
HOUSE BILL No. 1165

AM116503 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 34-30-30-3, AS ADDED BY P.L.186-2017,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (c), a
4 person who forcibly enters a motor vehicle to remove a domestic
5 animal from the motor vehicle
6 ~~(1) is liable to the owner or lessee of the motor vehicle for
7 one-half (1/2) of the cost of repairing the damage to the motor
8 vehicle directly caused by the person's forcible entry, unless the
9 owner or lessee of the motor vehicle waives the person's liability
10 under this subdivision; and~~
11 ~~(2) is immune from any other criminal or civil liability for other
12 property damage resulting from the person's forcible entry of the
13 motor vehicle~~
14 if all the conditions set forth in subsection (b) are satisfied.
15 (b) For subsection (a)(1) and (a)(2) ~~(a)~~ to apply to a person who

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1 forcibly enters a motor vehicle to remove a domestic animal from the
2 motor vehicle, all the following conditions must be satisfied:

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

7 (2) The person must determine that:

8 (A) the motor vehicle is locked; and
9 (B) forcible entry of the motor vehicle is necessary to
10 remove the domestic animal from the motor vehicle.

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

13 (A) a law enforcement officer;
14 (B) a firefighter;
15 (C) an animal control officer; or
16 (D) another emergency responder;

17 before the person forcibly enters the motor vehicle.

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

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

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

29 (1) A law enforcement officer.

30 (2) A firefighter.

31 (3) A government officer or employee whose primary duty is to
32 ensure public safety.

33 (4) An emergency responder other than those identified in
34 subdivisions (1) through (3).

35 (5) An animal control officer.

36 (6) A veterinarian who is licensed or otherwise authorized to
37 practice veterinary medicine in Indiana under IC 25-38.1-3.

38 (7) A veterinary assistant, as defined in IC 25-38.1-1-14.7.

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



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

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

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

- 17 (1) a Level 6 felony if:
 - 18 (A) the value of the property is at least seven hundred fifty
 19 dollars (\$750) and less than fifty thousand dollars
 20 (\$50,000);
 - 21 (B) the property is a:
 - 22 (i) motor vehicle (as defined in IC 9-13-2-105(a)); **or**
 - 23 (ii) component part (as defined in IC 9-13-2-34) of a
 24 motor vehicle; or
 - 25 (iii) **domestic animal**; **or**
 - 26 (C) the person has a prior unrelated conviction for:
 - 27 (i) theft under this section;
 - 28 (ii) criminal conversion under section 3 of this chapter;
 - 29 (iii) robbery under IC 35-42-5-1; or
 - 30 (iv) burglary under IC 35-43-2-1;
- 31 (2) a Level 5 felony if:
 - 32 (A) the value of the property is at least fifty thousand
 33 dollars (\$50,000);
 - 34 (B) the property that is the subject of the theft is a valuable
 35 metal (as defined in IC 25-37.5-1-1) and:
 - 36 (i) relates to transportation safety;
 - 37 (ii) relates to public safety; or
 - 38 (iii) is taken from a hospital or other health care
 39 facility, telecommunications provider, public utility (as
 40 defined in IC 32-24-1-5.9(a)), or critical infrastructure
 41 facility;



1 and the absence of the property creates a substantial risk of
 2 bodily injury to a person; **or**

3 (C) the property is a:

4 (i) motor vehicle (as defined in IC 9-13-2-105(a)); or
 5 (ii) component part (as defined in IC 9-13-2-34) of a
 6 motor vehicle; and

7 the person has a prior unrelated conviction for theft of a
 8 motor vehicle (as defined in IC 9-13-2-105(a)) or theft of a
 9 component part (as defined in IC 9-13-2-34); **and or**

10 **(D) the property is a domestic animal and the person has**
 11 **a prior unrelated conviction for theft of a domestic**
 12 **animal; and**

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

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

15 (1) the fair market value of the property at the time and place the
 16 offense was committed; or

17 (2) if the fair market value of the property cannot be
 18 satisfactorily determined, the cost to replace the property within
 19 a reasonable time after the offense was committed.

20 A price tag or price marking on property displayed or offered for sale
 21 constitutes *prima facie* evidence of the value of the property.

22 (c) If the offense described in subsection (a) is committed by a
 23 public servant who exerted unauthorized control over public funds (as
 24 defined by IC 5-22-2-23) from the public servant's employer, the
 25 employer may be reimbursed in accordance with IC 2-3.5-4-11,
 26 IC 2-3.5-5-9, IC 5-10-5.5-19, IC 5-10.3-8-9, IC 5-10.4-5-14,
 27 IC 10-12-2-10, IC 33-38-6-19.5, IC 33-39-7-10.5, IC 36-8-6-14,
 28 IC 36-8-7-22, IC 36-8-7.5-19, or IC 36-8-8-17.

29 SECTION 5. IC 35-46-3-0.1, AS AMENDED BY P.L.63-2012,
 30 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 0.1. The following amendments to this chapter
 32 apply as follows:

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

35 (A) offenses; and

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

38 (2) The amendments made to sections 8 and 12 of this chapter by
 39 P.L.171-2007 apply only to crimes committed after June 30,
 40 2007. However, the amendments made to section 12(d) of this
 41 chapter by P.L.171-2007 (**currently codified at section 12(f) of**



this chapter) apply only to:

(A) crimes; and

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

that are committed after June 30, 2007.

