

PROPOSED AMENDMENT

HB 1165 # 4

DIGEST

Definitions. Defines "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 shelter" means a covered enclosure sufficient
21 to:
22 (A) protect an animal from the elements; and
23 (B) prevent suffering or injury to an animal;
24 based on the climate and the animal's species, age, and health.
25 (4) "Companion animal" has the meaning set forth in
26 IC 35-38-2-2.8.
27 (5) "Domestic animal" means an animal that is not wild. The
28 term is limited to:

1 (A) **cattle, calves, horses, mules, swine, sheep, goats, dogs,**
 2 **cats, poultry, ostriches, rhea, and emus; or**

3 (B) **an animal of the bovine, equine, ovine, caprine,**
 4 **porcine, canine, feline, camelid, cervidae, or bison species.**

5 ~~(3)~~ (6) "Humane euthanasia" means the humane destruction of an
 6 animal using sodium pentobarbital or a derivative, administered
 7 in a manner that causes painless loss of consciousness and death.

8 The term does not include a method:

9 (A) prohibited by section 15 of this chapter; or

10 (B) involving the use of carbon monoxide, carbon dioxide, or
 11 any nonanesthetic inhalant.

12 ~~(4)~~ (7) "Impound agency" means a state, county, municipal, or
 13 township agency with the authority to impound animals for
 14 violation of this chapter or IC 15-20-1-4. The term includes the
 15 following:

16 (A) A law enforcement agency.

17 (B) An animal control agency.

18 ~~(5)~~ (8) "Mutilate" means to wound, injure, maim, or disfigure an
 19 animal by damaging the animal's body parts or to render any part
 20 of the animal's body useless. The term includes bodily injury
 21 involving:

22 (A) serious permanent disfigurement;

23 (B) serious temporary disfigurement;

24 (C) permanent or protracted loss or impairment of the function
 25 of a bodily part or organ; or

26 (D) a fracture.

27 ~~(6)~~ (9) "Neglect" means:

28 (A) endangering an animal's health by failing to provide or
 29 arrange to provide the animal with food or drink, if the animal
 30 is dependent upon the person for the provision of food or
 31 drink. **Food and drink must be provided in a sufficient**
 32 **quantity to maintain the animal's health and normal**
 33 **development, and in a form that is unspoiled,**
 34 **uncontaminated, and otherwise fit for consumption. Water**
 35 **that is frozen is not sufficient to maintain an animal's**
 36 **health and normal development;**

37 (B) restraining an animal for more than a brief period in a
 38 manner that endangers the animal's life or health by the use of
 39 a rope, chain, or tether that:

40 (i) is less than three (3) times the length of the animal;

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

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