
HOUSE BILL No. 1165

AM116501 has been incorporated into introduced printing.

Synopsis: Various animal related matters.

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Introduced

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1165

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 15-16-5-24, AS ADDED BY P.L.2-2008,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 24. As used in this chapter, "pest" means:

4 (1) any insect, ~~rodent~~, nematode, fungus, or weed; **or**
5 (2) any other form of terrestrial or aquatic plant or animal life or
6 virus, bacteria, or other microorganism (except viruses, bacteria,
7 or other microorganisms on or in living humans or other living
8 animals) that is declared to be a pest by the administrator of the
9 United States Environmental Protection Agency or by the board;
10 **or**

11 (3) any **nuisance rodent subject to commonly accepted
12 abatement methods used by pest control professionals.**

13 SECTION 2. IC 34-30-30-3, AS ADDED BY P.L.186-2017,
14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (c), a

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1 person who forcibly enters a motor vehicle to remove a domestic
 2 animal from the motor vehicle

3 ~~(1) is liable to the owner or lessee of the motor vehicle for
 4 one-half (1/2) of the cost of repairing the damage to the motor
 5 vehicle directly caused by the person's forcible entry, unless the
 6 owner or lessee of the motor vehicle waives the person's liability
 7 under this subdivision; and~~

8 ~~(2) is immune from any other criminal or civil liability for other
 9 property damage resulting from the person's forcible entry of the
 10 motor vehicle~~

11 if all the conditions set forth in subsection (b) are satisfied.

12 (b) For subsection ~~(a)(1) and (a)(2)~~ (a) to apply to a person who
 13 forcibly enters a motor vehicle to remove a domestic animal from the
 14 motor vehicle, all the following conditions must be satisfied:

15 (1) A domestic animal must be present in the enclosed space of
 16 the motor vehicle, and the person must reasonably believe that
 17 the domestic animal is in imminent danger of suffering serious
 18 bodily harm if the domestic animal remains in the motor vehicle.

19 (2) The person must determine that:

20 (A) the motor vehicle is locked; and
 21 (B) forcible entry of the motor vehicle is necessary to
 22 remove the domestic animal from the motor vehicle.

23 (3) The person must call telephone number 911 or otherwise
 24 attempt to contact:

25 (A) a law enforcement officer;
 26 (B) a firefighter;
 27 (C) an animal control officer; or
 28 (D) another emergency responder;

29 before the person forcibly enters the motor vehicle.

30 (4) The person must use no more force than is reasonably
 31 necessary to enter the motor vehicle and remove the domestic
 32 animal from the motor vehicle.

33 (5) The person must remain with the domestic animal until a law
 34 enforcement officer, firefighter, animal control officer, or other
 35 emergency responder arrives at the scene.

36 (c) If any of the following persons, acting in the course and scope
 37 of the person's employment, forcibly enters a motor vehicle to remove
 38 a domestic animal from the motor vehicle, the person is not liable for
 39 the cost of repairing damage to the motor vehicle caused by the
 40 person's forcible entry:

41 (1) A law enforcement officer.

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10 For the purposes of this subsection, a law enforcement officer may be
11 considered to be acting in the course and scope of the law enforcement
12 officer's employment even if the law enforcement officer is off duty.

13 SECTION 3. IC 35-31.5-2-51.3, AS ADDED BY P.L.37-2019,
14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 51.3. "Companion animal", for purposes of
16 IC 35-38-2-2.8 **and IC 35-46-3**, has the meaning set forth in
17 IC 35-38-2-2.8.

18 SECTION 4. IC 35-31.5-2-103, AS ADDED BY P.L.114-2012,
19 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2026]: Sec. 103. "Domestic animal", for purposes of
21 ~~IC 35-46-3-12(d)~~ **IC 35-43-4-2 and IC 35-46-3** has the meaning set
22 forth in ~~IC 35-46-3-12(d)~~. **IC 35-46-3-0.5.**

23 SECTION 5. IC 35-43-4-2, AS AMENDED BY P.L.175-2022,
24 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 2. (a) A person who knowingly or intentionally
26 exerts unauthorized control over property of another person, with intent
27 to deprive the other person of any part of its value or use, commits
28 theft, a Class A misdemeanor. However, the offense is:

29 (1) a Level 6 felony if:
30 (A) the value of the property is at least seven hundred fifty
31 dollars (\$750) and less than fifty thousand dollars
32 (\$50,000);
33 (B) the property is a:
34 (i) motor vehicle (as defined in IC 9-13-2-105(a)); or
35 (ii) component part (as defined in IC 9-13-2-34) of a
36 motor vehicle; or
37 **(iii) domestic animal; or**
38 (C) the person has a prior unrelated conviction for:
39 (i) theft under this section;
40 (ii) criminal conversion under section 3 of this chapter;
41 (iii) robbery under IC 35-42-5-1; or

