

HOUSE BILL No. 1611

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-9-8-17; IC 14-19-1-4.

Synopsis: Natural resources issues. Prohibits a conservation officer from issuing a ticket, summons, or citation for a traffic offense, except for a felony committed in a conservation officer's presence, on property other than property owned or managed by the department of natural resources. Allows a person to possess an alcoholic beverage at a beach while the person is moving or transferring the alcoholic beverage to an area where a person is allowed to possess the alcoholic beverage. Transfers \$6,000,000 from the department of natural resources law enforcement appropriation to the division of state parks and reservoirs for capital improvements at certain facilities.

Effective: July 1, 2015.

McMillin

January 22, 2015, read first time and referred to Committee on Natural Resources.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1611

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

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

- 1 SECTION 1. IC 14-9-8-17, AS AMENDED BY P.L.114-2012,
2 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 17. (a) **Except as provided in subsection (b)**, a
4 conservation officer:
5 (1) is a law enforcement officer under IC 9-13-2-92 and
6 IC 35-31.5-2-185 and has the power to enforce Indiana laws and
7 without warrant to arrest for the violation of any of those laws
8 when committed in the officer's presence;
9 (2) is a police officer under IC 9-13-2-127;
10 (3) has the power of law enforcement officers to arrest under
11 IC 35-33-1-1; and
12 (4) has the power to enforce Indiana laws and may exercise all
13 powers granted by law to state police officers, sheriffs, and
14 members of police departments.
15 (b) **Except for a felony committed in a conservation officer's**



1 presence, a conservation officer may not issue a ticket, summons,
2 or citation for:

- 3 (1) a moving traffic offense (as defined in IC 9-13-2-110); or
4 (2) a nonmoving traffic offense (as defined in IC 9-13-2-112);
5 unless the offense occurs on property owned or managed by the
6 department.

7 SECTION 2. IC 14-19-1-4 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2015]: Sec. 4. (a) A person may not possess or consume an
10 alcoholic beverage at any of the following locations:

- 11 (1) Indiana Dunes State Park, except on the licensed premises
12 of a pavilion authorized by IC 14-18-2-3.
13 (2) Redbird State Recreation Area.
14 (3) Interlake State Recreation Area.
15 (4) A swimming beach or pool.
16 (5) A shooting range.
17 (6) A designated youth tent area.

18 (b) Notwithstanding subsection (a)(4), a person is not prohibited
19 from possessing an alcoholic beverage at a beach if the person is in
20 the process of moving or transferring the alcoholic beverage to an
21 area where a person is allowed to possess the alcoholic beverage.

22 SECTION 3. [EFFECTIVE JULY 1, 2015] (a) Notwithstanding
23 any other law, on July 1, 2015, the budget director shall transfer
24 money from the department of natural resources appropriations
25 for:

- 26 (1) law enforcement division - personal services, five million
27 dollars (\$5,000,000); and
28 (2) law enforcement division - other operating expense, one
29 million dollars (\$1,000,000);

30 to the department of natural resources division of state parks and
31 reservoirs. Money transferred under this SECTION must be used
32 for capital improvements at Brookville reservoir and Whitewater
33 Memorial state park.

34 (b) Money transferred under subsection (a) is appropriated for
35 the purposes of this SECTION.

36 (c) This SECTION expires July 1, 2016.

