



January 31, 2014

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## SENATE BILL No. 52

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DIGEST OF SB 52 (Updated January 28, 2014 2:35 pm - DI 106)

**Citations Affected:** 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 14-34; IC 14-35; IC 14-36; IC 14-37; IC 14-38; IC 33-37; IC 35-51.

**Synopsis:** Criminal penalties and DNR. Makes the penalty for violating certain statutes in IC 14 (natural and cultural resources) an infraction instead of a misdemeanor. (The introduced version of this bill was prepared by the criminal law and sentencing policy study committee.)

**Effective:** July 1, 2014.

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### Steele, Randolph

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January 7, 2014, read first time and referred to Committee on Corrections & Criminal Law.  
January 30, 2014, amended, reported favorably — Do Pass.

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SB 52—LS 6164/DI 106





January 31, 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.

## SENATE BILL No. 52

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

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

10 SECTION 2. IC 14-15-3-31 AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2014]: Sec. 31. (a) **Except as provided in**  
12 **subsection (b)**; A person who violates **section 2, 3, 5, 7, 8, 9, 10, 14,**  
13 **15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, or 30** of this chapter  
14 commits a Class C infraction.

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

SB 52—LS 6164/DI 106



1 SECTION 3. IC 14-15-4-4, AS AMENDED BY P.L.158-2013,  
 2 SECTION 199, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2014]: Sec. 4. A person who **knowingly or**  
 4 **intentionally** violates **section 1, 2, or 3** of this chapter commits a Class  
 5 C misdemeanor. However, the offense is:

6 (1) a Class A misdemeanor if the accident or collision results in  
 7 an injury to a person;

8 (2) a Level 6 felony if:

9 (A) the accident or collision results in serious bodily injury to  
 10 a person; or

11 (B) within the five (5) years preceding the commission of the  
 12 offense, the person had a previous conviction of any of the  
 13 offenses listed in IC 9-30-10-4(a), IC 35-46-9-6, or  
 14 IC 14-15-8-8 (before its repeal); or

15 (3) a Level 5 felony if the accident or collision results in the death  
 16 of a person.

17 SECTION 4. IC 14-15-5-3 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. A person who  
 19 violates **section 1** of this chapter commits a Class C infraction.

20 SECTION 5. IC 14-15-6-10 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. A person who  
 22 violates **section 1, 5, 7, 8, or 9** of this chapter commits a Class C  
 23 infraction.

24 SECTION 6. IC 14-15-7-6 IS REPEALED [EFFECTIVE JULY 1,  
 25 2014]. ~~Sec. 6: A person who violates this chapter commits a Class C~~  
 26 ~~infraction.~~

27 SECTION 7. IC 14-15-9-8 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who  
 29 violates section 4, 5, 6, or 7(a) of this chapter commits a Class C  
 30 ~~misdemeanor:~~ **infraction.**

31 SECTION 8. IC 14-15-13-4, AS ADDED BY P.L.165-2011,  
 32 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2014]: Sec. 4. An individual who violates **section 3** of this  
 34 chapter commits a Class C infraction.

35 SECTION 9. IC 14-16-1-29, AS AMENDED BY P.L.1-2006,  
 36 SECTION 210, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2014]: Sec. 29. (a) ~~Except as provided in~~  
 38 ~~subsections (b) and (c);~~ A person who violates **section 8, 9, 11.5, 13,**  
 39 **14, 20, 21, 23(a)(3) through 23(a)(14), or 27** of this chapter commits  
 40 a Class C infraction.

41 (b) A person who **knowingly or intentionally** violates section 17,  
 42 18(a), 18(b), 18(c), 23(a)(1), 23(a)(2), or 24 of this chapter commits a



1 Class B misdemeanor.

2 (c) A person who violates section 18(d) or 18(e) of this chapter  
3 commits a Class A infraction.

4 SECTION 10. IC 14-21-1-16 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) Except as  
6 provided in section 18 and sections 25 through 27 of this chapter, a  
7 person who knowingly, without a permit, conducts a field investigation  
8 or alters historic property within the boundaries of property owned or  
9 leased by the state commits a Class A ~~misdemeanor~~ **infraction**.

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

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

17 (1) Notify the department within two (2) business days of the time  
18 of the disturbance.

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

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

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

28 SECTION 12. IC 14-21-2-5 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. A person who  
30 knowingly violates a ~~provision section 3 or 4~~ of this chapter commits  
31 a Class C misdemeanor.

32 SECTION 13. IC 14-21-3-3 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~Beginning January~~  
34 ~~1, 2003~~; A person who violates section 1 of this chapter commits a  
35 Class C infraction.