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1 (iv) burglary under IC 35-43-2-1;

2 (2) a Level 5 felony if:

3 (A) the value of the property is at least fifty thousand

4 dollars (\$50,000);

5 (B) the property that is the subject of the theft is a valuable

6 metal (as defined in IC 25-37.5-1-1) and:

7 (i) relates to transportation safety;

8 (ii) relates to public safety; or

9 (iii) is taken from a hospital or other health care

10 facility, telecommunications provider, public utility (as

11 defined in IC 32-24-1-5.9(a)), or critical infrastructure

12 facility;

13 and the absence of the property creates a substantial risk of

14 bodily injury to a person; **or**

15 (C) the property is a:

16 (i) motor vehicle (as defined in IC 9-13-2-105(a)); or

17 (ii) component part (as defined in IC 9-13-2-34) of a

18 motor vehicle; and

19 the person has a prior unrelated conviction for theft of a

20 motor vehicle (as defined in IC 9-13-2-105(a)) or theft of a

21 component part (as defined in IC 9-13-2-34); **and or**

22 **(D) the property is a domestic animal and the person has**

23 **a prior unrelated conviction for theft of a domestic**

24 **animal; and**

25 (3) a Level 5 felony if the property is a firearm.

26 (b) For purposes of this section, "the value of property" means:

27 (1) the fair market value of the property at the time and place the

28 offense was committed; or

29 (2) if the fair market value of the property cannot be

30 satisfactorily determined, the cost to replace the property within

31 a reasonable time after the offense was committed.

32 A price tag or price marking on property displayed or offered for sale

33 constitutes *prima facie* evidence of the value of the property.

34 (c) If the offense described in subsection (a) is committed by a

35 public servant who exerted unauthorized control over public funds (as

36 defined by IC 5-22-2-23) from the public servant's employer, the

37 employer may be reimbursed in accordance with IC 2-3.5-4-11,

38 IC 2-3.5-5-9, IC 5-10-5.5-19, IC 5-10.3-8-9, IC 5-10.4-5-14,

39 IC 10-12-2-10, IC 33-38-6-19.5, IC 33-39-7-10.5, IC 36-8-6-14,

40 IC 36-8-7-22, IC 36-8-7.5-19, or IC 36-8-8-17.

41 SECTION 6. IC 35-46-3-0.1, AS AMENDED BY P.L.63-2012,

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1 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 0.1. The following amendments to this chapter
 3 apply as follows:

4 (1) The amendments made to section 12 of this chapter by
 5 P.L.7-2007 apply only to:

6 (A) offenses; and

7 (B) acts that would be a crime if committed by an adult;
 8 that are committed after June 30, 2007.

9 (2) The amendments made to sections 8 and 12 of this chapter by
 10 P.L.171-2007 apply only to crimes committed after June 30,
 11 2007. However, the amendments made to section 12(d) of this
 12 chapter by P.L.171-2007 (**currently codified at section 12(f) of**
 13 **this chapter**) apply only to:

14 (A) crimes; and

15 (B) delinquent acts that would be crimes if committed by an
 16 adult;

17 that are committed after June 30, 2007.

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

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

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

31 (A) a humane society;

32 (B) an animal control agency; or

33 (C) a governmental entity operating an animal shelter or
 34 other animal impounding facility.

35 (3) "Companion animal" has the meaning set forth in
 36 IC 35-38-2-2.8.

37 (4) "Domestic animal" means an animal that is not wild. The
 38 term is limited to:

39 (A) cattle, calves, horses, mules, swine, sheep, goats,
 40 dogs, cats, poultry, ostriches, rhea, and emus; and

41 (B) an animal of the bovine, equine, ovine, caprine,
 42 porcine, canine, feline, camelid, cervidae, or bison



species.

(\oplus) (5) "Humane euthanasia" means the humane destruction of an animal using sodium pentobarbital or a derivative, administered in a manner that causes painless loss of consciousness and death. The term does not include a method:

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

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

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

(A) A law enforcement agency.

(B) An animal control agency.

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

(A) serious permanent disfigurement;

(B) serious temporary disfigurement;

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

(D) a fracture.

