11 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
 12 **judgment for a Class C infraction imposed under this section may**
 13 **not exceed two hundred fifty dollars (\$250) if the violator does not**
 14 **have a prior unrelated conviction or adjudication for a violation of**
 15 **this article that occurred within the five (5) years immediately**
 16 **preceding the current violation.**

17 SECTION 21. IC 14-22-9-12 IS ADDED TO THE INDIANA
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) A person who violates**
 20 **section 1, 2, 3, 4, 5, 6, 9, or 10 of this chapter commits a Class C**
 21 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 22 **C infraction imposed under this section may not exceed two**
 23 **hundred fifty dollars (\$250) if the violator does not have a prior**
 24 **unrelated conviction or adjudication for a violation of this article**
 25 **that occurred within the five (5) years immediately preceding the**
 26 **current violation.**

27 **(b) A person who knowingly or intentionally violates section 7**
 28 **or 8 of this chapter commits a Class C misdemeanor.**

29 SECTION 22. IC 14-22-10-1 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 1. (a) A person may**
 31 **not:**

- 32 (1) fish, hunt, trap, or chase;
 33 (2) shoot with any kind of firearm or archery equipment;
 34 (3) search for or gather any plant life (defined as the members of
 35 the kingdoms Fungi and Plantae); or
 36 (4) search for or gather any artifacts (as defined in IC 14-21-1-2);
 37 upon privately owned land without having the consent of the owner or
 38 tenant of the land.

39 **(b) A person who knowingly or intentionally violates subsection**
 40 **(a) commits a Class C misdemeanor.**

41 SECTION 23. IC 14-22-10-12 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) A person who violates**
 2 **section 4, 7, or 8 of this chapter commits a Class C infraction.**
 3 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
 4 **imposed under this section may not exceed two hundred fifty**
 5 **dollars (\$250) if the violator does not have a prior unrelated**
 6 **conviction or adjudication for a violation of this article that**
 7 **occurred within the five (5) years immediately preceding the**
 8 **current violation.**

9 **(b) A person who knowingly or intentionally violates section 3**
 10 **of this chapter commits a Class C misdemeanor.**

11 SECTION 24. IC 14-22-11-17 IS REPEALED [EFFECTIVE JULY
 12 1, 2014]. ~~Sec. 17. A person who violates section 6, 7, or 8 of this~~
 13 ~~chapter commits a Class C infraction.~~

14 SECTION 25. IC 14-22-11-19 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2014]: **Sec. 19. A person who violates section**
 17 **1, 6, 7, 8, 13, or 14 of this chapter commits a Class C infraction.**
 18 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
 19 **imposed under this section may not exceed two hundred fifty**
 20 **dollars (\$250) if the violator does not have a prior unrelated**
 21 **conviction or adjudication for a violation of this article that**
 22 **occurred within the five (5) years immediately preceding the**
 23 **current violation.**

24 SECTION 26. IC 14-22-12-16 IS ADDED TO THE INDIANA
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2014]: **Sec. 16. A person who violates section**
 27 **14 of this chapter commits a Class C infraction. Notwithstanding**
 28 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
 29 **this section may not exceed two hundred fifty dollars (\$250) if the**
 30 **violator does not have a prior unrelated conviction or adjudication**
 31 **for a violation of this article that occurred within the five (5) years**
 32 **immediately preceding the current violation.**

33 SECTION 27. IC 14-22-13-10, AS ADDED BY P.L.165-2011,
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2014]: **Sec. 10. (a) A person who knowingly or intentionally**
 36 **fails to comply with the requirements of:**

- 37 (1) a license issued under this chapter;
 38 (2) this chapter; or
 39 (3) rules adopted under this article to implement this chapter;
 40 is subject to suspension or revocation of the person's license.
 41 (b) A license revoked under this section may not be reinstated.
 42 (c) ~~A person who knowingly or intentionally violates this chapter~~



1 commits a Class A misdemeanor:

2 SECTION 28. IC 14-22-13-11 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2014]: **Sec. 11. (a) A person who violates**
5 **section 5 of this chapter commits a Class A infraction.**
6 **Notwithstanding IC 34-28-5-4, a judgment for a Class A infraction**
7 **imposed under this section may not exceed five thousand dollars**
8 **(\$5,000).**

9 (b) A person who knowingly or intentionally violates section 2.5
10 or 7 of this chapter commits a Class A misdemeanor.

11 SECTION 29. IC 14-22-14-28 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2014]: **Sec. 28. (a) A person who violates**
14 **section 17, 18, 19, or 23 of this chapter commits a Class C**
15 **infraction. However, the offense is a Class A infraction if, within**
16 **the five (5) years preceding the commission of the offense, the**
17 **person had a prior unrelated judgment under this subsection.**

18 (b) A person who knowingly or intentionally violates section 5
19 or 22 of this chapter commits a Class C misdemeanor.

20 SECTION 30. IC 14-22-15-7, AS AMENDED BY P.L.165-2011,
21 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2014]: **Sec. 7. An individual who: ~~recklessly; knowingly; or~~**
23 **intentionally:**

24 (1) fails to keep accurate records in violation of section 4(a) of
25 this chapter; or

26 (2) fails to report monthly to the department in violation of
27 section 4(b) of this chapter;

28 commits a Class C ~~misdemeanor~~: **infraction.**

29 SECTION 31. IC 14-22-16-5 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**
32 **1 or 4 of this chapter commits a Class C infraction.**
33 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
34 **imposed under this section may not exceed two hundred fifty**
35 **dollars (\$250) if the violator does not have a prior unrelated**
36 **conviction or adjudication for a violation of this article that**
37 **occurred within the five (5) years immediately preceding the**
38 **current violation.**

39 SECTION 32. IC 14-22-17-4 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 4. A person who**
41 **violates section 2 of this chapter commits a Class A ~~misdemeanor~~:**
42 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**



