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HOUSE BILL No. 1165

Proposed Changes to January 22, 2026 printing by AM116506

DIGEST OF PROPOSED AMENDMENT

Adequate bedding. Defines "adequate bedding", "adequate shelter", and "neglect".

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:
- 18 (1) A domestic animal must be present in the enclosed space of
- 19 the motor vehicle, and the person must reasonably believe that
- 20 the domestic animal is in imminent danger of suffering serious
- 21 bodily harm if the domestic animal remains in the motor vehicle.
- 22 (2) The person must determine that:

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- 1 (A) the motor vehicle is locked; and
 2 (B) forcible entry of the motor vehicle is necessary to
 3 remove the domestic animal from the motor vehicle.
 4 (3) The person must call telephone number 911 or otherwise
 5 attempt to contact:
 6 (A) a law enforcement officer;
 7 (B) a firefighter;
 8 (C) an animal control officer; or
 9 (D) another emergency responder;
 10 before the person forcibly enters the motor vehicle.
 11 (4) The person must use no more force than is reasonably
 12 necessary to enter the motor vehicle and remove the domestic
 13 animal from the motor vehicle.
 14 (5) The person must remain with the domestic animal until a law
 15 enforcement officer, firefighter, animal control officer, or other
 16 emergency responder arrives at the scene.
 17 (c) If any of the following persons, acting in the course and scope
 18 of the person's employment, forcibly enters a motor vehicle to remove
 19 a domestic animal from the motor vehicle, the person is not liable for
 20 the cost of repairing damage to the motor vehicle caused by the
 21 person's forcible entry:
 22 (1) A law enforcement officer.
 23 (2) A firefighter.
 24 (3) A government officer or employee whose primary duty is to
 25 ensure public safety.
 26 (4) An emergency responder other than those identified in
 27 subdivisions (1) through (3).
 28 (5) An animal control officer.
 29 (6) A veterinarian who is licensed or otherwise authorized to
 30 practice veterinary medicine in Indiana under IC 25-38.1-3.
 31 (7) A veterinary assistant, as defined in IC 25-38.1-1-14.7.

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

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

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

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

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- 1 (1) The harm, injury, loss, or damage suffered by the victim of
2 an offense was:
3 (A) significant; and
4 (B) greater than the elements necessary to prove the
5 commission of the offense.
6 (2) The person has a history of criminal or delinquent behavior.
7 (3) The victim of the offense was less than twelve (12) years of
8 age or at least sixty-five (65) years of age at the time the person
9 committed the offense.
10 (4) The person:
11 (A) committed a crime of violence (IC 35-50-1-2); and
12 (B) knowingly committed the offense in the presence or
13 within hearing of an individual who:
14 (i) was less than eighteen (18) years of age at the time
15 the person committed the offense; and
16 (ii) is not the victim of the offense.
17 (5) The person violated a protective order issued against the
18 person under IC 34-26-5 (or IC 31-1-11.5, IC 34-26-2, or
19 IC 34-4-5.1 before their repeal), a workplace violence restraining
20 order issued against the person under IC 34-26-6, or a no contact
21 order issued against the person.
22 (6) The person has recently violated the conditions of any
23 probation, parole, pardon, community corrections placement, or
24 pretrial release granted to the person.
25 (7) The victim of the offense was:
26 (A) a person with a disability (as defined in IC 27-7-6-12),
27 and the defendant knew or should have known that the
28 victim was a person with a disability; or
29 (B) mentally or physically infirm.
30 (8) The person was in a position having care, custody, or control
31 of the victim of the offense.
32 (9) The injury to or death of the victim of the offense was the
33 result of shaken baby syndrome (as defined in IC 16-41-40-2) or
34 abusive head trauma.
35 (10) The person threatened to harm the victim of the offense or
36 a witness if the victim or witness told anyone about the offense.
37 (11) The person:
38 (A) committed trafficking with an inmate under
39 IC 35-44.1-3-5; and
40 (B) is an employee of the penal facility.
41 (12) The person committed the offense with bias due to the
42 victim's or the group's real or perceived characteristic, trait,
43 belief, practice, association, or other attribute the court chooses
44 to consider, including but not limited to an attribute described in
45 IC 10-13-3-1.
46 (13) The person is or has been an alien (as defined by 8 U.S.C.
47 1101(a)) unlawfully present in the United States. A
48 determination by the United States Department of Homeland
49 Security that an alien has come to, entered, or remained in the

