



LEGAL OVERVIEW

INDIANA IS A BEE-FRIENDLY STATE

INDIANA DOES NOT SPECIFICALLY ADDRESS LIABILITY FOR BEE STINGS OR LAWSUITS BETWEEN PRIVATE PARTIES, SUCH AS A BEEKEEPER BEING SUED BY A NEIGHBOR FOR BEING STUNG.

HOWEVER, GENERAL LEGAL PRINCIPLES AND NEGLIGENCE LAWS WOULD LIKELY APPLY IN SUCH CASES.



In Indiana, a beekeeper's accountability for a neighbor's sting is generally low, provided they are not negligent, as honeybees are often considered "wild animals" rather than livestock. Liability hinges on proving negligence, such as failing to manage aggressive hives or not providing a proper water source, which can be difficult.

IF THE BEEKEEPER IS BEING SUED, THE NEIGHBOR WOULD TYPICALLY NEED TO PROVE THAT THE BEEKEEPER WAS NEGLIGENT IN MANAGING THEIR BEES AND THAT THIS NEGLIGENCE DIRECTLY CAUSED THE INJURY. FOR EXAMPLE, IF THE BEEKEEPER FAILED TO FOLLOW BEST PRACTICES FOR HIVE MANAGEMENT OR CONTAINMENT, THEY MIGHT BE HELD LIABLE.

**NEGLIGENCE &
LIABILITY**

Ignoring an aggressive hive or failing to take reasonable steps to prevent dangerous swarms.

**NEGLIGENT
FAILURE TO ACT**

The beekeeper was told about a dangerous, accessible swarm or hive and failed to address it.

**WATER SOURCE
REQUIREMENT**

Bees are likely to visit neighbors' pools if not provided with a water source

SECTION 1.IC32-25.5-3.7 ISADDEDTOTHEINDIANACODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:

Chapter 3.7 Homeowners Association Regulation of Beekeeping

Sec. 1. Subject to section 3 of this chapter, a homeowners association may adopt regulations concerning the:

(1) number of active beehives a person may maintain; and (2) location of beehives; on a property subject to covenants of the homeowners association that a person owns, rents, or leases.

Sec. 2. Regulations adopted by a homeowners association must be consistent with:

(1) IC 14-24-8; and (2) any rules adopted under IC 14-24-3.

Sec. 3. A homeowners association may not prohibit a person from beekeeping on a property subject to covenants of the homeowners association that the person owns, rents, or leases if both of the following apply:

(1) The beehives are actively maintained for the production of honey. (2) The person who is beekeeping complies with: (A) IC 14-24-8; and (B) any rules adopted under IC 14-24-3.

SENATE ENROLLED ACT NO. 529

SECTION 1. IC 36-1-28 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 28. Ordinances That Affect Agriculture Sec. 1. (a) Except as provided in subsection (b) and notwithstanding any other law, a unit may not adopt or continue in effect any ordinance, rule, regulation, or resolution that prohibits a person from beekeeping on property that the person owns, rents, or leases.

(b) A unit may adopt an ordinance, rule, regulation, or resolution that regulates beekeeping: (1) concerning the number of active bee hives a person may operate and the location of bee hives on the property; and (2) that conforms to standards established by the Apiary Inspectors of America.

Yet...

The regulations do emphasize the beekeeper's responsibility to prevent the spread of pests and pathogens (Chapter 8, Sec. 2 of the Indiana Apiary Regulations) and to comply with orders to protect the environment and public health. While these rules are not directly related to stings, they highlight the importance of responsible beekeeping practices.

IF A BEEKEEPER IS BEING SUED IN INDIANA UNDER THE APIARY REGULATIONS, IT COULD INVOLVE VIOLATIONS SUCH AS:



Exposing bees to danger: Exposing an element of beekeeping to the danger of other bees or elements infected with disease (Chapter 11, Sec. 1(2)).



Concealing pests or pathogens: Concealing the presence of a pest or pathogen (Chapter 11, Sec. 1(3))



Noncompliance with orders: Failing to comply with notices or orders issued under the regulations, such as orders to treat or destroy pests or pathogens (Chapter 8, Sec. 2 and Sec. 3)



Import violations: Bringing beekeeping elements into Indiana without the required permit or with pests/pathogens (Chapter 8, Sec. 4)



Reckless actions: Recklessly disturbing or molesting an apiary or introducing pests/pathogens without a permit, which could result in Class B misdemeanors or Class A infractions (Chapter 11, Sec. 4)

BEST PRACTICES FOR MITIGATION



01

Register hives

02

Maintain space

03

Manage aggression

04

Communicate