

HOUSE BILL No. 1026

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-3-11.

Synopsis: Offenses against law enforcement animals. Makes it a Level 6 felony instead of a Class A misdemeanor for a person to knowingly or intentionally: (1) strike, torment, injure, or otherwise mistreat a law enforcement animal; or (2) interfere with the actions of a law enforcement animal while the animal is engaged in assisting a law enforcement officer in the performance of the officer's duties. Reconciles substantive and technical conflicts between statutes enacted by the 2013 general assembly concerning criminal law.

Effective: July 1, 2014.

Neese

January 7, 2014, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

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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 35-46-3-11, AS AMENDED BY P.L.161-2013,
2 SECTION 8, AND AS AMENDED BY P.L.158-2013, SECTION 563,
3 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) A person who knowingly or
5 intentionally:
6 (1) strikes, torments, injures, or otherwise mistreats a law
7 enforcement animal; or
8 (2) interferes with the actions of a law enforcement animal while
9 the animal is engaged in assisting a law enforcement officer in the
10 performance of the officer's duties;
11 commits a ~~Class A misdemeanor~~: **Level 6 felony**.
12 (b) An offense under subsection (a)(1) is a ~~Class D Level 6 felony~~
13 if the act results in:
14 (1) ~~serious permanent disfigurement~~;
15 (2) ~~unconsciousness~~;
16 (3) ~~permanent or protracted loss or impairment of the function of~~



1 a bodily member or organ; or
2 ~~(4) death;~~
3 of the law enforcement animal:
4 ~~(c)~~ **(b)** It is a defense that the accused person:
5 (1) engaged in a reasonable act of training, handling, or
6 discipline; and
7 (2) acted as an employee or agent of a law enforcement agency.
8 ~~(d)~~ **(c)** In addition to any sentence or fine imposed for a conviction
9 of an offense under this section, the court:
10 (1) may order the person convicted to make restitution to the
11 person or law enforcement agency owning the animal for
12 reimbursement of ~~(4)~~ veterinary bills; and
13 (2) *shall order the person convicted to make restitution to the*
14 *person or law enforcement agency owning the animal for*
15 *reimbursement of ~~replacement costs of the animal~~ the cost of*
16 *replacing the animal, which may include the cost of training the*
17 *animal, if the animal is permanently disabled or killed.*

