
HOUSE BILL No. 1165

AM116504 has been incorporated into January 22, 2026 printing.

Synopsis: Various animal related matters.

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January 22, 2026

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.

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

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- 1 (1) A domestic animal must be present in the enclosed space of
- 2 the motor vehicle, and the person must reasonably believe that
- 3 the domestic animal is in imminent danger of suffering serious
- 4 bodily harm if the domestic animal remains in the motor vehicle.
- 5 (2) The person must determine that:
- 6 (A) the motor vehicle is locked; and
- 7 (B) forcible entry of the motor vehicle is necessary to
- 8 remove the domestic animal from the motor vehicle.
- 9 (3) The person must call telephone number 911 or otherwise
- 10 attempt to contact:
- 11 (A) a law enforcement officer;
- 12 (B) a firefighter;
- 13 (C) an animal control officer; or
- 14 (D) another emergency responder;
- 15 before the person forcibly enters the motor vehicle.
- 16 (4) The person must use no more force than is reasonably
- 17 necessary to enter the motor vehicle and remove the domestic
- 18 animal from the motor vehicle.
- 19 (5) The person must remain with the domestic animal until a law
- 20 enforcement officer, firefighter, animal control officer, or other
- 21 emergency responder arrives at the scene.
- 22 (c) If any of the following persons, acting in the course and scope
- 23 of the person's employment, forcibly enters a motor vehicle to remove
- 24 a domestic animal from the motor vehicle, the person is not liable for
- 25 the cost of repairing damage to the motor vehicle caused by the
- 26 person's forcible entry:
- 27 (1) A law enforcement officer.
- 28 (2) A firefighter.
- 29 (3) A government officer or employee whose primary duty is to
- 30 ensure public safety.
- 31 (4) An emergency responder other than those identified in
- 32 subdivisions (1) through (3).
- 33 (5) An animal control officer.
- 34 (6) A veterinarian who is licensed or otherwise authorized to
- 35 practice veterinary medicine in Indiana under IC 25-38.1-3.
- 36 (7) A veterinary assistant, as defined in IC 25-38.1-1-14.7.
- 37 For the purposes of this subsection, a law enforcement officer may be
- 38 considered to be acting in the course and scope of the law enforcement
- 39 officer's employment even if the law enforcement officer is off duty.
- 40 SECTION 2. IC 35-31.5-2-51.3, AS ADDED BY P.L.37-2019,
- 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 51.3. "Companion animal", for purposes of
 2 IC 35-38-2-2.8 **and IC 35-46-3**, has the meaning set forth in
 3 IC 35-38-2-2.8.

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

9 SECTION 4. IC 35-38-1-7.1, AS AMENDED BY P.L.218-2025,
 10 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2026]: Sec. 7.1. (a) In determining what sentence to impose
 12 for a crime, the court may consider the following aggravating
 13 circumstances:

14 (1) The harm, injury, loss, or damage suffered by the victim of
 15 an offense was:

16 (A) significant; and
 17 (B) greater than the elements necessary to prove the
 18 commission of the offense.

19 (2) The person has a history of criminal or delinquent behavior.
 20 (3) The victim of the offense was less than twelve (12) years of
 21 age or at least sixty-five (65) years of age at the time the person
 22 committed the offense.

23 (4) The person:

24 (A) committed a crime of violence (IC 35-50-1-2); and
 25 (B) knowingly committed the offense in the presence or
 26 within hearing of an individual who:

27 (i) was less than eighteen (18) years of age at the time
 28 the person committed the offense; and
 29 (ii) is not the victim of the offense.

30 (5) The person violated a protective order issued against the
 31 person under IC 34-26-5 (or IC 31-1-11.5, IC 34-26-2, or
 32 IC 34-4-5.1 before their repeal), a workplace violence restraining
 33 order issued against the person under IC 34-26-6, or a no contact
 34 order issued against the person.

35 (6) The person has recently violated the conditions of any
 36 probation, parole, pardon, community corrections placement, or
 37 pretrial release granted to the person.