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- 1 United States in violation of law is evidence that the alien is or
 2 has been unlawfully present in the United States.
- 3 (14) The offense involved dealing in a controlled substance
 4 under IC 35-48-4 and the person distributed the controlled
 5 substance to at least three (3) different individuals in a one
 6 hundred eighty (180) day period.
- 7 **(15) The offense resulted in the:**
 8 **(A) death; or**
 9 **(B) permanent loss or impairment of the function of a**
 10 **bodily member or organ;**
 11 **of an animal.**
- 12 (b) The court may consider the following factors as mitigating
 13 circumstances or as favoring suspending the sentence and imposing
 14 probation:
- 15 (1) The crime neither caused nor threatened serious harm to
 16 persons or property, or the person did not contemplate that it
 17 would do so.
- 18 (2) The crime was the result of circumstances unlikely to recur.
- 19 (3) The victim of the crime induced or facilitated the offense.
- 20 (4) There are substantial grounds tending to excuse or justify the
 21 crime, though failing to establish a defense.
- 22 (5) The person acted under strong provocation.
- 23 (6) The person has no history of delinquency or criminal activity,
 24 or the person has led a law-abiding life for a substantial period
 25 before commission of the crime.
- 26 (7) The person is likely to respond affirmatively to probation or
 27 short term imprisonment.
- 28 (8) The character and attitudes of the person indicate that the
 29 person is unlikely to commit another crime.
- 30 (9) The person has made or will make restitution to the victim of
 31 the crime for the injury, damage, or loss sustained.
- 32 (10) Imprisonment of the person will result in undue hardship to
 33 the person or the dependents of the person.
- 34 (11) The person was convicted of a crime involving the use of
 35 force against a person who had repeatedly inflicted physical or
 36 sexual abuse upon the convicted person and evidence shows that
 37 the convicted person suffered from the effects of battery as a
 38 result of the past course of conduct of the individual who is the
 39 victim of the crime for which the person was convicted.
- 40 (12) The person was convicted of a crime relating to a controlled
 41 substance and the person's arrest or prosecution was facilitated
 42 in part because the person:
 43 (A) requested emergency medical assistance; or
 44 (B) acted in concert with another person who requested
 45 emergency medical assistance;
 46 for an individual who reasonably appeared to be in need of
 47 medical assistance due to the use of alcohol or a controlled
 48 substance.
- 49 (13) The person has posttraumatic stress disorder, traumatic

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1 brain injury, or a postconcussive brain injury.

2 (14) The person is a person described in IC 31-30-1-4(d) who
3 committed the offense while the person was a child but is now
4 at least twenty-one (21) years of age.

5 (15) The offense involved a controlled substance under
6 IC 35-48-4 and the person:

7 (A) sought treatment:

8 (i) in the three hundred sixty-five (365) day period
9 preceding the date of the commission of the offense; or

10 (ii) on or after the date on which the person committed
11 the offense, but before sentencing; and

12 (B) successfully completed treatment:

13 (i) in the three hundred sixty-five (365) day period
14 preceding the date of the commission of the offense; or

15 (ii) on or after the date on which the person committed
16 the offense, but before sentencing.

17 (c) The criteria listed in subsections (a) and (b) do not limit the
18 matters that the court may consider in determining the sentence.

19 (d) A court may impose any sentence that is:

20 (1) authorized by statute; and

21 (2) permissible under the Constitution of the State of Indiana;
22 regardless of the presence or absence of aggravating circumstances or
23 mitigating circumstances.

24 (e) If a court suspends a sentence and orders probation for a person
25 described in subsection (b)(13), the court may require the person to
26 receive treatment for the person's injuries.