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

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

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

(A) a humane society;

(B) an animal control agency; or

(E) a governmental entity operating other animal impounding facility.

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

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

- (A) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry, ostriches, rhea, and emus; and
- (B) an animal of the bovine, equine, ovine, caprine, porcine, canine, feline, camelid, cervidae, or bison species.

(3) (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:



1 (A) A law enforcement agency.
2 (B) An animal control agency.
3 (5) (7) "Mutilate" means to wound, injure, maim, or disfigure an
4 animal by damaging the animal's body parts or to render any part
5 of the animal's body useless. The term includes bodily injury
6 involving:
7 (A) serious permanent disfigurement;
8 (B) serious temporary disfigurement;
9 (C) permanent or protracted loss or impairment of the
10 function of a bodily part or organ; or
11 (D) a fracture.
12 (6) (8) "Neglect" means:
13 (A) endangering an animal's health by failing to provide or
14 arrange to provide the animal with **a sufficient quantity**
15 and **quality of food or drink, and unfrozen potable**
16 **drinking water that allows for the normal growth or**
17 **maintenance of an animal's age and species appropriate**
18 **body weight**, if the animal is dependent upon the person for
19 the provision of food or drink;
20 (B) restraining an animal for more than a brief period in a
21 manner that endangers the animal's life or health by the use
22 of a rope, chain, or tether that:
23 (i) is less than three (3) times the length of the animal;
24 (ii) is too heavy to permit the animal to move freely; or
25 (iii) causes the animal to choke;
26 (C) restraining an animal in a manner that seriously
27 endangers the animal's life or health;
28 (D) failing to:
29 (i) provide reasonable care for; or
30 (ii) seek veterinary care for;
31 an injury or illness to a dog or cat that seriously endangers
32 the life or health of the dog or cat; or
33 (E) ~~leaving a dog or cat outside and exposed to:~~
34 (i) excessive heat without providing the animal with a
35 means of shade from the heat; or
36 (ii) excessive cold if the animal is not provided with
37 straw or another means of protection from the cold;
38 regardless of whether the animal is restrained or kept in a
39 kennel. ~~failing to provide an animal with adequate~~
40 ~~bedding and adequate shelter.~~
41 (7) (9) "Reasonable expenses" includes the cost of:

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- (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 7. IC 35-46-3-5, AS AMENDED BY P.L.41-2021, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except as provided in subsections (b) through (c), this chapter does not apply to the following:

(1) Fishing, hunting, trapping, or other conduct authorized under IC 14-22.

(2) Conduct authorized under IC 15-20-2.

(3) Generally accepted veterinary standards and practices.

(4) Conduct authorized by a local ordinance.

(5) Acceptable farm management practices.

(6) Conduct authorized by IC 15-17, and rules adopted under IC 15-17 for:

(A) state or federally inspected livestock slaughtering facilities;

(B) emergency events; or

(C) state or federal animal disease control programs.

(7) A research facility registered with the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.).

(8) Destruction of a vertebrate **animal** defined as a pest under



1 **IC 15-16-5-24, except for a rodent that is not a nuisance**
 2 **rodent.**

3 (9) Destruction of or injury to a fish.

4 (10) Destruction of a vertebrate animal that is:

5 (A) endangering, harassing, or threatening livestock or a
 6 domestic animal; or
 7 (B) destroying or damaging a person's property.

8 (11) Humane euthanasia of an animal by:

9 (A) a humane society;
 10 (B) an animal control agency; or
 11 (C) a governmental entity operating an animal shelter or
 12 other animal impounding facility.

13 (12) Destruction of an injured or ill animal by an individual to
 14 prevent the animal from prolonged suffering.

15 (13) Conduct not resulting in serious injury or illness to the
 16 animal that is incidental to exhibiting an animal for show,
 17 competition, or display, or that is incidental to transporting the
 18 animal for show, competition, or display.

19 (14) Parking an animal.

20 (15) Humane destruction of an animal that the person owns.

21 (b) Section 1 of this chapter applies to conduct described in
 22 subsection (a).

23 (c) Destruction of an animal by electrocution is authorized under
 24 this section only if it is conducted by a person who:

25 (1) uses generally accepted veterinary standards and practices
 26 for euthanasia, depopulation, or slaughter of animals;

27 (2) is engaged in an acceptable farm management practice; or

28 (3) is engaged in activities by a research facility registered with
 29 the United States Department of Agriculture under the Animal
 30 Welfare Act, or for the animal disease diagnostic laboratory
 31 established under IC 21-46-3-1 or a research facility licensed by
 32 the United States Department of Agriculture, a college, or a
 33 university.

34 SECTION 8. IC 35-46-3-7, AS AMENDED BY P.L.158-2013,

35 SECTION 558, IS AMENDED TO READ AS FOLLOWS

36 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A person who:

37 (1) has a vertebrate animal in the person's custody; and

38 (2) recklessly, knowingly, or intentionally abandons or neglects
 39 the animal;

40 commits cruelty to an animal, a Class A misdemeanor.

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

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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.

31 (b) A person who knowingly or intentionally abuses a vertebrate
32 animal commits cruelty to an animal, a Class A misdemeanor.
33 However, the offense is a Level 6 felony if:

34 (1) the person has a previous, unrelated conviction under this
35 section; or

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

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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:

(+) 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 bison 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

part of the sentence or dispositional decree, and

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

(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.

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