(6) (8) "Neglect" means:

(A) endangering an animal's health by failing to provide or arrange to provide the animal with a **sufficient quantity and quality of food or drink, and unfrozen potable drinking water that allows for the normal growth or maintenance of an animal's age and species appropriate body weight**, if the animal is dependent upon the person for the provision of food or drink;

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

- (i) is less than three (3) times the length of the animal;
- (ii) is too heavy to permit the animal to move freely; or
- (iii) causes the animal to choke;

(C) restraining an animal in a manner

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(D) failing to:



(ii) seek veterinary care for; an injury or illness to a dog or cat that seriously endangers the life or health of the dog or cat; or

(E) leaving a dog or cat outside and exposed to:

- (i) excessive heat without providing the animal with a means of shade from the heat; or
- (ii) excessive cold if the animal is not provided with straw or another means of protection from the cold; regardless of whether the animal is restrained or kept in a kennel; failing to provide an animal with adequate bedding and adequate shelter.

(7) (9) "Reasonable expenses" includes the cost of:
(A) medical care;
(B) quarantine; and
(C) shelter and board.

(8) (10) "Torture" means:

- (A) to inflict extreme physical pain or injury on an animal with the intent of increasing or prolonging the animal's pain;
- (B) to administer poison to a domestic animal (as defined in section 12(d) of this chapter) or expose a domestic animal to a poisonous substance with the intent that the domestic animal ingest the substance;
- (C) to destroy an animal by electrocution in a manner inconsistent with section 5 of this chapter; or
- (D) to intentionally freeze or heat an animal to death, expose an animal to heat or cold beyond an animal's tolerance based on the animal's:

- (i) age;
- (ii) health;
- (iii) medical conditions; or
- (iv) physical characteristics

which results in pain, suffering, or death; or

(E) to knowingly, intentionally, or recklessly starve, dehydrate, or suffocate an animal.

SECTION 8. IC 35-46-3-7, AS AMENDED BY P.L.158-2013, SECTION 558, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A person who:

(1) has a vertebrate animal in the person's custody; and
(2) recklessly, knowingly, or intentionally abandons or neglects the animal;

causes cruelty to an animal, a Class A misdemeanor.

(b) However, except for a conviction under section 1 of this

(b) However, except for a conviction under section 1 of this



1 chapter, the an offense under subsection (a) is a Level 6 felony if the:
2 (1) the person has a prior unrelated conviction under this
3 chapter;
4 (2) person commits the offense in the presence of a minor; or
5 (3) abandonment or neglect results in:
6 (A) serious permanent disfigurement;
7 (B) unconsciousness;
8 (C) permanent or protracted loss or impairment of the
9 function of a bodily member or organ; or
10 (D) death;
11 of the animal; or
12 (4) person has ten (10) or more vertebrate animals in the
13 person's custody which results in the person:
14 (A) failing to provide adequate food, potable water, and
15 adequate shelter to at least one (1) vertebrate animal;
16 (B) keeping at least one (1) vertebrate animal in an
17 overcrowded environment; or
18 (C) disregarding the conditions under which at least one
19 (1) vertebrate animal is living in and the harmful impact
20 the conditions have on the health and well-being of the
21 vertebrate animals.
22 (b) It is a defense to a prosecution for abandoning a vertebrate
23 animal under this section that the person who had the animal in the
24 person's custody reasonably believed that the vertebrate animal was
25 capable of surviving on its own.
26 (c) For purposes of this section, an animal that is feral is not in a
27 person's custody.

28 SECTION 9. IC 35-46-3-11, AS AMENDED BY P.L.168-2014,
29 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2026]: Sec. 11. (a) A person who knowingly or intentionally:
31 (1) strikes, torments, injures, or otherwise mistreats a law
32 enforcement animal; or
33 (2) interferes with the actions of a law enforcement animal while
34 the animal is engaged in assisting a law enforcement officer in
35 the performance of the officer's duties;
36 commits a Class A misdemeanor.

37 (b) An offense under subsection (a)(1) is a Level 6 felony if the act
38 results in:
39 (1) serious permanent disfigurement;
40 (2) unconsciousness; or
41 (3) permanent or protracted loss or impairment of the function
42 of a bodily member or organ; or



5 (e) (d) It is a defense that the accused person:

6 (1) engaged in a reasonable act of training, handling, or
7 discipline; and

8 (2) acted as an employee or agent of a law enforcement agency.

9 ~~(d)~~ (e) In addition to any sentence or fine imposed for a conviction
10 of an offense under this section, the court:

11 (1) may order the person convicted to make restitution to the

12 person or law enforcement agency owning the animal for
13 reimbursement of veterinary bills; and
14 (2) shall order the person convicted to make restitution to the

15 person or law enforcement agency owning the animal for
16 reimbursement of the cost of replacing the animal, which may
17 include the cost of training the animal, if the animal is

18 permanently disabled or killed.