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

33 (1) a Level 6 felony if:

34 (A) the value of the property is at least seven hundred fifty
35 dollars (\$750) and less than fifty thousand dollars
36 (\$50,000);

37 (B) the property is a:

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

39 (ii) component part (as defined in IC 9-13-2-34) of a
40 motor vehicle; or

41 **(iii) domestic animal; or**

42 (C) the person has a prior unrelated conviction for:

43 (i) theft under this section;

44 (ii) criminal conversion under section 3 of this chapter;

45 (iii) robbery under IC 35-42-5-1; or

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

47 (2) a Level 5 felony if:

48 (A) the value of the property is at least fifty thousand
49 dollars (\$50,000);

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- 1 (B) the property that is the subject of the theft is a valuable
 2 metal (as defined in IC 25-37.5-1-1) and:
 3 (i) relates to transportation safety;
 4 (ii) relates to public safety; or
 5 (iii) is taken from a hospital or other health care
 6 facility, telecommunications provider, public utility (as
 7 defined in IC 32-24-1-5.9(a)), or critical infrastructure
 8 facility;
 9 and the absence of the property creates a substantial risk of
 10 bodily injury to a person; or
 11 (C) the property is a:
 12 (i) motor vehicle (as defined in IC 9-13-2-105(a)); or
 13 (ii) component part (as defined in IC 9-13-2-34) of a
 14 motor vehicle; and
 15 the person has a prior unrelated conviction for theft of a
 16 motor vehicle (as defined in IC 9-13-2-105(a)) or theft of a
 17 component part (as defined in IC 9-13-2-34); and
 18 (3) a Level 5 felony if the property is a firearm.
 19 (b) For purposes of this section, "the value of property" means:
 20 (1) the fair market value of the property at the time and place the
 21 offense was committed; or
 22 (2) if the fair market value of the property cannot be
 23 satisfactorily determined, the cost to replace the property within
 24 a reasonable time after the offense was committed.
 25 A price tag or price marking on property displayed or offered for sale
 26 constitutes prima facie evidence of the value of the property.
 27 (c) If the offense described in subsection (a) is committed by a
 28 public servant who exerted unauthorized control over public funds (as
 29 defined by IC 5-22-2-23) from the public servant's employer, the
 30 employer may be reimbursed in accordance with IC 2-3.5-4-11,
 31 IC 2-3.5-5-9, IC 5-10-5.5-19, IC 5-10.3-8-9, IC 5-10.4-5-14,
 32 IC 10-12-2-10, IC 33-38-6-19.5, IC 33-39-7-10.5, IC 36-8-6-14,
 33 IC 36-8-7-22, IC 36-8-7.5-19, or IC 36-8-8-17.
 34 SECTION 6. IC 35-46-3-0.1, AS AMENDED BY P.L.63-2012,
 35 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]: Sec. 0.1. The following amendments to this chapter
 37 apply as follows:
 38 (1) The amendments made to section 12 of this chapter by
 39 P.L.7-2007 apply only to:
 40 (A) offenses; and
 41 (B) acts that would be a crime if committed by an adult;
 42 that are committed after June 30, 2007.
 43 (2) The amendments made to sections 8 and 12 of this chapter by
 44 P.L.171-2007 apply only to crimes committed after June 30,
 45 2007. However, the amendments made to section 12(d) of this
 46 chapter by P.L.171-2007 (**currently codified at section 12(f) of**
 47 **this chapter**) apply only to:
 48 (A) crimes; and
 49 (B) delinquent acts that would be crimes if committed by an

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1 adult;

2 that are committed after June 30, 2007.

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

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

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

16 (A) a humane society;

17 (B) an animal control agency; or

18 (C) a governmental entity operating an animal shelter or
19 other animal impounding facility.

20 [(3) "Adequate bedding" means bedding sufficient to permit
21 a domestic animal to:

22 (A) remain dry;

23 (B) remain reasonably clean; and

24 (C) maintain a normal body temperature.

25 (4) "Adequate shelter" means a covered enclosure sufficient
26 to:

27 (A) protect an animal from the elements; and

28 (B) prevent suffering or injury to an animal;

29 based on the climate and the animal's species, age, and
30 health.