38 (7) The victim of the offense was:

39 (A) a person with a disability (as defined in IC 27-7-6-12),
 40 and the defendant knew or should have known that the
 41 victim was a person with a disability; or

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- 1 (B) mentally or physically infirm.
- 2 (8) The person was in a position having care, custody, or control
- 3 of the victim of the offense.
- 4 (9) The injury to or death of the victim of the offense was the
- 5 result of shaken baby syndrome (as defined in IC 16-41-40-2) or
- 6 abusive head trauma.
- 7 (10) The person threatened to harm the victim of the offense or
- 8 a witness if the victim or witness told anyone about the offense.
- 9 (11) The person:
- 10 (A) committed trafficking with an inmate under
- 11 IC 35-44.1-3-5; and
- 12 (B) is an employee of the penal facility.
- 13 (12) The person committed the offense with bias due to the
- 14 victim's or the group's real or perceived characteristic, trait,
- 15 belief, practice, association, or other attribute the court chooses
- 16 to consider, including but not limited to an attribute described in
- 17 IC 10-13-3-1.
- 18 (13) The person is or has been an alien (as defined by 8 U.S.C.
- 19 1101(a)) unlawfully present in the United States. A
- 20 determination by the United States Department of Homeland
- 21 Security that an alien has come to, entered, or remained in the
- 22 United States in violation of law is evidence that the alien is or
- 23 has been unlawfully present in the United States.
- 24 (14) The offense involved dealing in a controlled substance
- 25 under IC 35-48-4 and the person distributed the controlled
- 26 substance to at least three (3) different individuals in a one
- 27 hundred eighty (180) day period.
- 28 **(15) The offense resulted in the:**
- 29 **(A) death; or**
- 30 **(B) permanent loss or impairment of the function of a**
- 31 **bodily member or organ;**
- 32 **of an animal.**
- 33 (b) The court may consider the following factors as mitigating
- 34 circumstances or as favoring suspending the sentence and imposing
- 35 probation:
- 36 (1) The crime neither caused nor threatened serious harm to
- 37 persons or property, or the person did not contemplate that it
- 38 would do so.
- 39 (2) The crime was the result of circumstances unlikely to recur.
- 40 (3) The victim of the crime induced or facilitated the offense.
- 41 (4) There are substantial grounds tending to excuse or justify the
- 42 crime, though failing to establish a defense.

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- 1 (5) The person acted under strong provocation.
 2 (6) The person has no history of delinquency or criminal activity,
 3 or the person has led a law-abiding life for a substantial period
 4 before commission of the crime.
 5 (7) The person is likely to respond affirmatively to probation or
 6 short term imprisonment.
 7 (8) The character and attitudes of the person indicate that the
 8 person is unlikely to commit another crime.
 9 (9) The person has made or will make restitution to the victim of
 10 the crime for the injury, damage, or loss sustained.
 11 (10) Imprisonment of the person will result in undue hardship to
 12 the person or the dependents of the person.
 13 (11) The person was convicted of a crime involving the use of
 14 force against a person who had repeatedly inflicted physical or
 15 sexual abuse upon the convicted person and evidence shows that
 16 the convicted person suffered from the effects of battery as a
 17 result of the past course of conduct of the individual who is the
 18 victim of the crime for which the person was convicted.
 19 (12) The person was convicted of a crime relating to a controlled
 20 substance and the person's arrest or prosecution was facilitated
 21 in part because the person:
 22 (A) requested emergency medical assistance; or
 23 (B) acted in concert with another person who requested
 24 emergency medical assistance;
 25 for an individual who reasonably appeared to be in need of
 26 medical assistance due to the use of alcohol or a controlled
 27 substance.
 28 (13) The person has posttraumatic stress disorder, traumatic
 29 brain injury, or a postconcussive brain injury.
 30 (14) The person is a person described in IC 31-30-1-4(d) who
 31 committed the offense while the person was a child but is now
 32 at least twenty-one (21) years of age.
 33 (15) The offense involved a controlled substance under
 34 IC 35-48-4 and the person:
 35 (A) sought treatment:
 36 (i) in the three hundred sixty-five (365) day period
 37 preceding the date of the commission of the offense; or
 38 (ii) on or after the date on which the person committed
 39 the offense, but before sentencing; and
 40 (B) successfully completed treatment:
 41 (i) in the three hundred sixty-five (365) day period