36 SECTION 14. IC 14-22-6-15 IS ADDED TO THE INDIANA  
37 CODE AS A NEW SECTION TO READ AS FOLLOWS  
38 [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) **A person who violates**  
39 **section 1, 3, 4, 6, or 10 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 (b) A person who knowingly or intentionally violates section 2,  
 5 7, 8, or 9 of this chapter commits a Class C misdemeanor.

6 SECTION 15. IC 14-22-7-6 IS ADDED TO THE INDIANA CODE  
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 8 1, 2014]: Sec. 6. A person who violates section 3 of this chapter  
 9 commits a Class C infraction. Notwithstanding IC 34-28-5-4, a  
 10 judgment for a Class C infraction imposed under this section may  
 11 not exceed two hundred fifty dollars (\$250) if the violator does not  
 12 have a prior unrelated conviction or adjudication for a violation of  
 13 this article that occurred within the five (5) years immediately  
 14 preceding the current violation.

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

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

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

36 SECTION 18. IC 14-22-10-1 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) A person may  
 38 not:

- 39 (1) fish, hunt, trap, or chase;
- 40 (2) shoot with any kind of firearm or archery equipment;
- 41 (3) search for or gather any plant life (defined as the members of  
 42 the kingdoms Fungi and Plantae); or



1 (4) search for or gather any artifacts (as defined in IC 14-21-1-2);  
2 upon privately owned land without having the consent of the owner or  
3 tenant of the land.

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

6 SECTION 19. IC 14-22-10-12 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) A person who violates**  
9 **section 4, 7, or 8 of this chapter commits a Class C infraction.**  
10 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
11 **imposed under this section may not exceed two hundred fifty**  
12 **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 **(b) A person who knowingly or intentionally violates section 3**  
17 **of this chapter commits a Class C misdemeanor.**

18 SECTION 20. IC 14-22-11-17 IS REPEALED [EFFECTIVE JULY  
19 1, 2014]. ~~Sec. 17. A person who violates section 6, 7, or 8 of this~~  
20 ~~chapter commits a Class C infraction.~~

21 SECTION 21. IC 14-22-11-19 IS ADDED TO THE INDIANA  
22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2014]: **Sec. 19. A person who violates section**  
24 **1, 6, 7, 8, 13, or 14 of this chapter commits a Class C infraction.**  
25 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
26 **imposed under this section may not exceed two hundred fifty**  
27 **dollars (\$250) if the violator does not have a prior unrelated**  
28 **conviction or adjudication for a violation of this article that**  
29 **occurred within the five (5) years immediately preceding the**  
30 **current violation.**

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

40 SECTION 23. IC 14-22-13-10, AS ADDED BY P.L.165-2011,  
41 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2014]: **Sec. 10. (a) A person who knowingly or intentionally**



1 fails to comply with the requirements of:

2 (1) a license issued under this chapter;

3 (2) this chapter; or

4 (3) rules adopted under this article to implement this chapter;

5 is subject to suspension or revocation of the person's license.

6 (b) A license revoked under this section may not be reinstated.

7 ~~(c) A person who knowingly or intentionally violates this chapter~~  
8 ~~commits a Class A misdemeanor.~~

9 SECTION 24. IC 14-22-13-11 IS ADDED TO THE INDIANA  
10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2014]: **Sec. 11. (a) A person who knowingly**  
12 **or intentionally violates section 5 of this chapter commits a Class**  
13 **A infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**  
14 **A infraction imposed under this section may not exceed five**  
15 **thousand dollars (\$5,000).**

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

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

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

30 SECTION 26. IC 14-22-15-7, AS AMENDED BY P.L.165-2011,  
31 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2014]: **Sec. 7. An individual who recklessly, knowingly, or**  
33 **intentionally:**

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

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

38 ~~commits a Class C misdemeanor.~~ **infraction. A judgment for a Class**  
39 **C infraction imposed under this section may not exceed two**  
40 **hundred fifty dollars (\$250) if the violator does not have a prior**  
41 **unrelated conviction or adjudication for a violation of this article**  
42 **that occurred within the five (5) years immediately preceding the**





1 **current violation.**

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

12 SECTION 28. IC 14-22-17-4 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. A person who  
14 violates section 2 of this chapter commits a Class A ~~misdemeanor~~  
15 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**  
16 **A infraction imposed under this section may not exceed five**  
17 **thousand dollars (\$5,000).**