31] (↔) [5] "Companion animal" has the meaning set forth in
32 IC 35-38-2-2.8.

33 (↔) [6] "Domestic animal" means an animal that is not
34 wild. The term is limited to:

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

37 (B) an animal of the bovine, equine, ovine, caprine,
38 porcine, canine, feline, camelid, cervidae, or bison
39 species.

40 (↔) (↔) [7] "Humane euthanasia" means the humane
41 destruction of an animal using sodium pentobarbital or a
42 derivative, administered in a manner that causes painless loss of
43 consciousness and death. The term does not include a method:

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

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

47 (4) (↔) [8] "Impound agency" means a state, county, municipal,
48 or township agency with the authority to impound animals for
49 violation of this chapter or IC 15-20-1-4. The term includes the

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1 following:

2 (A) A law enforcement agency.

3 (B) An animal control agency.

4 (5) (~~7~~ [9]) "Mutilate" means to wound, injure, maim, or
5 disfigure an animal by damaging the animal's body parts or to
6 render any part of the animal's body useless. The term includes
7 bodily injury involving:

8 (A) serious permanent disfigurement;

9 (B) serious temporary disfigurement;

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

12 (D) a fracture.

13 (6) (~~8~~ [10]) "Neglect" means:

14 (A) endangering an animal's health by failing to provide or
15 arrange to provide the animal with ~~a sufficient quantity~~
16 ~~and quality of~~ food ~~or~~ ~~drink, and unfrozen potable~~
17 ~~drinking water that allows for the normal growth or~~
18 ~~maintenance of an animal's age and species appropriate~~
19 ~~body weight;~~ [drink,] if the animal is dependent upon the
20 person for the provision of food or drink [Food and drink
21 must be provided in a sufficient quantity to maintain the
22 animal's health and normal development, and in a form
23 that is unspoiled, uncontaminated, and otherwise fit for
24 consumption. Water that is frozen is not sufficient to
25 maintain an animal's health and normal development]; []

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

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

30 (ii) is too heavy to permit the animal to move freely; or

31 (iii) causes the animal to choke;

32 (C) restraining an animal in a manner that seriously
33 endangers the animal's life or health;

34 (D) failing to:

35 (i) provide reasonable care for; or

36 (ii) seek veterinary care for;

37 an injury or illness to a dog or cat that seriously endangers
38 the life or health of the dog or cat; or

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

40 ~~(i) excessive heat without providing the animal with a~~
41 ~~means of shade from the heat; or~~

42 ~~(ii) excessive cold if the animal is not provided with~~
43 ~~straw or another means of protection from the cold;~~

44 ~~regardless of whether the animal is restrained or kept in a~~
45 ~~kennel. failing to provide an animal with adequate~~
46 ~~bedding and adequate shelter.~~

47 (7) (~~9~~ [11]) "Reasonable expenses" includes the cost of:

48 (A) medical care;

49 (B) quarantine; and

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(C) shelter and board.

(8) (1-1 [2]) "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 35-46-3-5, 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 IC 15-16-5-24, **except for a rodent that is not a nuisance rodent.**
- (9) Destruction of or injury to a fish.
- (10) Destruction of a vertebrate animal that is:
 - (A) endangering, harassing, or threatening livestock or a domestic animal; or
 - (B) destroying or damaging a person's property.
- (11) Humane euthanasia of an animal by:
 - (A) a humane society;

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- 1 (B) an animal control agency; or
- 2 (C) a governmental entity operating an animal shelter or
- 3 other animal impounding facility.
- 4 (12) Destruction of an injured or ill animal by an individual to
- 5 prevent the animal from prolonged suffering.
- 6 (13) Conduct not resulting in serious injury or illness to the
- 7 animal that is incidental to exhibiting an animal for show,
- 8 competition, or display, or that is incidental to transporting the
- 9 animal for show, competition, or display.
- 10 (14) Parking an animal.
- 11 (15) Humane destruction of an animal that the person owns.