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- 1 preceding the date of the commission of the offense; or
 2 (ii) on or after the date on which the person committed
 3 the offense, but before sentencing.
- 4 (c) The criteria listed in subsections (a) and (b) do not limit the
 5 matters that the court may consider in determining the sentence.
- 6 (d) A court may impose any sentence that is:
 7 (1) authorized by statute; and
 8 (2) permissible under the Constitution of the State of Indiana;
 9 regardless of the presence or absence of aggravating circumstances or
 10 mitigating circumstances.
- 11 (e) If a court suspends a sentence and orders probation for a person
 12 described in subsection (b)(13), the court may require the person to
 13 receive treatment for the person's injuries.
- 14 SECTION 5. IC 35-43-4-2, AS AMENDED BY P.L.175-2022,
 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 2. (a) A person who knowingly or intentionally
 17 exerts unauthorized control over property of another person, with intent
 18 to deprive the other person of any part of its value or use, commits
 19 theft, a Class A misdemeanor. However, the offense is:
 20 (1) a Level 6 felony if:
 21 (A) the value of the property is at least seven hundred fifty
 22 dollars (\$750) and less than fifty thousand dollars
 23 (\$50,000);
 24 (B) the property is a:
 25 (i) motor vehicle (as defined in IC 9-13-2-105(a)); ~~or~~
 26 (ii) component part (as defined in IC 9-13-2-34) of a
 27 motor vehicle; or
 28 **(iii) domestic animal; or**
 29 (C) the person has a prior unrelated conviction for:
 30 (i) theft under this section;
 31 (ii) criminal conversion under section 3 of this chapter;
 32 (iii) robbery under IC 35-42-5-1; or
 33 (iv) burglary under IC 35-43-2-1;
- 34 (2) a Level 5 felony if:
 35 (A) the value of the property is at least fifty thousand
 36 dollars (\$50,000);
 37 (B) the property that is the subject of the theft is a valuable
 38 metal (as defined in IC 25-37.5-1-1) and:
 39 (i) relates to transportation safety;
 40 (ii) relates to public safety; or
 41 (iii) is taken from a hospital or other health care

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- 1 facility, telecommunications provider, public utility (as
 2 defined in IC 32-24-1-5.9(a)), or critical infrastructure
 3 facility;
 4 and the absence of the property creates a substantial risk of
 5 bodily injury to a person; or
 6 (C) the property is a:
 7 (i) motor vehicle (as defined in IC 9-13-2-105(a)); or
 8 (ii) component part (as defined in IC 9-13-2-34) of a
 9 motor vehicle; and
 10 the person has a prior unrelated conviction for theft of a
 11 motor vehicle (as defined in IC 9-13-2-105(a)) or theft of a
 12 component part (as defined in IC 9-13-2-34); 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 6. 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**

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- 1 **this chapter**) apply only to:
 2 (A) crimes; and
 3 (B) delinquent acts that would be crimes if committed by an
 4 adult;
 5 that are committed after June 30, 2007.
- 6 SECTION 7. IC 35-46-3-0.5, AS AMENDED BY P.L.52-2023,
 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]: Sec. 0.5. The following definitions apply throughout
 9 this chapter:
- 10 (1) "Abandon" means to desert an animal or to leave the animal
 11 without making provision for adequate long term care of the
 12 animal. The term does not include leaving an animal in a place
 13 that is temporarily vacated for the protection of human life
 14 during a disaster.
- 15 (2) "Abuse" means to ~~knowingly or intentionally~~ beat, torment,
 16 injure, or otherwise harm an animal. ~~The term includes~~
 17 ~~destruction of an animal by any means other than humane~~
 18 ~~euthanasia if the person who destroys the animal is:~~
- 19 (A) a humane society;
 20 (B) an animal control agency; or
 21 (C) a governmental entity operating an animal shelter or
 22 other animal impounding facility.
- 23 (3) "Adequate shelter" means a covered enclosure sufficient
 24 to:
- 25 (A) protect an animal from the elements; and
 26 (B) prevent suffering or injury to an animal;
 27 based on the climate and the animal's species, age, and
 28 health.
- 29 (4) "Companion animal" has the meaning set forth in
 30 IC 35-38-2-2.8.
- 31 (5) "Domestic animal" means an animal that is not wild. The
 32 term is limited to:
- 33 (A) cattle, calves, horses, mules, swine, sheep, goats,
 34 dogs, cats, poultry, ostriches, rhea, and emus; or
 35 (B) an animal of the bovine, equine, ovine, caprine,
 36 porcine, canine, feline, camelid, cervidae, or bison
 37 species.
- 38 (6) "Humane euthanasia" means the humane destruction of
 39 an animal using sodium pentobarbital or a derivative,
 40 administered in a manner that causes painless loss of
 41 consciousness and death. The term does not include a method:
 42 (A) prohibited by section 15 of this chapter; or