18 SECTION 29. IC 14-22-19-7 IS ADDED TO THE INDIANA  
19 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2014]: **Sec. 7. (a) A person who violates**  
21 **section 1 or 6 of this chapter commits a Class C infraction.**  
22 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
23 **imposed under this section may not exceed two hundred fifty**  
24 **dollars (\$250) if the violator does not have a prior unrelated**  
25 **conviction or adjudication for a violation of this article that**  
26 **occurred within the five (5) years immediately preceding the**  
27 **current violation.**

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

30 SECTION 30. IC 14-22-20-5 IS ADDED TO THE INDIANA  
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2014]: **Sec. 5. A person who violates section**  
33 **2 or 4(c) of this chapter commits a Class C infraction.**  
34 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
35 **imposed under this section may not exceed two hundred fifty**  
36 **dollars (\$250) if the violator does not have a prior unrelated**  
37 **conviction or adjudication for a violation of this article that**  
38 **occurred within the five (5) years immediately preceding the**  
39 **current violation.**

40 SECTION 31. IC 14-22-21-6 IS ADDED TO THE INDIANA  
41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who possesses for**



1 taxidermy purposes the hide or skin of a wild animal without the  
 2 license described in section 2 of this chapter commits a Class C  
 3 infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class  
 4 C infraction imposed under this section may not exceed two  
 5 hundred fifty dollars (\$250) if the violator does not have a prior  
 6 unrelated conviction or adjudication for a violation of this article  
 7 that occurred within the five (5) years immediately preceding the  
 8 current violation.

9 SECTION 32. IC 14-22-23-6 IS ADDED TO THE INDIANA  
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**  
 12 **1 or 5 of this chapter commits a Class C infraction.**  
 13 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
 14 **imposed under this section may not exceed two hundred fifty**  
 15 **dollars (\$250) if the violator does not have a prior unrelated**  
 16 **conviction or adjudication for a violation of this article that**  
 17 **occurred within the five (5) years immediately preceding the**  
 18 **current violation.**

19 SECTION 33. IC 14-22-24-6 IS ADDED TO THE INDIANA  
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**  
 22 **1 or 4 of this chapter commits a Class C infraction.**  
 23 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
 24 **imposed under this section may not exceed two hundred fifty**  
 25 **dollars (\$250) if the violator does not have a prior unrelated**  
 26 **conviction or adjudication for a violation of this article that**  
 27 **occurred within the five (5) years immediately preceding the**  
 28 **current violation.**

29 SECTION 34. IC 14-22-25-5 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 **2 of this chapter commits a Class C infraction. Notwithstanding**  
 33 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**  
 34 **this section may not exceed two hundred fifty dollars (\$250) if the**  
 35 **violator does not have a prior unrelated conviction or adjudication**  
 36 **for a violation of this article that occurred within the five (5) years**  
 37 **immediately preceding the current violation.**

38 SECTION 35. IC 14-22-28-6 IS ADDED TO THE INDIANA  
 39 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates a**  
 41 **prescription of the director described in section 2 of this chapter**  
 42 **commits a Class C infraction. Notwithstanding IC 34-28-5-4, a**



1 judgment for a Class C infraction imposed under this section may  
2 not exceed two hundred fifty dollars (\$250) if the violator does not  
3 have a prior unrelated conviction or adjudication for a violation of  
4 this article that occurred within the five (5) years immediately  
5 preceding the current violation.

6 SECTION 36. IC 14-22-30-3 IS ADDED TO THE INDIANA  
7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2014]: **Sec. 3. A person who violates section**  
9 **1 of this chapter commits a Class C infraction. Notwithstanding**  
10 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**  
11 **this section may not exceed two hundred fifty dollars (\$250) if the**  
12 **violator does not have a prior unrelated conviction or adjudication**  
13 **for a violation of this article that occurred within the five (5) years**  
14 **immediately preceding the current violation.**

15 SECTION 37. IC 14-22-31-15 IS ADDED TO THE INDIANA  
16 CODE AS A NEW SECTION TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**  
18 **1, 3, 6, 8, 9, 10, 11, 12, 13, or 14 of this chapter commits a Class C**  
19 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**  
20 **C infraction imposed under this section may not exceed two**  
21 **hundred fifty dollars (\$250) if the violator does not have a prior**  
22 **unrelated conviction or adjudication for a violation of this article**  
23 **that occurred within the five (5) years immediately preceding the**  
24 **current violation.**

25 SECTION 38. IC 14-22-32-3 IS REPEALED [EFFECTIVE JULY  
26 1, 2014]. **Sec. 3. A person who knowingly or intentionally violates**  
27 **section 2 of this chapter commits a Class A misdemeanor.**