1 **A infraction imposed under this section may not exceed five**
2 **thousand dollars (\$5,000).**

3 SECTION 33. IC 14-22-19-7 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2014]: **Sec. 7. (a) A person who violates**
6 **section 1 or 6 of this chapter commits a Class C infraction.**
7 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
8 **imposed under this section may not exceed two hundred fifty**
9 **dollars (\$250) if the violator does not have a prior unrelated**
10 **conviction or adjudication for a violation of this article that**
11 **occurred within the five (5) years immediately preceding the**
12 **current violation.**

13 **(b) A person who knowingly or intentionally violates section 5**
14 **of this chapter commits a Class C misdemeanor.**

15 SECTION 34. IC 14-22-20-5 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**
18 **2 or 4(c) of this chapter commits a Class C infraction.**
19 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
20 **imposed under this section may not exceed two hundred fifty**
21 **dollars (\$250) if the violator does not have a prior unrelated**
22 **conviction or adjudication for a violation of this article that**
23 **occurred within the five (5) years immediately preceding the**
24 **current violation.**

25 SECTION 35. IC 14-22-21-6 IS ADDED TO THE INDIANA
26 CODE AS A NEW SECTION TO READ AS FOLLOWS
27 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who possesses for**
28 **taxidermy purposes the hide or skin of a wild animal without the**
29 **license described in section 2 of this chapter commits a Class C**
30 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
31 **C infraction imposed under this section may not exceed two**
32 **hundred fifty dollars (\$250) if the violator does not have a prior**
33 **unrelated conviction or adjudication for a violation of this article**
34 **that occurred within the five (5) years immediately preceding the**
35 **current violation.**

36 SECTION 36. IC 14-22-23-6 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**
39 **1 or 5 of this chapter commits a Class C infraction.**
40 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
41 **imposed under this section may not exceed two hundred fifty**
42 **dollars (\$250) if the violator does not have a prior unrelated**



1 conviction or adjudication for a violation of this article that
2 occurred within the five (5) years immediately preceding the
3 current violation.

4 SECTION 37. IC 14-22-24-6 IS ADDED TO THE INDIANA
5 CODE AS A NEW SECTION TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**
7 **1 or 4 of this chapter commits a Class C infraction. Notwithstanding**
8 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
9 **this section may not exceed two hundred fifty**
10 **dollars (\$250) if the violator does not have a prior unrelated**
11 **conviction or adjudication for a violation of this article that**
12 **occurred within the five (5) years immediately preceding the**
13 **current violation.**

14 SECTION 38. IC 14-22-25-5 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**
17 **2 of this chapter commits a Class C infraction. Notwithstanding**
18 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
19 **this section may not exceed two hundred fifty dollars (\$250) if the**
20 **violator does not have a prior unrelated conviction or adjudication**
21 **for a violation of this article that occurred within the five (5) years**
22 **immediately preceding the current violation.**

23 SECTION 39. IC 14-22-28-6 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates a**
26 **prescription of the director described in section 2 of this chapter**
27 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**
28 **judgment for a Class C infraction imposed under this section may**
29 **not exceed two hundred fifty dollars (\$250) if the violator does not**
30 **have a prior unrelated conviction or adjudication for a violation of**
31 **this article that occurred within the five (5) years immediately**
32 **preceding the current violation.**

33 SECTION 40. IC 14-22-30-3 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2014]: **Sec. 3. A person who violates section**
36 **1 of this chapter commits a Class C infraction. Notwithstanding**
37 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
38 **this section may not exceed two hundred fifty dollars (\$250) if the**
39 **violator does not have a prior unrelated conviction or adjudication**
40 **for a violation of this article that occurred within the five (5) years**
41 **immediately preceding the current violation.**

42 SECTION 41. IC 14-22-31-15 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**
 3 **1, 3, 6, 8, 9, 10, 11, 12, 13, or 14 of this chapter commits a Class C**
 4 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
 5 **C infraction imposed under this section may not exceed two**
 6 **hundred fifty dollars (\$250) if the violator does not have a prior**
 7 **unrelated conviction or adjudication for a violation of this article**
 8 **that occurred within the five (5) years immediately preceding the**
 9 **current violation.**

10 SECTION 42. IC 14-22-32-3 IS REPEALED [EFFECTIVE JULY
 11 1, 2014]. **Sec. 3: A person who knowingly or intentionally violates**
 12 **section 2 of this chapter commits a Class A misdemeanor.**

13 SECTION 43. IC 14-22-32-8 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2014]: **Sec. 8. A person who violates section**
 16 **2 of this chapter commits a Class A infraction. Notwithstanding**
 17 **IC 34-28-5-4, a judgment for a Class A infraction imposed under**
 18 **this section may not exceed five thousand dollars (\$5,000).**
 19 **However, a person who:**

20 (1) knowingly or intentionally violates section 2 of this
 21 chapter; and

22 (2) has a prior unrelated conviction or adjudication for a
 23 violation of section 2 of this chapter within the five (5) years
 24 immediately preceding the current violation;

25 **commits a Class C misdemeanor.**

26 SECTION 44. IC 14-22-33-6 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**
 29 **1(b) of this chapter commits a Class C infraction. Notwithstanding**
 30 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**
 31 **this section may not exceed two hundred fifty dollars (\$250) if the**
 32 **violator does not have a prior unrelated conviction or adjudication**
 33 **for a violation of this article that occurred within the five (5) years**
 34 **immediately preceding the current violation.**

35 SECTION 45. IC 14-22-34-12 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) Except as**
 37 **otherwise provided in this chapter, a person may not take, possess,**
 38 **transport, export, process, sell or offer for sale, or ship, and a common**
 39 **or contract carrier may not knowingly transport or receive for shipment**
 40 **a species or subspecies of wildlife appearing on any of the following:**

41 (1) The list of wildlife indigenous to Indiana determined to be
 42 endangered in Indiana under this chapter.