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- 1 (B) involving the use of carbon monoxide, carbon dioxide,
 2 or any nonanesthetic inhalant.
- 3 ~~(4)~~ (7) "Impound agency" means a state, county, municipal, or
 4 township agency with the authority to impound animals for
 5 violation of this chapter or IC 15-20-1-4. The term includes the
 6 following:
- 7 (A) A law enforcement agency.
 8 (B) An animal control agency.
- 9 ~~(5)~~ (8) "Mutilate" means to wound, injure, maim, or disfigure an
 10 animal by damaging the animal's body parts or to render any part
 11 of the animal's body useless. The term includes bodily injury
 12 involving:
- 13 (A) serious permanent disfigurement;
 14 (B) serious temporary disfigurement;
 15 (C) permanent or protracted loss or impairment of the
 16 function of a bodily part or organ; or
 17 (D) a fracture.
- 18 ~~(6)~~ (9) "Neglect" means:
- 19 (A) endangering an animal's health by failing to provide or
 20 arrange to provide the animal with food or drink, if the
 21 animal is dependent upon the person for the provision of
 22 food or drink. **Food and drink must be provided in a**
 23 **sufficient quantity to maintain the animal's health and**
 24 **normal development, and in a form that is unspoiled,**
 25 **uncontaminated, and otherwise fit for consumption.**
 26 **Water that is frozen is not sufficient to maintain an**
 27 **animal's health and normal development;**
- 28 (B) restraining an animal for more than a brief period in a
 29 manner that endangers the animal's life or health by the use
 30 of a rope, chain, or tether that:
- 31 (i) is less than three (3) times the length of the animal;
 32 (ii) is too heavy to permit the animal to move freely; or
 33 (iii) causes the animal to choke;
- 34 (C) restraining an animal in a manner that seriously
 35 endangers the animal's life or health;
- 36 (D) failing to:
- 37 (i) provide reasonable care for; or
 38 (ii) seek veterinary care for;
 39 an injury or illness to a dog or cat that seriously endangers
 40 the life or health of the dog or cat; or
 41 (E) leaving a dog or cat outside and exposed to:

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- 1 (i) excessive heat without providing the animal with a
- 2 means of shade from the heat; or
- 3 (ii) excessive cold if the animal is not provided with
- 4 straw or another means of protection from the cold;
- 5 regardless of whether the animal is restrained or kept in a
- 6 kennel: **failing to provide an animal with adequate**
- 7 **bedding and adequate shelter.**
- 8 ~~(7)~~ **(10)** "Reasonable expenses" includes the cost of:
- 9 (A) medical care;
- 10 (B) quarantine; and
- 11 (C) shelter and board.
- 12 ~~(8)~~ **(11)** "Torture" means:
- 13 (A) to inflict extreme physical pain or injury on an animal
- 14 with the intent of increasing or prolonging the animal's pain;
- 15 (B) to administer poison to a domestic animal ~~(as defined in~~
- 16 ~~section 12(d) of this chapter)~~ or expose a domestic animal
- 17 to a poisonous substance with the intent that the domestic
- 18 animal ingest the substance;
- 19 (C) to destroy an animal by electrocution in a manner
- 20 inconsistent with section 5 of this chapter; or
- 21 (D) to intentionally freeze or heat an animal to death:
- 22 **expose an animal to heat or cold beyond an animal's**
- 23 **tolerance based on the animal's:**
- 24 (i) age;
- 25 (ii) health;
- 26 (iii) medical conditions; or
- 27 (iv) physical characteristics;
- 28 **which results in pain, suffering, or death; or**
- 29 (E) to knowingly, intentionally, or recklessly starve,
- 30 **dehydrate, or suffocate an animal.**
- 31 SECTION 8. IC 35-46-3-5, AS AMENDED BY P.L.41-2021,
- 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2026]: Sec. 5. (a) Except as provided in subsections (b)
- 34 through (c), this chapter does not apply to the following:
- 35 (1) Fishing, hunting, trapping, or other conduct authorized under
- 36 IC 14-22.
- 37 (2) Conduct authorized under IC 15-20-2.
- 38 (3) Generally accepted veterinary standards and practices.
- 39 (4) Conduct authorized by a local ordinance.
- 40 (5) Acceptable farm management practices.
- 41 (6) Conduct authorized by IC 15-17, and rules adopted under
- 42 IC 15-17 for:

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- 1 (A) state or federally inspected livestock slaughtering
- 2 facilities;
- 3 (B) emergency events; or
- 4 (C) state or federal animal disease control programs.
- 5 (7) A research facility registered with the United States
- 6 Department of Agriculture under the federal Animal Welfare Act
- 7 (7 U.S.C. 2131 et seq.).
- 8 (8) Destruction of a vertebrate **animal** defined as a pest under
- 9 IC 15-16-5-24, **except for a rodent that is not a nuisance**
- 10 **rodent.**
- 11 (9) Destruction of or injury to a fish.
- 12 (10) Destruction of a vertebrate animal that is:
- 13 (A) endangering, harassing, or threatening livestock or a
- 14 domestic animal; or
- 15 (B) destroying or damaging a person's property.
- 16 (11) Humane euthanasia of an animal by:
- 17 (A) a humane society;
- 18 (B) an animal control agency; or
- 19 (C) a governmental entity operating an animal shelter or
- 20 other animal impounding facility.
- 21 (12) Destruction of an injured or ill animal by an individual to
- 22 prevent the animal from prolonged suffering.
- 23 (13) Conduct not resulting in serious injury or illness to the
- 24 animal that is incidental to exhibiting an animal for show,
- 25 competition, or display, or that is incidental to transporting the
- 26 animal for show, competition, or display.
- 27 (14) Parking an animal.
- 28 (15) Humane destruction of an animal that the person owns.
- 29 (b) Section 1 of this chapter applies to conduct described in
- 30 subsection (a).
- 31 (c) Destruction of an animal by electrocution is authorized under
- 32 this section only if it is conducted by a person who:
- 33 (1) uses generally accepted veterinary standards and practices
- 34 for euthanasia, depopulation, or slaughter of animals;
- 35 (2) is engaged in an acceptable farm management practice; or
- 36 (3) is engaged in activities by a research facility registered with
- 37 the United States Department of Agriculture under the Animal
- 38 Welfare Act, or for the animal disease diagnostic laboratory
- 39 established under IC 21-46-3-1 or a research facility licensed by
- 40 the United States Department of Agriculture, a college, or a
- 41 university.

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1 SECTION 9. IC 35-46-3-7, AS AMENDED BY P.L.158-2013,
2 SECTION 558, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A person who:

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

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

8 (b) However, except for a conviction under section 1 of this
9 chapter, ~~the an~~ offense under subsection (a) is a Level 6 felony if ~~the~~:

10 (1) ~~the~~ person has a prior unrelated conviction under this
11 chapter;

12 (2) **person commits the offense in the presence of a minor; or**

13 (3) **abandonment or neglect results in:**

- 14 (A) **serious permanent disfigurement;**
- 15 (B) **unconsciousness;**
- 16 (C) **permanent or protracted loss or impairment of the**
17 **function of a bodily member or organ; or**
- 18 (D) **death;**

19 **of the animal; or**

20 (4) **person has ten (10) or more vertebrate animals in the**
21 **person's custody which results in the person:**

- 22 (A) **failing to provide adequate food, potable water, and**
23 **adequate shelter to at least one (1) vertebrate animal;**
- 24 (B) **keeping at least one (1) vertebrate animal in an**
25 **overcrowded environment; or**
- 26 (C) **disregarding the conditions under which at least one**
27 **(1) vertebrate animal is living in and the harmful impact**
28 **the conditions have on the health and well-being of the**
29 **vertebrate animals.**

30 (b) It is a defense to a prosecution for abandoning a vertebrate
31 animal under this section that the person who had the animal in the
32 person's custody reasonably believed that the vertebrate animal was
33 capable of surviving on its own.

34 (c) For purposes of this section, an animal that is feral is not in a
35 person's custody.

36 SECTION 10. IC 35-46-3-11, AS AMENDED BY P.L.168-2014,
37 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2026]: Sec. 11. (a) A person who knowingly or intentionally:

39 (1) strikes, torments, injures, or otherwise mistreats a law
40 enforcement animal; or

41 (2) interferes with the actions of a law enforcement animal while
42 the animal is engaged in assisting a law enforcement officer in