28 SECTION 39. IC 14-22-32-8 IS ADDED TO THE INDIANA  
29 CODE AS A NEW SECTION TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2014]: **Sec. 8. A person who knowingly or**  
31 **intentionally violates section 2 of this chapter commits a Class A**  
32 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**  
33 **A infraction imposed under this section may not exceed five**  
34 **thousand dollars (\$5,000).**

35 SECTION 40. IC 14-22-33-6 IS ADDED TO THE INDIANA  
36 CODE AS A NEW SECTION TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2014]: **Sec. 6. A person who violates section**  
38 **1(b) of this chapter commits a Class C infraction. Notwithstanding**  
39 **IC 34-28-5-4, a judgment for a Class C infraction imposed under**  
40 **this section may not exceed two hundred fifty dollars (\$250) if the**  
41 **violator does not have a prior unrelated conviction or adjudication**  
42 **for a violation of this article that occurred within the five (5) years**



- 1 **immediately preceding the current violation.**  
 2 SECTION 41. IC 14-22-34-12 IS AMENDED TO READ AS  
 3 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. (a) Except as  
 4 otherwise provided in this chapter, a person may not take, possess,  
 5 transport, export, process, sell or offer for sale, or ship, and a common  
 6 or contract carrier may not knowingly transport or receive for shipment  
 7 a species or subspecies of wildlife appearing on any of the following:  
 8 (1) The list of wildlife indigenous to Indiana determined to be  
 9 endangered in Indiana under this chapter.  
 10 (2) The United States list of endangered wildlife (50 CFR 17.11)  
 11 as in effect on January 1, 1979.  
 12 (3) The list of endangered species developed under section 13 of  
 13 this chapter.  
 14 (b) A species or subspecies of wildlife appearing on a list described  
 15 in subsection (a) that:  
 16 (1) enters Indiana from another state or from a point outside the  
 17 territorial limits of the United States; and  
 18 (2) is transported across Indiana destined for a point beyond  
 19 Indiana;  
 20 may be so entered and transported without restriction in accordance  
 21 with the terms of a federal permit or permit issued under the laws of  
 22 another state.  
 23 (c) A person who:  
 24 (1) violates subsection (a) or (b); or  
 25 (2) fails to procure or violates the terms of a permit issued under:  
 26 (A) section 15 of this chapter; or  
 27 (B) section 16 of this chapter;  
 28 commits a Class A misdemeanor.  
 29 SECTION 42. IC 14-22-34-22 IS ADDED TO THE INDIANA  
 30 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2014]: Sec. 22. (a) A person who knowingly  
 32 or intentionally violates section 9 of this chapter commits a Class  
 33 C misdemeanor.  
 34 (b) A person who knowingly or intentionally violates section 12  
 35 of this chapter commits a Class A misdemeanor.  
 36 (c) A person who fails to procure or violates the terms of a  
 37 permit issued under:  
 38 (1) section 15 of this chapter; or  
 39 (2) section 16 of this chapter;  
 40 commits a Class A infraction. Notwithstanding IC 34-28-5-4, a  
 41 judgment for a Class A infraction imposed under this section may  
 42 not exceed five thousand dollars (\$5,000)."



1 SECTION 43. IC 14-22-37-2 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who  
 3 knowingly or intentionally interferes with the legal taking of a game  
 4 animal by another person with intent to prevent the taking commits a  
 5 Class C ~~misdemeanor~~: **infraction**.

6 (b) A person who knowingly or intentionally:

7 (1) disturbs a game animal; or

8 (2) engages in an activity or places an object or substance that  
 9 will tend to disturb or otherwise affect the behavior of a game  
 10 animal;

11 with intent to prevent or hinder the legal taking commits a Class C  
 12 ~~misdemeanor~~: **infraction**.

13 (c) A person who knowingly or intentionally enters or remains:

14 (1) upon public land; or

15 (2) upon private land without permission of the owner or the  
 16 owner's agent;

17 with intent to violate this section commits a Class C ~~misdemeanor~~:  
 18 **infraction**.

19 (d) **Notwithstanding IC 34-28-5-4, a judgment for a Class C**  
 20 **infraction imposed under this section may not exceed two hundred**  
 21 **fifty 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 44. IC 14-22-38-1 IS REPEALED [EFFECTIVE JULY  
 26 1, 2014]. ~~Sec. 1. Except as otherwise provided in this article, a person~~  
 27 ~~who violates this article commits a Class C misdemeanor.~~

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

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

34 (2) this section.

