
HOUSE BILL No. 1165

AM116505 has been incorporated into January 22, 2026 printing.

Synopsis: Various animal related matters.

M
e
r
g
e
d

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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.

M
e
r
g
e
d

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:

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

M
e
r
g
e
d



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

M
e
r
g
e
d



- 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.

M
e
r
g
e
d

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 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

M
e
r
g
e
d

- 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

M
e
r
g
e
d

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 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**

M
e
r
g
e
d

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 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) "Companion animal" has the meaning set forth in
 24 IC 35-38-2-2.8.
 25 (4) "Domestic animal" means an animal that is not wild. The
 26 term is limited to:
 27 (A) cattle, calves, horses, mules, swine, sheep, goats,
 28 dogs, cats, poultry, ostriches, rhea, and emus; or
 29 (B) an animal of the bovine, equine, ovine, caprine,
 30 porcine, canine, feline, camelid, cervidae, or bison
 31 species.
 32 (5) "Humane euthanasia" means the humane destruction of
 33 an animal using sodium pentobarbital or a derivative,
 34 administered in a manner that causes painless loss of
 35 consciousness and death. The term does not include a method:
 36 (A) prohibited by section 15 of this chapter; or
 37 (B) involving the use of carbon monoxide, carbon dioxide,
 38 or any nonanesthetic inhalant.
 39 (6) "Impound agency" means a state, county, municipal, or
 40 township agency with the authority to impound animals for
 41 violation of this chapter or IC 15-20-1-4. The term includes the
 42 following:

HB 1165—LS 6739/DI 150



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M
e
r
g
e
d

- 1 (A) A law enforcement agency.
 2 (B) An animal control agency.
 3 ~~(5)~~ (7) "Mutilate" means to wound, injure, maim, or disfigure a
 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:

M
e
r
g
e
d

- 1 (A) medical care;
- 2 (B) quarantine; and
- 3 (C) shelter and board.
- 4 ~~(8)~~ **(10)** "Torture" means:
- 5 (A) to inflict extreme physical pain or injury on an animal
- 6 with the intent of increasing or prolonging the animal's pain;
- 7 (B) to administer poison to a domestic animal ~~(as defined in~~
- 8 ~~section 12(d) of this chapter)~~ or expose a domestic animal
- 9 to a poisonous substance with the intent that the domestic
- 10 animal ingest the substance;
- 11 (C) to destroy an animal by electrocution in a manner
- 12 inconsistent with section 5 of this chapter; ~~or~~
- 13 (D) to intentionally ~~freeze or heat an animal to death.~~
- 14 **expose an animal to heat or cold beyond an animal's**
- 15 **tolerance based on the animal's:**
- 16 **(i) age;**
- 17 **(ii) health;**
- 18 **(iii) medical conditions; or**
- 19 **(iv) physical characteristics;**
- 20 **which results in pain, suffering, or death; or**
- 21 **(E) to knowingly, intentionally, or recklessly starve,**
- 22 **dehydrate, or suffocate an animal.**
- 23 SECTION 8. IC 35-46-3-5, AS AMENDED BY P.L.41-2021,
- 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2026]: Sec. 5. (a) Except as provided in subsections (b)
- 26 through (c), this chapter does not apply to the following:
- 27 (1) Fishing, hunting, trapping, or other conduct authorized under
- 28 IC 14-22.
- 29 (2) Conduct authorized under IC 15-20-2.
- 30 (3) Generally accepted veterinary standards and practices.
- 31 (4) Conduct authorized by a local ordinance.
- 32 (5) Acceptable farm management practices.
- 33 (6) Conduct authorized by IC 15-17, and rules adopted under
- 34 IC 15-17 for:
- 35 (A) state or federally inspected livestock slaughtering
- 36 facilities;
- 37 (B) emergency events; or
- 38 (C) state or federal animal disease control programs.
- 39 (7) A research facility registered with the United States
- 40 Department of Agriculture under the federal Animal Welfare Act
- 41 (7 U.S.C. 2131 et seq.).
- 42 (8) Destruction of a vertebrate **animal** defined as a pest under

M
e
r
g
e
d



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 9. 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

M
e
r
g
e
d



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 10. 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**

M
e
r
g
e
d



1 ~~(4)~~ death;
2 of the law enforcement animal.
3 **(c) An offense under subsection (a)(1) is a level 5 felony if the**
4 **act results in the death of the law enforcement animal.**
5 ~~(c)~~ **(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 11. 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;
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;**

M
e
r
g
e
d



- 1 **(B) unconsciousness;**
- 2 **(C) permanent or protracted loss or impairment of the**
- 3 **function of a bodily member or organ; or**
- 4 **(D) the death;**
- 5 **of the animal.**

6 (c) A person who knowingly or intentionally tortures or mutilates
 7 a vertebrate animal commits torturing or mutilating a vertebrate animal,
 8 a Level 6 felony.

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

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

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

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

- 20 (1) reasonably believes the conduct was necessary to:
 - 21 (A) prevent injury to the accused person or another person;
 - 22 (B) protect the property of the accused person from
 - 23 destruction or substantial damage; or
 - 24 (C) prevent a seriously injured vertebrate animal from
 - 25 prolonged suffering; or
- 26 (2) engaged in a reasonable and recognized act of training,
 27 handling, or disciplining the vertebrate animal.

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

- 30 (1) shall consider requiring:
 - 31 (A) a person convicted of an offense under this section; or
 - 32 (B) a child adjudicated a delinquent child for committing an
 - 33 act that would be a crime under this section if committed by
 - 34 an adult;
- 35 to receive psychological, behavioral, or other counseling as a
 36 part of the sentence or dispositional decree; and
- 37 (2) may order an individual described in subdivision (1) to
 38 receive psychological, behavioral, or other counseling as a part
 39 of the sentence or dispositional decree.

40 SECTION 12. IC 35-46-3-12.5, AS AMENDED BY
 41 P.L.158-2013, SECTION 567, IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12.5. A person who

M
e
r
g
e
d

HB 1165—LS 6739/DI 150



1 knowingly or intentionally:
2 **(1) abuses;**
3 **(2) abandons;**
4 **(3) kills; or**
5 **(4) neglects;**
6 a vertebrate animal with the intent to threaten, intimidate, coerce,
7 harass, or terrorize a family or household member commits domestic
8 violence animal cruelty, a Level 6 felony.

M
e
r
g
e
d