19 SECTION 10. IC 35-46-3-12, AS AMENDED BY P.L.141-2019,

20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2026]: Sec. 12. (a) This section does not apply to a person
22 who euthanizes an injured, a sick, a homeless, or an unwanted domestic
23 animal if:

24 (1) the person is employed by a humane society, an animal
25 control agency, or a governmental entity operating an animal

26 shelter or other animal impounding facility; and
27 (2) the person euthanizes the domestic animal in accordance
28 with guidelines adopted by the humane society, animal control
29 agency, or governmental entity operating the animal shelter or
30 other animal impounding facility.

36 (2) the person committed the offense with the intent to threaten,
37 intimidate, coerce, harass, or terrorize a family or household
38 member:

38 member;
39 (3) the offense is committed in the immediate presence of a
40 minor; or

41 (4) the act results in:

42 (A) serious permanent disfigurement;

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- (B) unconsciousness;
- (C) permanent or protracted loss or impairment of the function of a bodily member or organ; or
- (D) the death;
the animal.

(c) A person who knowingly or intentionally tortures or mutilates a vertebrate animal commits torturing or mutilating a vertebrate animal, a Level 6 felony. **However, the offense is a Level 5 felony if the act results in:**

- (1) permanent or protracted loss or impairment of the function of a bodily member or organ; or
- (2) the death;

of the animal.

(d) As used in this subsection, "domestic animal" means an animal that is not wild. The term is limited to:

(1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry, ostriches, rheas and emus; and

(2) an animal of the bovine, equine, ovine, caprine, porcine, canine, feline, camelid, cervidae, or hison species;

(d) A person who knowingly or intentionally kills a domestic animal without the consent of the owner of the domestic animal commits killing a domestic animal, a Level 6 felony.

(e) It is a defense to a prosecution under this section that the accused person:

(1) reasonably believes the conduct was necessary to:

(A) prevent injury to the accused person or another person;

(B) protect the property of the accused person from destruction or substantial damage; or

(C) prevent a seriously injured vertebrate animal from prolonged suffering; or

(2) engaged in a reasonable and recognized act of training, handling, or disciplining the vertebrate animal.

(f) When a court imposes a sentence or decree under this section, the court:

(1) shall consider requiring:

(A) a person convicted of an offense under this section; or

(A) a person convicted of an offense under this section, or
(B) a child adjudicated a delinquent child for committing an act that would be a crime under this section if committed by

an adult; to receive psychological, behavioral, or other counseling as a

part of the sentence or dispositional decree; and

(2) may order an individual described in subdivision (1) to



1 receive psychological, behavioral, or other counseling as a part
 2 of the sentence or dispositional decree.

3 SECTION 11. IC 35-46-3-12.5, AS AMENDED BY
 4 P.L.158-2013, SECTION 567, IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12.5. A person who
 6 knowingly, **or** intentionally, **or recklessly**:

- 7 **(1) abuses;**
- 8 **(2) abandons;**
- 9 **(3) kills; or**
- 10 **(4) neglects;**

11 a vertebrate animal with the intent to threaten, intimidate, coerce,
 12 harass, or terrorize a family or household member commits domestic
 13 violence animal cruelty, a Level 6 felony.

14 SECTION 12. IC 35-46-3-15, AS AMENDED BY P.L.141-2019,
 15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 15. (a) This section does not apply to the
 17 following:

- 18 (1) A state or federally inspected livestock slaughtering facility
 19 (for conduct authorized by IC 15-17-5 and rules adopted under
 20 that chapter).
- 21 (2) An animal disease diagnostic laboratory established under
 22 IC 21-46-3-1.
- 23 (3) A postsecondary educational institution.
- 24 (4) A research facility licensed by the United States Department
 25 of Agriculture.

26 (b) As used in this section, "animal" has the meaning set forth in
 27 ~~IC 35-46-3-3.~~ section 3 of this chapter.

28 (c) A person, **including a humane society, an animal control**
 29 **agency, or a governmental entity operating an animal shelter or**
 30 **other animal impounding facility**, who knowingly or intentionally
 31 destroys or authorizes the destruction of an animal by:

- 32 (1) placing the animal in a decompression chamber and lowering
 33 the pressure of or the oxygen content in the air surrounding the
 34 animal; **or**
- 35 **(2) any means other than humane euthanasia;**
 36 commits a Class B misdemeanor.