35 (b) **A person who:**

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

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

40 **commits a Class C misdemeanor.**

41 SECTION 46. IC 14-22-38-4, AS AMENDED BY P.L.289-2013,  
 42 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2014]: Sec. 4. (a) A person who:  
 2 (1) unlawfully takes or possesses a deer or wild turkey;  
 3 (2) takes or possesses a deer or wild turkey by illegal methods or  
 4 with illegal devices; or  
 5 (3) except as provided in subsections (c) and (d), sells, offers to  
 6 sell, purchases, or offers to purchase a deer or wild turkey or a  
 7 part of a deer or wild turkey;  
 8 shall reimburse the state five hundred dollars (\$500) for the first  
 9 violation and one thousand dollars (\$1,000) for each subsequent  
 10 violation.  
 11 (b) The money shall be deposited in the conservation officers fish  
 12 and wildlife fund. This penalty is in addition to any other penalty under  
 13 the law.  
 14 (c) Notwithstanding section 6 of this chapter, if a properly tagged  
 15 deer is brought to a meat processing facility and the owner of the deer:  
 16 (1) fails to pick up the processed deer within a reasonable time;  
 17 or  
 18 (2) notifies the meat processing facility that the owner does not  
 19 want the processed deer;  
 20 the deer meat may be given away by the meat processing facility to  
 21 another person. The meat processing facility may charge the person  
 22 receiving the deer meat a reasonable and customary processing fee.  
 23 (d) Notwithstanding section 6 of this chapter, deer meat and  
 24 products from farm raised deer that meet the requirements under  
 25 IC 15-17 may be sold to the public.  
 26 (e) In addition to being liable for the reimbursement required under  
 27 subsection (a), a person who recklessly, knowingly, or intentionally:  
 28 violates subsection (a)(1) or (a)(2)  
 29 **(1) unlawfully takes or possesses a deer or wild turkey;**  
 30 **(2) takes or possesses a deer or wild turkey by illegal methods**  
 31 **or with illegal devices; or**  
 32 **(3) except as provided in this section, sells, offers to sell,**  
 33 **purchases, or offers to purchase a deer or wild turkey or a**  
 34 **part of a deer or wild turkey;**  
 35 while using or possessing ~~(1)~~ a sound suppressor designed for use with  
 36 or on a firearm, commonly called a silencer, or ~~(2)~~ a device used as a  
 37 silencer ~~commits unlawful hunting while using or possessing a silencer;~~  
 38 ~~a Class C misdemeanor.~~ **commits a Class C infraction.**  
 39 **Notwithstanding IC 34-28-5-4, a judgment for a Class C infraction**  
 40 **imposed under this section may not exceed two hundred fifty**  
 41 **dollars (\$250) if the violator does not have a prior unrelated**  
 42 **conviction or adjudication for a violation of this article that**



1 **occurred within the five (5) years immediately preceding the**  
 2 **current violation.**

3 SECTION 47. IC 14-24-6-7 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. **(a)** A person may not  
 5 remove a label described under section 6 of this chapter from nursery  
 6 stock until the nursery stock has been sold for the ultimate use or  
 7 purpose of the nursery stock in Indiana.

8 **(b) A person who knowingly violates this section commits a**  
 9 **Class C infraction.**

10 SECTION 48. IC 14-24-7-6 IS ADDED TO THE INDIANA CODE  
 11 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
 12 1, 2014]: **Sec. 6. A person who knowingly violates section 1 of this**  
 13 **chapter commits a Class C infraction.**

14 SECTION 49. IC 14-24-9-4 IS ADDED TO THE INDIANA CODE  
 15 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
 16 1, 2014]: **Sec. 4. A person who knowingly violates section 2 of this**  
 17 **chapter commits a Class C infraction.**

18 SECTION 50. IC 14-24-11-4 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. **(a) Except as**  
 20 **provided in subsections (b) and (c); a person that knowingly violates**  
 21 **this article commits a Class C infraction:**

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

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

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

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

30 commits a Class A infraction.

31 **(d) (c)** Each day a violation occurs under this section is a separate  
 32 offense.

33 SECTION 51. IC 14-24-12-10 IS ADDED TO THE INDIANA  
 34 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2014]: **Sec. 10. A person who knowingly**  
 36 **violates section 5 or 7 of this chapter commits a Class C infraction.**

37 SECTION 52. IC 14-25-3-18 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 18. A person who  
 39 violates:

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

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

42 commits a Class C infraction. Each day of violation constitutes a



1 separate infraction.

2 SECTION 53. IC 14-25-4-16 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) A person who  
4 violates **a rule or order adopted under this chapter concerning a**  
5 **ground water emergency** commits a Class A infraction.

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

8 SECTION 54. IC 14-25-5-15 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) A person who  
10 violates **an order concerning a freshwater lake emergency declared**  
11 **under section 7 of this chapter** commits a Class A infraction.