- 1 (2) The United States list of endangered wildlife (50 CFR 17.11)
 2 as in effect on January 1, 1979.
- 3 (3) The list of endangered species developed under section 13 of
 4 this chapter.
- 5 (b) A species or subspecies of wildlife appearing on a list described
 6 in subsection (a) that:
- 7 (1) enters Indiana from another state or from a point outside the
 8 territorial limits of the United States; and
 9 (2) is transported across Indiana destined for a point beyond
 10 Indiana;
 11 may be so entered and transported without restriction in accordance
 12 with the terms of a federal permit or permit issued under the laws of
 13 another state.
- 14 (c) ~~A person who:~~
- 15 ~~(1) violates subsection (a) or (b); or~~
- 16 ~~(2) fails to procure or violates the terms of a permit issued under:~~
- 17 ~~(A) section 15 of this chapter; or~~
- 18 ~~(B) section 16 of this chapter;~~
- 19 ~~commits a Class A misdemeanor.~~
- 20 SECTION 46. IC 14-22-34-22 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2014]: **Sec. 22. (a) A person who knowingly**
 23 **or intentionally violates section 9 of this chapter commits a Class**
 24 **C misdemeanor.**
- 25 **(b) A person who knowingly or intentionally violates section 12**
 26 **of this chapter commits a Class A misdemeanor.**
- 27 **(c) A person who fails to procure or violates the terms of a**
 28 **permit issued under:**
- 29 **(1) section 15 of this chapter; or**
- 30 **(2) section 16 of this chapter;**
- 31 **commits a Class A infraction. Notwithstanding IC 34-28-5-4, a**
 32 **judgment for a Class A infraction imposed under this section may**
 33 **not exceed five thousand dollars (\$5,000).**
- 34 SECTION 47. IC 14-22-37-2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who
 36 ~~knowingly or intentionally~~ interferes with the legal taking of a game
 37 animal by another person with intent to prevent the taking commits a
 38 Class C ~~misdemeanor:~~ **infraction.**
- 39 (b) A person who: ~~knowingly or intentionally:~~
- 40 (1) disturbs a game animal; or
- 41 (2) engages in an activity or places an object or substance that
 42 will tend to disturb or otherwise affect the behavior of a game



- 1 animal;
 2 with intent to prevent or hinder the legal taking commits a Class C
 3 ~~misdemeanor.~~ **infraction.**
- 4 (c) A person who ~~knowingly or intentionally~~ enters or remains:
 5 (1) upon public land; or
 6 (2) upon private land without permission of the owner or the
 7 owner's agent;
 8 with intent to violate this section commits a Class C ~~misdemeanor.~~
 9 **infraction.**
- 10 (d) **Notwithstanding IC 34-28-5-4, a judgment for a Class C**
 11 **infraction imposed under this section may not exceed two hundred**
 12 **fifty dollars (\$250) if the violator does not have a prior unrelated**
 13 **conviction or adjudication for a violation of this article that**
 14 **occurred within the five (5) years immediately preceding the**
 15 **current violation.**
- 16 SECTION 48. IC 14-22-38-1 IS REPEALED [EFFECTIVE JULY
 17 1, 2014]. ~~Sec. 1. Except as otherwise provided in this article, a person~~
 18 ~~who violates this article commits a Class C misdemeanor.~~
- 19 SECTION 49. IC 14-22-38-3 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. A person who
 21 **knowingly or intentionally** takes a deer or a wild turkey in violation
 22 of this article commits a Class ~~B C~~ misdemeanor. ~~However, the offense~~
 23 ~~is a Class A misdemeanor if the person has a prior conviction under:~~
 24 (1) IC 14-2-3-8(c) (repealed); or
 25 (2) this section.
- 26 SECTION 50. IC 14-22-38-4, AS AMENDED BY P.L.289-2013,
 27 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2014]: Sec. 4. (a) A person who,
 29 (1) ~~unlawfully takes or possesses a deer or wild turkey;~~
 30 (2) ~~takes or possesses a deer or wild turkey by illegal methods or~~
 31 ~~with illegal devices; or~~
 32 (3) ~~except as provided in subsections (c) and (d), sells, offers to~~
 33 ~~sell, purchases, or offers to purchase a deer or wild turkey or a~~
 34 ~~part of a deer or wild turkey~~
 35 shall reimburse the state five hundred dollars (\$500) for the first
 36 violation and one thousand dollars (\$1,000) for each subsequent
 37 violation.
- 38 (b) The money shall be deposited in the conservation officers fish
 39 and wildlife fund. This penalty is in addition to any other penalty under
 40 the law.
- 41 (c) Notwithstanding section 6 of this chapter, if a properly tagged
 42 deer is brought to a meat processing facility and the owner of the deer:



