

PROPOSED AMENDMENT

HB 1165 # 6

DIGEST

Adequate bedding. Defines "adequate bedding", "adequate shelter", and "neglect".

1 Page 7, delete lines 41 through 42, begin a new paragraph and
2 insert:

3 "SECTION 7. IC 35-46-3-0.5, AS AMENDED BY P.L.52-2023,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 0.5. The following definitions apply throughout
6 this chapter:

7 (1) "Abandon" means to desert an animal or to leave the animal
8 without making provision for adequate long term care of the
9 animal. The term does not include leaving an animal in a place
10 that is temporarily vacated for the protection of human life during
11 a disaster.

12 (2) "Abuse" means to ~~knowingly or intentionally~~ beat, torment,
13 injure, or otherwise harm an animal. ~~The term includes~~
14 ~~destruction of an animal by any means other than humane~~
15 ~~euthanasia if the person who destroys the animal is:~~

16 (A) a humane society;

17 (B) an animal control agency; or

18 (C) a governmental entity operating an animal shelter or other
19 animal impounding facility.

20 (3) "Adequate bedding" means bedding sufficient to permit a
21 domestic animal to:

22 (A) remain dry;

23 (B) remain reasonably clean; and

24 (C) maintain a normal body temperature.

25 (4) "Adequate shelter" means a covered enclosure sufficient
26 to:

27 (A) protect an animal from the elements; and

- 1 **(B) prevent suffering or injury to an animal;**
 2 **based on the climate and the animal's species, age, and health.**
 3 **(5) "Companion animal" has the meaning set forth in**
 4 **IC 35-38-2-2.8.**
 5 **(6) "Domestic animal" means an animal that is not wild. The**
 6 **term is limited to:**
 7 **(A) cattle, calves, horses, mules, swine, sheep, goats, dogs,**
 8 **cats, poultry, ostriches, rhea, and emus; or**
 9 **(B) an animal of the bovine, equine, ovine, caprine,**
 10 **porcine, canine, feline, camelid, cervidae, or bison species.**
 11 ~~(7)~~ **(7) "Humane euthanasia" means the humane destruction of a**
 12 **animal using sodium pentobarbital or a derivative, administered**
 13 **in a manner that causes painless loss of consciousness and death.**
 14 **The term does not include a method:**
 15 **(A) prohibited by section 15 of this chapter; or**
 16 **(B) involving the use of carbon monoxide, carbon dioxide, or**
 17 **any nonanesthetic inhalant.**
 18 ~~(8)~~ **(8) "Impound agency" means a state, county, municipal, or**
 19 **township agency with the authority to impound animals for**
 20 **violation of this chapter or IC 15-20-1-4. The term includes the**
 21 **following:**
 22 **(A) A law enforcement agency.**
 23 **(B) An animal control agency.**
 24 ~~(9)~~ **(9) "Mutilate" means to wound, injure, maim, or disfigure an**
 25 **animal by damaging the animal's body parts or to render any part**
 26 **of the animal's body useless. The term includes bodily injury**
 27 **involving:**
 28 **(A) serious permanent disfigurement;**
 29 **(B) serious temporary disfigurement;**
 30 **(C) permanent or protracted loss or impairment of the function**
 31 **of a bodily part or organ; or**
 32 **(D) a fracture.**
 33 ~~(10)~~ **(10) "Neglect" means:**
 34 **(A) endangering an animal's health by failing to provide or**
 35 **arrange to provide the animal with food or drink, if the animal**
 36 **is dependent upon the person for the provision of food or**
 37 **drink. Food and drink must be provided in a sufficient**
 38 **quantity to maintain the animal's health and normal**
 39 **development, and in a form that is unspoiled,**
 40 **uncontaminated, and otherwise fit for consumption. Water**

- 1 **that is frozen is not sufficient to maintain an animal's**
 2 **health and normal development;**
 3 (B) restraining an animal for more than a brief period in a
 4 manner that endangers the animal's life or health by the use of
 5 a rope, chain, or tether that:
 6 (i) is less than three (3) times the length of the animal;
 7 (ii) is too heavy to permit the animal to move freely; or
 8 (iii) causes the animal to choke;
 9 (C) restraining an animal in a manner that seriously endangers
 10 the animal's life or health;
 11 (D) failing to:
 12 (i) provide reasonable care for; or
 13 (ii) seek veterinary care for;
 14 an injury or illness to a dog or cat that seriously endangers the
 15 life or health of the dog or cat; or
 16 (E) ~~leaving a dog or cat outside and exposed to:~~
 17 ~~(i) excessive heat without providing the animal with a means~~
 18 ~~of shade from the heat; or~~
 19 ~~(ii) excessive cold if the animal is not provided with straw~~
 20 ~~or another means of protection from the cold;~~
 21 ~~regardless of whether the animal is restrained or kept in a~~
 22 ~~kenel: failing to provide an animal with adequate bedding~~
 23 ~~and adequate shelter.~~
 24 (7) (11) "Reasonable expenses" includes the cost of:
 25 (A) medical care;
 26 (B) quarantine; and
 27 (C) shelter and board.
 28 (8) (12) "Torture" means:
 29 (A) to inflict extreme physical pain or injury on an animal with
 30 the intent of increasing or prolonging the animal's pain;
 31 (B) to administer poison to a domestic animal ~~(as defined in~~
 32 ~~section 12(d) of this chapter)~~ or expose a domestic animal to
 33 a poisonous substance with the intent that the domestic animal
 34 ingest the substance;
 35 (C) to destroy an animal by electrocution in a manner
 36 inconsistent with section 5 of this chapter; ~~or~~
 37 (D) to intentionally ~~freeze or heat an animal to death: expose~~
 38 ~~an animal to heat or cold beyond an animal's tolerance~~
 39 ~~based on the animal's:~~
 40 (i) age;

- 1 **(ii) health;**
- 2 **(iii) medical conditions; or**
- 3 **(iv) physical characteristics;**
- 4 **which results in pain, suffering, or death; or**
- 5 **(E) to knowingly, intentionally, or recklessly starve,**
- 6 **dehydrate, or suffocate an animal."**

- 7 Delete pages 8 through 9.
- 8 Page 10, delete lines 1 through 13.
- 9 Renumber all SECTIONS consecutively.
(Reference is to HB 1165 as printed January 22, 2026.)