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

14 SECTION 55. IC 14-25-6-6 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. A person who  
16 violates **section 1 or 2 of this chapter, including the violation of an**  
17 **order issued under section 1 of this chapter**, commits a Class C  
18 infraction. Each day of violation constitutes a separate infraction.

19 SECTION 56. IC 14-25.5-3-2 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The fund consists of  
21 the following:

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

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

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

26 SECTION 57. IC 14-25.5-4-3 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) ~~The department~~  
28 ~~may assess a civil penalty of not more than ten thousand dollars~~  
29 ~~(\$10,000) for a violation of an article to which this article applies or a~~  
30 ~~violation of a rule adopted under an article to which this article applies.~~  
31 **If the department has authority to assess a civil penalty for the**  
32 **violation of a statute in an article described in IC 14-25.5-1-1, the**  
33 **department also has authority to assess a civil penalty for the**  
34 **violation of a rule adopted in connection with that statute.**

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

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

40 SECTION 58. IC 14-25.5-4-4 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A civil penalty  
42 assessed ~~under~~ **for a violation described in** section 3 of this chapter





1 is subject to IC 4-21.5-3-6 and becomes effective without a proceeding  
 2 under IC 4-21.5-3 unless a person requests an administrative review  
 3 within thirty (30) days after receipt of the notice of assessment.

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

6 SECTION 59. IC 14-25.5-4-5 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. The division director  
 8 may request the attorney general to institute an action in an appropriate  
 9 court for the following:

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

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

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

16 (B) An order of the department.

17 SECTION 60. IC 14-25.5-4-6 IS REPEALED [EFFECTIVE JULY  
 18 1, 2014]. ~~Sec. 6. Except as provided in IC 14-26-7-8, IC 14-27-6-52,~~  
 19 ~~IC 14-29-1-3, IC 14-29-7-25, and IC 14-29-8-5, a person who~~  
 20 ~~knowingly violates an article enforced under this article commits a~~  
 21 ~~Class B infraction. Each day a violation occurs is a separate infraction.~~

22 SECTION 61. IC 14-26-2-21 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 21. A person who  
 24 knowingly violates **section 7 or 23** this chapter commits a Class B  
 25 infraction.

26 SECTION 62. IC 14-26-2-22 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 22. In addition to other  
 28 penalties prescribed by this chapter or IC 13-2-11.1 (before its repeal),  
 29 the director may impose a civil penalty **of not more than ten thousand**  
 30 **dollars (\$10,000)** under IC 14-25.5-4 **for a violation of section 7 or**  
 31 **23 of this chapter.**

32 SECTION 63. IC 14-26-7-8 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. A person who  
 34 recklessly violates this chapter commits a Class A ~~misdemeanor.~~  
 35 **infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class**  
 36 **A infraction imposed under this section may not exceed five**  
 37 **thousand dollars (\$5,000).**

38 SECTION 64. IC 14-27-6-52 IS REPEALED [EFFECTIVE JULY  
 39 1, 2014]. ~~Sec. 52. A person who recklessly violates this chapter~~  
 40 ~~commits a Class B misdemeanor.~~

41 SECTION 65. IC 14-29-4-9 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) A person who



1 knowingly violates **section 3** of this chapter commits a Class B  
2 infraction.

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

5 SECTION 66. IC 14-34-3-15 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2014]: **Sec. 15. A person who violates section**  
8 **1 of this chapter is liable for a civil penalty under IC 14-34-16.**

9 SECTION 67. IC 14-34-9-7 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2014]: **Sec. 7. A person who conducts a coal exploration**  
12 **operation without complying with section 1 of this chapter is liable**  
13 **for a civil penalty under IC 14-34-16.**

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

19 SECTION 69. IC 14-34-12-4 IS ADDED TO THE INDIANA  
20 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
21 [EFFECTIVE JULY 1, 2014]: **Sec. 4. A person who does not comply**  
22 **with section 2 of this chapter is liable for a civil penalty under**  
23 **IC 14-34-16.**

24 SECTION 70. IC 14-34-15-17 IS ADDED TO THE INDIANA  
25 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2014]: **Sec. 17. A person who does not**  
27 **comply with section 1 or 2 of this chapter, or a notice or order**  
28 **issued under section 8 of this chapter, is liable for a civil penalty**  
29 **under IC 14-34-16.**

30 SECTION 71. IC 14-35-1-12 IS ADDED TO THE INDIANA  
31 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2014]: **Sec. 12. (a) A person who conducts**  
33 **mining operations without a permit required by section 1 of this**  
34 **chapter, or in violation of a condition of a permit issued under**  
35 **section 1 of this chapter, commits a Class C infraction.**

36 (b) Each day that a violation continues constitutes a separate  
37 violation.