1 (1) fails to pick up the processed deer within a reasonable time;
 2 or
 3 (2) notifies the meat processing facility that the owner does not
 4 want the processed deer;
 5 the deer meat may be given away by the meat processing facility to
 6 another person. The meat processing facility may charge the person
 7 receiving the deer meat a reasonable and customary processing fee.
 8 (d) Notwithstanding section 6 of this chapter, deer meat and
 9 products from farm raised deer that meet the requirements under
 10 IC 15-17 may be sold to the public.
 11 (e) In addition to being liable for the reimbursement required under
 12 subsection (a), a person who: ~~recklessly, or intentionally, violates~~
 13 ~~subsection (a)(1) or (a)(2)~~
 14 **(1) unlawfully takes or possesses a deer or wild turkey;**
 15 **(2) takes or possesses a deer or wild turkey by illegal methods**
 16 **or with illegal devices; or**
 17 **(3) except as provided in this section, sells, offers to sell,**
 18 **purchases, or offers to purchase a deer or wild turkey or a**
 19 **part of a deer or wild turkey;**
 20 while using or possessing ~~(1)~~ a sound suppressor designed for use with
 21 or on a firearm, commonly called a silencer, or ~~(2)~~ a device used as a
 22 silencer ~~commits unlawful hunting while using or possessing a silencer,~~
 23 ~~a Class E misdemeanor. commits a Class C infraction.~~
 24 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**
 25 **imposed under this section may not exceed two hundred fifty**
 26 **dollars (\$250) if the violator does not have a prior unrelated**
 27 **conviction or adjudication for a violation of this article that**
 28 **occurred within the five (5) years immediately preceding the**
 29 **current violation.**
 30 SECTION 51. IC 14-24-6-7 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. **(a)** A person may not
 32 remove a label described under section 6 of this chapter from nursery
 33 stock until the nursery stock has been sold for the ultimate use or
 34 purpose of the nursery stock in Indiana.
 35 **(b) A person who violates this section commits a Class C**
 36 **infraction.**
 37 SECTION 52. IC 14-24-7-6 IS ADDED TO THE INDIANA CODE
 38 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 39 1, 2014]: **Sec. 6. A person who violates section 1 of this chapter**
 40 **commits a Class C infraction.**
 41 SECTION 53. IC 14-24-9-4 IS ADDED TO THE INDIANA CODE
 42 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY



1 1, 2014]: **Sec. 4. A person who violates section 2 of this chapter**
 2 **commits a Class C infraction.**

3 SECTION 54. IC 14-24-11-4 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. ~~(a)~~ **Except as**
 5 **provided in subsections (b) and (c); a person that knowingly violates**
 6 **this article commits a Class C infraction:**

7 ~~(b)~~ **(a)** A person, other than the state or a political subdivision of the
 8 state, that recklessly disturbs or molests an apiary, a honeybee hive, a
 9 honeybee colony, or other honeybee habitat, natural or manmade,
 10 without the permission of the owner commits a Class B misdemeanor.

11 ~~(c)~~ **(b)** A person who ~~recklessly or knowingly~~ introduces a pest or
 12 pathogen into Indiana without a permit issued under:

13 (1) IC 14-7-9-2 (before its repeal); or

14 (2) IC 14-24-9-2;

15 commits a Class A infraction.

16 ~~(d)~~ **(c)** Each day a violation occurs under this section is a separate
 17 offense.

18 SECTION 55. IC 14-24-12-10 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 20 **[EFFECTIVE JULY 1, 2014]: Sec. 10. A person who violates section**
 21 **5 or 7 of this chapter commits a Class C infraction.**

22 SECTION 56. IC 14-25-3-18 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 18. A person who
 24 violates:

25 **(1) section 6, 11, or 12 of this chapter; or**

26 **(2) a rule or order concerning a restricted use area;**

27 commits a Class C infraction. Each day of violation constitutes a
 28 separate infraction.

29 SECTION 57. IC 14-25-4-16 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) A person who
 31 violates **a rule or order adopted under this chapter concerning a**
 32 **ground water emergency** commits a Class A infraction.

33 (b) The commission may, without proof of irreparable injury,
 34 maintain an action to enjoin a violation of this chapter.

35 SECTION 58. IC 14-25-5-15 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) A person who
 37 violates **an order concerning a freshwater lake emergency declared**
 38 **under section 7 of this chapter** commits a Class A infraction.

39 (b) The commission may, without proof of irreparable injury,
 40 maintain an action to enjoin a violation of this chapter.

41 SECTION 59. IC 14-25-6-6 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. A person who



1 violates **section 1 or 2** of this chapter, **including the violation of an**
 2 **order issued under section 1 of this chapter**, commits a Class C
 3 infraction. Each day of violation constitutes a separate infraction.

4 SECTION 60. IC 14-25.5-3-2 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The fund consists of
 6 the following:

7 (1) Accrued interest and other investment earnings of the fund.

8 (2) Civil penalties collected ~~under IC 14-25.5-4~~ **for the violation**
 9 **of a statute in an article described in IC 14-25.5-1-1.**

10 (3) Gifts, grants, donations, or appropriations from any source.

11 SECTION 61. IC 14-25.5-4-3 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) ~~The department~~
 13 ~~may assess a civil penalty of not more than ten thousand dollars~~
 14 ~~(\$10,000) for a violation of an article to which this article applies or a~~
 15 ~~violation of a rule adopted under an article to which this article applies.~~

16 **If the department has authority to assess a civil penalty for the**
 17 **violation of a statute in an article described in IC 14-25.5-1-1, the**
 18 **department also has authority to assess a civil penalty for the**
 19 **violation of a rule adopted in connection with that statute.**

20 (b) Each day during which a violation continues may be considered
 21 a separate violation for purposes of assessing a civil penalty.

22 (c) The department may bring a civil action under section 5 of this
 23 chapter to recover a **civil penalty under described in** this section and
 24 to enjoin a person from continuing a violation.

25 SECTION 62. IC 14-25.5-4-4 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A civil penalty
 27 assessed ~~under~~ **for a violation described in** section 3 of this chapter
 28 is subject to IC 4-21.5-3-6 and becomes effective without a proceeding
 29 under IC 4-21.5-3 unless a person requests an administrative review
 30 within thirty (30) days after receipt of the notice of assessment.

31 **(b) A civil penalty that is assessed for a violation described in**
 32 **section 3 of this chapter shall be deposited in the fund.**

33 SECTION 63. IC 14-25.5-4-5 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The division director
 35 may request the attorney general to institute an action in an appropriate
 36 court for the following:

37 (1) The recovery of civil penalties owed ~~under this chapter~~ **for a**
 38 **violation described in section 3 of this chapter.**

39 (2) To restrain a person from commencing to violate or continuing
 40 to violate any of the following:

41 (A) An article to which this article applies or a rule adopted
 42 under an article to which this article applies.