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1 the performance of the officer's duties;
 2 commits a Class A misdemeanor.
 3 (b) An offense under subsection (a)(1) is a Level 6 felony if the act
 4 results in:
 5 (1) serious permanent disfigurement;
 6 (2) unconsciousness; **or**
 7 (3) permanent or protracted loss or impairment of the function
 8 of a bodily member or organ; **or**
 9 ~~(4) death;~~
 10 of the law enforcement animal.
 11 **(c) An offense under subsection (a)(1) is a level 5 felony if the**
 12 **act results in the death of the law enforcement animal.**
 13 ~~(c)~~ **(d)** It is a defense that the accused person:
 14 (1) engaged in a reasonable act of training, handling, or
 15 discipline; and
 16 (2) acted as an employee or agent of a law enforcement agency.
 17 ~~(d)~~ **(e)** In addition to any sentence or fine imposed for a conviction
 18 of an offense under this section, the court:
 19 (1) may order the person convicted to make restitution to the
 20 person or law enforcement agency owning the animal for
 21 reimbursement of veterinary bills; and
 22 (2) shall order the person convicted to make restitution to the
 23 person or law enforcement agency owning the animal for
 24 reimbursement of the cost of replacing the animal, which may
 25 include the cost of training the animal, if the animal is
 26 permanently disabled or killed.
 27 SECTION 11. IC 35-46-3-12, AS AMENDED BY P.L.141-2019,
 28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2026]: Sec. 12. (a) This section does not apply to a person
 30 who euthanizes an injured, a sick, a homeless, or an unwanted domestic
 31 animal if:
 32 (1) the person is employed by a humane society, an animal
 33 control agency, or a governmental entity operating an animal
 34 shelter or other animal impounding facility; and
 35 (2) the person euthanizes the domestic animal in accordance
 36 with guidelines adopted by the humane society, animal control
 37 agency, or governmental entity operating the animal shelter or
 38 other animal impounding facility.
 39 (b) A person who knowingly or intentionally abuses a vertebrate
 40 animal commits cruelty to an animal, a Class A misdemeanor.
 41 However, the offense is a Level 6 felony if:

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- 1 (1) the person has a previous, unrelated conviction under this
- 2 section; ~~or~~
- 3 (2) the person committed the offense with the intent to threaten,
- 4 intimidate, coerce, harass, or terrorize a family or household
- 5 member;
- 6 **(3) the offense is committed in the immediate presence of a**
- 7 **minor; or**
- 8 **(4) the act results in:**
 - 9 **(A) serious permanent disfigurement;**
 - 10 **(B) unconsciousness;**
 - 11 **(C) permanent or protracted loss or impairment of the**
 - 12 **function of a bodily member or organ; or**
 - 13 **(D) the death;**
 - 14 **of the animal.**
- 15 (c) A person who knowingly or intentionally tortures or mutilates
- 16 a vertebrate animal commits torturing or mutilating a vertebrate animal,
- 17 a Level 6 felony.
- 18 (d) As used in this subsection, "domestic animal" means an animal
- 19 that is not wild. The term is limited to:
 - 20 (1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats,
 - 21 poultry, ostriches, rhea, and emus; and
 - 22 (2) an animal of the bovine, equine, ovine, caprine, porcine,
 - 23 canine, feline, camelid, cervidae, or bison species.
- 24 (d) A person who knowingly or intentionally kills a domestic
- 25 animal without the consent of the owner of the domestic animal
- 26 commits killing a domestic animal, a Level 6 felony.
- 27 (e) It is a defense to a prosecution under this section that the
- 28 accused person:
 - 29 (1) reasonably believes the conduct was necessary to:
 - 30 (A) prevent injury to the accused person or another person;
 - 31 (B) protect the property of the accused person from
 - 32 destruction or substantial damage; or
 - 33 (C) prevent a seriously injured vertebrate animal from
 - 34 prolonged suffering; or
 - 35 (2) engaged in a reasonable and recognized act of training,
 - 36 handling, or disciplining the vertebrate animal.
 - 37 (f) When a court imposes a sentence or enters a dispositional
 - 38 decree under this section, the court:
 - 39 (1) shall consider requiring:
 - 40 (A) a person convicted of an offense under this section; or
 - 41 (B) a child adjudicated a delinquent child for committing an
 - 42 act that would be a crime under this section if committed by

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1 an adult;
 2 to receive psychological, behavioral, or other counseling as a
 3 part of the sentence or dispositional decree; and
 4 (2) may order an individual described in subdivision (1) to
 5 receive psychological, behavioral, or other counseling as a part
 6 of the sentence or dispositional decree.

7 SECTION 12. IC 35-46-3-12.5, AS AMENDED BY
 8 P.L.158-2013, SECTION 567, IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12.5. A person who
 10 knowingly or intentionally:

- 11 (1) **abuses;**
 12 (2) **abandons;**
 13 (3) **kills; or**
 14 (4) **neglects;**

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

18 SECTION 13. IC 35-46-3-15, AS AMENDED BY P.L.141-2019,
 19 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2026]: Sec. 15. (a) This section does not apply to the
 21 following:

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

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

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

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

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