38 (c) A civil penalty assessed under this section shall be  
39 transferred to the treasurer of state in accordance with  
40 IC 14-35-3-1 for deposit as described in IC 14-35-3-2.

41 SECTION 72. IC 14-35-2-4 IS ADDED TO THE INDIANA CODE  
42 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2014]: **Sec. 4. (a) A person who conducts geologic investigations without a permit issued under section 1 of this chapter, or in violation of a condition of a permit issued under section 1 of this chapter, commits a Class C infraction.**

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

SECTION 73. IC 14-36-1-37 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 37. (a) A person who violates or fails to comply with section 14, 15, 26, or 27 of this chapter (including a person who fails to comply with a rule of the commission or order of the director adopted or issued in connection with these sections) commits a Class A infraction.**

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

**(c) 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).**

SECTION 74. IC 14-37-4-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 15. (a) The department may assess a civil penalty of not more than ten thousand dollars (\$10,000) against a person who violates section 1 or 2 of this chapter.**

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

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

SECTION 75. IC 14-37-7-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 9. (a) The department may assess a civil penalty of not more than ten thousand dollars (\$10,000) against an owner or operator who:**

- (1) violates section 4 or 7 of this chapter; or**
- (2) fails to comply with an order of the division under section 3.5 or 4 of this chapter.**

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

- (1) violates section 4 or 7 of this chapter; or**
- (2) fails to comply with an order of the division under section 3.5 or 4 of this chapter;**

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



1           **(c) 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 76. IC 14-37-8-1 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) An owner or  
 5 operator shall plug and abandon a well that:

- 6           (1) is completed as a nonproductive well;  
 7           (2) ceases to produce oil or natural gas; or  
 8           (3) is no longer operated for the purpose for which the well is  
 9 permitted;

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

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

- 15           (1) ceases to operate the well; and  
 16           (2) knowingly fails to plug and abandon the well in violation of  
 17 subsection (a).

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

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

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

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

26           SECTION 77. IC 14-37-8-18 IS ADDED TO THE INDIANA  
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2014]: Sec. 18. (a) **The department may**  
 29 **assess a civil penalty of not more than ten thousand dollars**  
 30 **(\$10,000) against an owner or operator who:**

- 31           (1) violates; or  
 32           (2) fails to comply with an order of the division in relation to;  
 33 section 3, 4, or 4.2 of this chapter.

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

- 35           (1) violates; or  
 36           (2) fails to comply with an order of the division in relation to;  
 37 section 3, 4, or 4.2 of this chapter **commits a Level 6 felony if the**  
 38 **violation or failure to comply relates to the operation of a Class II**  
 39 **well.**

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

42           SECTION 78. IC 14-37-10-3, AS AMENDED BY P.L.151-2012,



1 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2014]: Sec. 3. The following shall be deposited in the fund:

- 3 (1) Annual fees for oil and gas wells received under IC 14-37-5.  
4 (2) Accrued interest and other investment earnings of the fund.  
5 (3) Civil penalties collected under ~~IC 14-37-13-3~~. **IC 14-37**.  
6 (4) Bonds forfeited under IC 14-37-13-2.  
7 (5) Gifts, grants, donations, or appropriations from any source.

8 SECTION 79. IC 14-37-11-4 IS ADDED TO THE INDIANA  
9 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2014]: **Sec. 4. (a) An owner or operator who**  
11 **violates section 1 of this chapter commits a Class B infraction.**

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

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

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

20 SECTION 80. IC 14-37-13-3 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. ~~The commission may~~  
22 ~~assess against a person who violates:~~

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

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

30 SECTION 81. IC 14-37-13-6 IS REPEALED [EFFECTIVE JULY  
31 1, 2014]. Sec. 6: (a) ~~Except as provided in subsection (b); a person who~~  
32 ~~knowingly violates this article commits a Class B misdemeanor. Each~~  
33 ~~day a violation occurs is a separate offense.~~

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

36 SECTION 82. IC 14-38-2-21 IS REPEALED [EFFECTIVE JULY  
37 1, 2014]. Sec. 21: (a) ~~A person who knowingly violates this chapter~~  
38 ~~commits a Class C infraction.~~

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

40 SECTION 83. IC 14-38-2-22 IS ADDED TO THE INDIANA  
41 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2014]: **Sec. 22. (a) An owner or operator who**



1 knowingly fails to comply with section 6, 10, or 11 of this chapter  
2 commits a Class C infraction.