1 (B) An order of the department.

2 SECTION 64. IC 14-25.5-4-6 IS REPEALED [EFFECTIVE JULY
3 1, 2014]. Sec. 6. Except as provided in ~~IC 14-26-7-8, IC 14-27-6-52,~~
4 ~~IC 14-29-1-3, IC 14-29-7-25, and IC 14-29-8-5,~~ a person who
5 knowingly violates an article enforced under this article commits a
6 Class B infraction. Each day a violation occurs is a separate infraction.

7 SECTION 65. IC 14-26-2-21 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 21. A person who
9 ~~knowingly~~ violates **section 7 or 23** of this chapter commits a Class B
10 infraction.

11 SECTION 66. IC 14-26-2-22 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. In addition to other
13 penalties prescribed by this chapter or IC 13-2-11.1 (before its repeal),
14 the director may impose a civil penalty **of not more than ten thousand**
15 **dollars (\$10,000)** under IC 14-25.5-4 **for a violation of section 7 or**
16 **23 of this chapter.**

17 SECTION 67. IC 14-26-7-8 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who
19 ~~recklessly~~ violates this chapter commits a Class A ~~misdemeanor:~~
20 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**
21 **A infraction imposed under this section may not exceed five**
22 **thousand dollars (\$5,000).**

23 SECTION 68. IC 14-27-6-52 IS REPEALED [EFFECTIVE JULY
24 1, 2014]. Sec. 52. ~~A person who recklessly violates this chapter~~
25 ~~commits a Class B misdemeanor.~~

26 SECTION 69. IC 14-29-4-9 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) A person who
28 ~~knowingly~~ violates **section 3** of this chapter commits a Class B
29 infraction.

30 (b) Each day of continuing violation after conviction of the offense
31 **or violation** constitutes a separate offense **or violation.**

32 SECTION 70. IC 14-36-1-37 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 37. (a) A person who
34 violates **or fails to comply with section 14, 15, 26, or 27** of this
35 chapter **(including a person who fails to comply with a rule of the**
36 **commission or order of the director adopted or issued in**
37 **connection with these sections)** commits a Class A infraction.

38 (b) Each day that a violation continues constitutes a separate
39 violation.

40 (c) **Notwithstanding IC 34-28-5-4, a judgment for a Class A**
41 **infraction imposed under this section may not exceed five thousand**
42 **dollars (\$5,000).**



1 SECTION 71. IC 14-37-4-15 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2014]: **Sec. 15. (a) The department may**
 4 **assess a civil penalty of not more than ten thousand dollars**
 5 **(\$10,000) against a person who violates section 1 or 2 of this**
 6 **chapter.**

7 **(b) A person who knowingly or intentionally violates section 1**
 8 **or 2 of this chapter commits a Level 6 felony if the violation relates**
 9 **to the operation of a Class II well.**

10 **(c) A civil penalty assessed under this section shall be deposited**
 11 **in the oil and gas environmental fund established by IC 14-37-10-2.**

12 SECTION 72. IC 14-37-7-9 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2014]: **Sec. 9. (a) The department may assess a civil penalty of**
 15 **not more than ten thousand dollars (\$10,000) against an owner or**
 16 **operator who:**

17 **(1) violates section 4 or 7 of this chapter; or**

18 **(2) fails to comply with an order of the division under section**
 19 **3.5 or 4 of this chapter.**

20 **(b) An owner or operator who knowingly or intentionally:**

21 **(1) violates section 4 or 7 of this chapter; or**

22 **(2) fails to comply with an order of the division under section**
 23 **3.5 or 4 of this chapter;**

24 **commits a Level 6 felony if the violation or failure to comply**
 25 **relates to the operation of a Class II well.**

26 **(c) A civil penalty assessed under this section shall be deposited**
 27 **in the oil and gas environmental fund established by IC 14-37-10-2.**

28 SECTION 73. IC 14-37-8-1 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 1. (a) An owner or**
 30 **operator shall plug and abandon a well that:**

31 **(1) is completed as a nonproductive well;**

32 **(2) ceases to produce oil or natural gas; or**

33 **(3) is no longer operated for the purpose for which the well is**
 34 **permitted;**

35 **unless the owner or operator is authorized to delay the plugging and**
 36 **abandonment of the well under section 8 of this chapter.**

37 **(b) The department may assess a civil penalty of not more than**
 38 **ten thousand dollars (\$10,000) against an owner or operator of a well**
 39 **who:**

40 **(1) ceases to operate the well; and**

41 **(2) knowingly fails to plug and abandon the well in violation of**
 42 **subsection (a).**



1 is subject to the criminal penalty set forth in IC 14-37-13-6.

2 (c) An owner or operator who knowingly or intentionally
3 violates this section commits a Level 6 felony if the violation or
4 failure to comply relates to the operation of a Class II well.

5 (d) A civil penalty assessed under this section shall be deposited
6 in the oil and gas environmental fund established by IC 14-37-10-2.

7 (e) Each day that the well remains not plugged and not abandoned
8 constitutes a separate violation of subsection (a).

9 SECTION 74. IC 14-37-8-18 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2014]: **Sec. 18. (a) The department may**
12 **assess a civil penalty of not more than ten thousand dollars**
13 **(\$10,000) against an owner or operator who:**

14 (1) violates; or

15 (2) fails to comply with an order of the division in relation to;
16 section 3, 4, or 4.2 of this chapter.

17 (b) An owner or operator who knowingly or intentionally:

18 (1) violates; or

19 (2) fails to comply with an order of the division in relation to;
20 section 3, 4, or 4.2 of this chapter commits a Level 6 felony if the
21 violation or failure to comply relates to the operation of a Class II
22 well.

23 (c) A civil penalty assessed under this section shall be deposited
24 in the oil and gas environmental fund established by IC 14-37-10-2.