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

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

- 16 (1) uses generally accepted veterinary standards and practices
- 17 for euthanasia, depopulation, or slaughter of animals;
- 18 (2) is engaged in an acceptable farm management practice; or
- 19 (3) is engaged in activities by a research facility registered with
- 20 the United States Department of Agriculture under the Animal
- 21 Welfare Act, or for the animal disease diagnostic laboratory
- 22 established under IC 21-46-3-1 or a research facility licensed by
- 23 the United States Department of Agriculture, a college, or a
- 24 university.

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

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

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

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

- 35 (1) ~~the~~ person has a prior unrelated conviction under this
- 36 chapter;
- 37 (2) **person commits the offense in the presence of a minor; or**
- 38 (3) **abandonment or neglect results in:**
 - 39 (A) **serious permanent disfigurement;**
 - 40 (B) **unconsciousness;**
 - 41 (C) **permanent or protracted loss or impairment of the**
 - 42 **function of a bodily member or organ; or**
 - 43 (D) **death;**
- 44 **of the animal; or**
- 45 (4) **person has ten (10) or more vertebrate animals in the**
- 46 **person's custody which results in the person:**
 - 47 (A) **failing to provide adequate food, potable water, and**
 - 48 **adequate shelter to at least one (1) vertebrate animal;**
 - 49 (B) **keeping at least one (1) vertebrate animal in an**

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1 **overcrowded environment; or**
 2 **(C) disregarding the conditions under which at least one**
 3 **(1) vertebrate animal is living in and the harmful impact**
 4 **the conditions have on the health and well-being of the**
 5 **vertebrate animals.**

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

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

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

- 15 (1) strikes, torments, injures, or otherwise mistreats a law
 16 enforcement animal; or
 - 17 (2) interferes with the actions of a law enforcement animal while
 18 the animal is engaged in assisting a law enforcement officer in
 19 the performance of the officer's duties;
- 20 commits a Class A misdemeanor.

21 (b) An offense under subsection (a)(1) is a Level 6 felony if the act
 22 results in:

- 23 (1) serious permanent disfigurement;
- 24 (2) unconsciousness; **or**
- 25 (3) permanent or protracted loss or impairment of the function
 26 of a bodily member or organ; **or**
- 27 ~~(4) death;~~

28 of the law enforcement animal.

29 **(c) An offense under subsection (a)(1) is a level 5 felony if the**
 30 **act results in the death of the law enforcement animal.**

31 ~~(e)~~ **(d)** It is a defense that the accused person:
 32 (1) engaged in a reasonable act of training, handling, or
 33 discipline; and
 34 (2) acted as an employee or agent of a law enforcement agency.

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

- 37 (1) may order the person convicted to make restitution to the
 38 person or law enforcement agency owning the animal for
 39 reimbursement of veterinary bills; and
- 40 (2) shall order the person convicted to make restitution to the
 41 person or law enforcement agency owning the animal for
 42 reimbursement of the cost of replacing the animal, which may
 43 include the cost of training the animal, if the animal is
 44 permanently disabled or killed.

45 SECTION 11. IC 35-46-3-12, AS AMENDED BY P.L.141-2019,
 46 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 47 JULY 1, 2026]: Sec. 12. (a) This section does not apply to a person
 48 who euthanizes an injured, a sick, a homeless, or an unwanted domestic
 49 animal if:

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

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- 1 (A) a person convicted of an offense under this section; or
- 2 (B) a child adjudicated a delinquent child for committing an
- 3 act that would be a crime under this section if committed by
- 4 an adult;
- 5 to receive psychological, behavioral, or other counseling as a
- 6 part of the sentence or dispositional decree; and
- 7 (2) may order an individual described in subdivision (1) to
- 8 receive psychological, behavioral, or other counseling as a part
- 9 of the sentence or dispositional decree.

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

- 14 (1) **abuses;**
- 15 (2) **abandons;**
- 16 (3) **kills; or**
- 17 (4) **neglects;**

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

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

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

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

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

- 39 (1) placing the animal in a decompression chamber and lowering
- 40 the pressure of or the oxygen content in the air surrounding the
- 41 animal; **or**
- 42 (2) **any means other than humane euthanasia;**

43 commits a Class B misdemeanor. [
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