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

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

8 SECTION 84. IC 33-37-5-16 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. In addition to any  
10 other duties, a clerk shall do the following:

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

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

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

18 (4) Deposit funds collected as judgments in the state general fund  
19 under IC 34-28-5-4.

20 SECTION 85. IC 35-51-14-1, AS AMENDED BY P.L.289-2013,  
21 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2014]: Sec. 1. The following statutes define crimes in IC 14:

23 IC 14-9-8-19 (Concerning the department of natural resources).

24 IC 14-15-3-31 (Concerning watercraft).

25 IC 14-15-4-4 (Concerning watercraft accidents).

26 ~~IC 14-15-9-8 (Concerning divers).~~

27 IC 14-15-11-11 (Concerning motorboat operators).

28 IC 14-15-12-13 (Concerning personal watercraft).

29 IC 14-16-1-29 (Concerning off-road vehicles).

30 IC 14-17-4-8 (Concerning property acquisition).

31 ~~IC 14-21-1-16 (Concerning historic preservation and archeology).~~

32 IC 14-21-1-26 (Concerning historic preservation and archeology).

33 IC 14-21-1-26.5 (Concerning historic preservation and  
34 archeology).

35 ~~IC 14-21-1-27 (Concerning historic preservation and archeology).~~

36 IC 14-21-1-28 (Concerning historic preservation and archeology).

37 IC 14-21-1-36 (Concerning historic preservation and archeology).

38 IC 14-21-2-5 (Concerning historic preservation and archeology).

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

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

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

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



- 1           **IC 14-22-9-7 (Concerning fishing).**  
2           **IC 14-22-9-8 (Concerning fishing).**  
3           **IC 14-22-10-1 (Concerning hunting and fishing).**  
4           **IC 14-22-10-3 (Concerning hunting and fishing).**  
5           **IC 14-22-13-2.5 (Concerning commercial fishing licenses).**  
6           **IC 14-22-13-7 (Concerning commercial fishing licenses).**  
7           IC 14-22-13-10 (Concerning commercial fishing licenses).  
8           ~~IC 14-22-17-4 (Concerning fish and wildlife).~~  
9           ~~IC 14-22-32-3 (Concerning fish and wildlife).~~  
10          ~~IC 14-22-34-12 (Concerning fish and wildlife).~~  
11          ~~IC 14-22-37-2 (Concerning fish and wildlife).~~  
12          **IC 14-22-14-5 (Concerning fishing licenses).**  
13          **IC 14-22-14-22 (Concerning fishing licenses).**  
14          **IC 14-22-19-5 (Concerning furbearing mammals).**  
15          **IC 14-22-34-9 (Concerning nongame species).**  
16          **IC 14-22-34-12 (Concerning nongame species).**  
17          IC 14-22-37-3 (Concerning fish and wildlife).  
18          ~~IC 14-22-38-1 (Concerning fish and wildlife).~~  
19          IC 14-22-38-3 (Concerning fish and wildlife).  
20          ~~IC 14-22-38-4 (Concerning fish and wildlife).~~  
21          IC 14-22-38-4.5 (Concerning fish and wildlife).  
22          IC 14-22-38-6 (Concerning fish and wildlife).  
23          IC 14-22-40-6 (Concerning fish and wildlife).  
24          IC 14-23-7-5 (Concerning forestry).  
25          IC 14-24-11-4 (Concerning entomology and plant pathology).  
26          ~~IC 14-26-7-8 (Concerning lakes and reservoirs).~~  
27          ~~IC 14-27-6-52 (Concerning levees, dams, and drainage).~~  
28          IC 14-29-8-5 (Concerning rivers, streams, and waterways).  
29          IC 14-31-3-15 (Concerning nature preserves).  
30          IC 14-31-3-16 (Concerning nature preserves).  
31          IC 14-31-3-17 (Concerning nature preserves).  
32          IC 14-31-3-19 (Concerning nature preserves).  
33          IC 14-31-3-20 (Concerning nature preserves).  
34          IC 14-31-3-21 (Concerning nature preserves).  
35          IC 14-34-2-6 (Concerning surface coal mining and reclamation).  
36          IC 14-34-16-6 (Concerning surface coal mining and reclamation).  
37          IC 14-34-16-7 (Concerning surface coal mining and reclamation).  
38          **IC 14-37-4-15 (Concerning oil and gas).**  
39          **IC 14-37-7-9 (Concerning oil and gas).**  
40          **IC 14-37-8-1 (Concerning oil and gas).**  
41          **IC 14-37-8-18 (Concerning oil and gas).**  
42          **IC 14-37-11-4 (Concerning oil and gas).**



1            ~~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.

Renumber 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.