25 SECTION 75. IC 14-37-10-3, AS AMENDED BY P.L.151-2012,
26 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2014]: **Sec. 3. The following shall be deposited in the fund:**

28 (1) Annual fees for oil and gas wells received under IC 14-37-5.

29 (2) Accrued interest and other investment earnings of the fund.

30 (3) Civil penalties collected under ~~IC 14-37-13-3~~. **IC 14-37.**

31 (4) Bonds forfeited under IC 14-37-13-2.

32 (5) Gifts, grants, donations, or appropriations from any source.

33 SECTION 76. IC 14-37-11-4 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2014]: **Sec. 4. (a) An owner or operator who**
36 **violates section 1 of this chapter commits a Class B infraction.**

37 (b) The department may assess a civil penalty of not more than
38 ten thousand dollars (\$10,000) against an owner or operator who
39 violates section 1 of this chapter.

40 (c) An owner or operator who knowingly or intentionally
41 violates section 1 of this chapter commits a Level 6 felony if the
42 violation concerns the operation of a Class II well.



1 **(d) A civil penalty assessed under this section shall be deposited**
 2 **in the oil and gas environmental fund established by IC 14-37-10-2.**

3 SECTION 77. IC 14-37-13-3 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~The commission may~~
 5 ~~assess against a person who violates:~~

6 (1) ~~this article or IC 13-8 (before its repeal); or~~

7 (2) ~~a rule adopted under this article (or IC 13-8 before its repeal);~~
 8 ~~a civil penalty of not more than ten thousand dollars (\$10,000) for each~~
 9 ~~day the violation occurs. The penalty may be recovered and In~~
 10 ~~addition to any civil penalty imposed for a violation of this article,~~
 11 ~~the violator may be enjoined department may bring an action to~~
 12 ~~enjoin the violator from continuing the violation. in a civil action.~~

13 SECTION 78. IC 14-37-13-6 IS REPEALED [EFFECTIVE JULY
 14 1, 2014]. Sec. 6: (a) Except as provided in subsection (b); a person who
 15 knowingly violates this article commits a Class B misdemeanor. Each
 16 day a violation occurs is a separate offense.

17 (b) A person who knowingly violates this article with respect to the
 18 operation of a Class H well commits a Level 6 felony.

19 SECTION 79. IC 14-38-2-21 IS REPEALED [EFFECTIVE JULY
 20 1, 2014]. Sec. 21: (a) A person who knowingly violates this chapter
 21 commits a Class C infraction.

22 (b) Each day of violation constitutes a separate infraction.

23 SECTION 80. IC 14-38-2-22 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2014]: Sec. 22. (a) An owner or operator who
 26 fails to comply with section 6, 10, or 11 of this chapter commits a
 27 Class C infraction.

28 (b) The department may assess a civil penalty of not more than
 29 ten thousand dollars (\$10,000) against an owner or operator who
 30 knowingly fails to comply with section 6, 10, or 11 of this chapter.

31 (c) A civil penalty assessed under this section shall be deposited
 32 in the oil and gas environmental fund established by IC 14-37-10-2.

33 SECTION 81. IC 33-37-5-16 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. In addition to any
 35 other duties, a clerk shall do the following:

36 (1) Collect and transfer additional judgments to a county auditor
 37 under IC 9-18-2-41.

38 (2) Deposit funds collected as judgments in the state highway
 39 fund under IC 9-20-18-12.

40 (3) Deposit funds in the conservation officers fish and wildlife
 41 fund under ~~IC 14-22-38-4, IC 14-22-38-5, and IC 14-22-40-8.~~
 42 **IC 14-22.**



1 (4) Deposit funds collected as judgments in the state general fund
 2 under IC 34-28-5-4.
 3 SECTION 82. IC 35-51-14-1, AS AMENDED BY P.L.289-2013,
 4 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2014]: Sec. 1. The following statutes define crimes in IC 14:
 6 IC 14-9-8-19 (Concerning the department of natural resources).
 7 IC 14-15-3-31 (Concerning watercraft).
 8 IC 14-15-4-4 (Concerning watercraft accidents).
 9 ~~IC 14-15-9-8 (Concerning divers).~~
 10 IC 14-15-11-11 (Concerning motorboat operators).
 11 IC 14-15-12-13 (Concerning personal watercraft).
 12 IC 14-16-1-29 (Concerning off-road vehicles).
 13 IC 14-17-4-8 (Concerning property acquisition).
 14 ~~IC 14-21-1-16 (Concerning historic preservation and archeology).~~
 15 IC 14-21-1-26 (Concerning historic preservation and archeology).
 16 IC 14-21-1-26.5 (Concerning historic preservation and
 17 archeology).
 18 ~~IC 14-21-1-27 (Concerning historic preservation and archeology).~~
 19 IC 14-21-1-28 (Concerning historic preservation and archeology).
 20 IC 14-21-1-36 (Concerning historic preservation and archeology).
 21 IC 14-21-2-5 (Concerning historic preservation and archeology).
 22 **IC 14-22-6-2 (Concerning hunting and fishing).**
 23 **IC 14-22-6-7 (Concerning hunting and fishing).**
 24 **IC 14-22-6-8 (Concerning hunting and fishing).**
 25 **IC 14-22-6-9 (Concerning hunting and fishing).**
 26 **IC 14-22-9-7 (Concerning fishing).**
 27 **IC 14-22-9-8 (Concerning fishing).**
 28 **IC 14-22-10-1 (Concerning hunting and fishing).**
 29 **IC 14-22-10-3 (Concerning hunting and fishing).**
 30 **IC 14-22-13-2.5 (Concerning commercial fishing licenses).**
 31 **IC 14-22-13-7 (Concerning commercial fishing licenses).**
 32 IC 14-22-13-10 (Concerning commercial fishing licenses).
 33 ~~IC 14-22-17-4 (Concerning fish and wildlife).~~
 34 ~~IC 14-22-32-3 (Concerning fish and wildlife).~~
 35 ~~IC 14-22-34-12 (Concerning fish and wildlife).~~
 36 ~~IC 14-22-37-2 (Concerning fish and wildlife).~~
 37 **IC 14-22-14-5 (Concerning fishing licenses).**
 38 **IC 14-22-14-22 (Concerning fishing licenses).**
 39 **IC 14-22-19-5 (Concerning furbearing mammals).**
 40 **IC 14-22-32-8 (Concerning fish and wildlife).**
 41 **IC 14-22-34-9 (Concerning nongame species).**
 42 **IC 14-22-34-12 (Concerning nongame species).**



- 1 IC 14-22-37-3 (Concerning fish and wildlife).
 2 ~~IC 14-22-38-1 (Concerning fish and wildlife):~~
 3 IC 14-22-38-3 (Concerning fish and wildlife).
 4 ~~IC 14-22-38-4 (Concerning fish and wildlife):~~
 5 IC 14-22-38-4.5 (Concerning fish and wildlife).
 6 IC 14-22-38-6 (Concerning fish and wildlife).
 7 IC 14-22-40-6 (Concerning fish and wildlife).
 8 IC 14-23-7-5 (Concerning forestry).
 9 IC 14-24-11-4 (Concerning entomology and plant pathology).
 10 ~~IC 14-26-7-8 (Concerning lakes and reservoirs):~~
 11 ~~IC 14-27-6-52 (Concerning levees, dams, and drainage):~~
 12 IC 14-29-8-5 (Concerning rivers, streams, and waterways).
 13 IC 14-31-3-15 (Concerning nature preserves).
 14 IC 14-31-3-16 (Concerning nature preserves).
 15 IC 14-31-3-17 (Concerning nature preserves).
 16 IC 14-31-3-19 (Concerning nature preserves).
 17 IC 14-31-3-20 (Concerning nature preserves).
 18 IC 14-31-3-21 (Concerning nature preserves).
 19 IC 14-34-2-6 (Concerning surface coal mining and reclamation).
 20 IC 14-34-16-6 (Concerning surface coal mining and reclamation).
 21 IC 14-34-16-7 (Concerning surface coal mining and reclamation).
 22 **IC 14-37-4-15 (Concerning oil and gas).**
 23 **IC 14-37-7-9 (Concerning oil and gas).**
 24 **IC 14-37-8-1 (Concerning oil and gas).**
 25 **IC 14-37-8-18 (Concerning oil and gas).**
 26 **IC 14-37-11-4 (Concerning oil and gas).**
 27 ~~IC 14-37-13-6 (Concerning oil and gas):~~



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 52, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 38, after "Sec. 15." insert "(a)".

Page 3, line 39, delete "2,".

Page 3, line 39, delete "7,8,9,".

Page 4, between lines 3 and 4, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 2, 7, 8, or 9 of this chapter commits a Class C misdemeanor."

Page 4, line 24, after "Sec. 12." insert "(a)".

Page 4, line 25, delete "7, 8,".

Page 4, between lines 31 and 32, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 7 or 8 of this chapter commits a Class C misdemeanor."

Page 5, line 4, after "Sec. 12." insert "(a)".

Page 5, line 5, delete "3,".

Page 5, between lines 11 and 12, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 3 of this chapter commits a Class C misdemeanor."

Page 6, line 5, after "Sec. 11." insert "(a)".

Page 6, line 6, delete "2.5, 5, or 7" and insert "5".

Page 6, between lines 9 and 10, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 2.5 or 7 of this chapter commits a Class A misdemeanor."

Page 6, line 12, after "Sec. 28." insert "(a)".

Page 6, line 13, delete "5,".

Page 6, line 13, delete "22,".

Page 6, between lines 19 and 20, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 5 or 22 of this chapter commits a Class C misdemeanor."

Page 7, line 10, after "Sec. 7." insert "(a)".

Page 7, line 11, delete "1, 5, or 6" and insert "1 or 6".

Page 7, between lines 17 and 18, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 5 of this chapter commits a Class C misdemeanor."

Page 10, line 19, after "who" insert "knowingly or intentionally".

Page 10, line 20, delete "infraction." and insert "misdemeanor.".

Page 10, delete lines 21 through 35, begin a new paragraph and



insert:

"(b) A person who knowingly or intentionally violates section 12 of this chapter commits a Class A misdemeanor.

(c) A person who fails to procure or violates the terms of a permit issued under:

(1) section 15 of this chapter; or

(2) section 16 of this chapter;

commits a Class A infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class A infraction imposed under this section may not exceed five thousand dollars (\$5,000)."

Page 11, delete lines 21 through 31, begin a new paragraph and insert:

"SECTION 45. IC 14-22-38-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. **(a) A person who takes a deer or a wild turkey in violation of this article commits a Class B misdemeanor infraction. However, the offense is a Class A misdemeanor if the person has a prior conviction under:**

(1) IC 14-2-3-8(c) (repealed); or

(2) this section.

(b) A person who:

(1) knowingly or intentionally takes a deer or a wild turkey in violation of this article; and

(2) has a prior conviction or adjudication under this section within the previous ten (10) years;

commits a Class C misdemeanor."

Page 16, delete lines 5 through 9, begin a new paragraph and insert:

"SECTION 68. IC 14-34-10-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who does not comply with section 2 or 3 of this chapter is liable for a civil penalty under IC 14-34-16."**

Page 20, between lines 29 and 30, begin a new line block indented and insert:

"IC 14-22-6-2 (Concerning hunting and fishing).

IC 14-22-6-7 (Concerning hunting and fishing).

IC 14-22-6-8 (Concerning hunting and fishing).

IC 14-22-6-9 (Concerning hunting and fishing).

IC 14-22-9-7 (Concerning fishing).

IC 14-22-9-8 (Concerning fishing)."

Page 20, between lines 30 and 31, begin a new line block indented and insert:

"IC 14-22-10-3 (Concerning hunting and fishing).



IC 14-22-13-2.5 (Concerning commercial fishing licenses).

IC 14-22-13-7 (Concerning commercial fishing licenses)."

Page 20, between lines 35 and 36, begin a new line block indented and insert:

"IC 14-22-14-5 (Concerning fishing licenses).

IC 14-22-14-22 (Concerning fishing licenses).

IC 14-22-19-5 (Concerning furbearing mammals).

IC 14-22-34-9 (Concerning nongame species).

IC 14-22-34-12 (Concerning nongame species)."

Page 20, reset in roman line 38.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 52 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 52, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 22, delete "Notwithstanding IC 34-28-5-4, a judgment for a Class" and insert **"However, the offense is a Class A infraction if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated judgment under this subsection."**

Page 6, delete lines 23 through 27.

Page 6, line 38, delete "A judgment for a Class" and insert **"However, the offense is a Class A infraction if, within the five (5) years preceding the commission of the offense, the person had a prior unrelated judgment under this subsection."**

Page 6, delete lines 39 through 42.

Page 7, delete line 1.

Page 9, line 30, delete "knowingly or".

Page 9, line 31, delete "intentionally".

Page 9, line 34, after "(\$5,000)." insert **"However, a person who: (1) knowingly or intentionally violates section 2 of this chapter; and**



(2) has a prior unrelated conviction or adjudication for a violation of section 2 of this chapter within the five (5) years immediately preceding the current violation; commits a Class C misdemeanor."

Page 10, line 42, delete ""."

Page 16, delete lines 5 through 42.

Page 17, delete lines 1 through 6.

Page 21, between lines 14 and 15, begin a new line block indented and insert:

"IC 14-22-32-8 (Concerning fish and wildlife)."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 52 as printed January 31, 2014.)

MCMILLIN, Chair

Committee Vote: yeas 9, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 52 be amended to read as follows:

Page 1, between the enacting clause and line 1 begin a new paragraph and insert:

"SECTION 1. IC 9-31-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. **(a)** The owner shall paint on or attach to each side of the bow of the motorboat the registration number assigned under section 10 of this chapter. **Subject to subsection (b)**, the number shall ~~must~~ **be displayed**, painted on, or attached in the manner prescribed by rules adopted by the bureau so that the number is **legible and** clearly visible. The registration number shall be maintained in legible condition.

(b) If a motorboat is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

SECTION 2. IC 14-15-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) This section does not apply to a motorboat competing in and during a motorboat race for which a permit has been issued by the department.

(b) A person may not operate a motorboat on Indiana water unless



the boat motor is equipped with:

- (1) a muffler;
- (2) an underwater exhaust; or
- (3) other device;

that muffles or suppresses the sound of the exhaust. ~~to prevent excessive and unusual noise at all speeds."~~

Page 1, between lines 9 and 10, begin a new paragraph and insert:
 "SECTION 4. IC 14-15-2-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 16. Except when enforcing the requirements concerning the display of a light on a boat as provided in section 10, 11, 12, 13, or 14 of this chapter, a boat may not be stopped, inspected, searched, or detained by a law enforcement officer solely to determine compliance with the requirements of this chapter.**

SECTION 5. IC 14-15-3-21 IS REPEALED [EFFECTIVE JULY 1, 2014]. ~~Sec. 21. (a) A person operating or occupying a boat may not sound a whistle or horn when:~~

- ~~(1) the passage of the boat is clear and without danger; or~~
- ~~(2) a warning signal is not necessary to prevent injury to person or property.~~

~~(b) Unnecessary sounding of a whistle or horn is:~~

- ~~(1) a public nuisance; and~~
- ~~(2) prohibited."~~

Page 1, line 13, delete "21,".

Page 3, line 7, after "who" insert ",".

Page 3, line 7, strike "knowingly,".

Page 3, line 23, strike "recklessly, knowingly, or intentionally".

Page 3, delete lines 25 through 27.

Page 6, line 11, delete "knowingly".

Page 6, line 12, delete "or intentionally".

Page 6, line 29, after "who" insert ":".

Page 6, line 29, strike "recklessly, knowingly, or".

Page 6, strike line 30.

Page 6, line 35, delete "However, the offense is".

Page 6, delete lines 36 through 38.

Page 11, line 4, strike "knowingly or intentionally".

Page 11, line 7, after "who" insert ":".

Page 11, line 7, strike "knowingly or intentionally:".

Page 11, line 14, strike "knowingly or intentionally".

Page 11, line 30, delete "(a)".

Page 11, line 30, after "who" insert "**knowingly or intentionally**".

Page 11, line 32, strike "B" and insert "C".



Page 11, line 32, delete "misdemeanor infraction." and insert "misdemeanor."

Page 11, delete lines 36 through 41.

Page 12, line 2, delete "who:" and insert "who,".

Page 12, strike lines 3 through 5.

Page 12, line 6, strike "(3)".

Page 12, line 8, delete ";".

Page 12, line 28, after "who" insert ":".

Page 12, line 28, strike "recklessly, knowingly, or intentionally:".

Page 13, line 9, delete "knowingly".

Page 13, line 13, delete "knowingly".

Page 13, line 17, delete "knowingly".

Page 13, line 27, strike "recklessly or knowingly".

Page 13, line 36, delete "knowingly".

Page 15, line 25, strike "knowingly".

Page 15, line 25, after "23" insert "of".

Page 15, line 35, strike "recklessly".

Page 16, line 2, strike "knowingly".

Page 18, line 42, delete "knowingly".

Renumber all SECTIONS consecutively.

(Reference is to ESB 52 as printed February 21, 2014.)

MCMILLIN

