

HOUSE BILL No. 1261

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-10-3-8.5; IC 31-33-8-7.5; IC 34-30-2.

Synopsis: Protecting pets in distressed homes. Provides that: (1) an adult protective services unit conducting an investigation; or (2) a caseworker conducting an assessment; who observes, or has reason to believe, that an animal is a victim of animal cruelty, abandonment, or neglect may make a report to the local law enforcement agency or local animal control officer. Provides that: (1) an adult protective services unit; or (2) a caseworker; who makes a report of animal cruelty, abandonment, or neglect is immune from civil and criminal liability.

Effective: July 1, 2018.

**Karickhoff, Lawson L, Cook,
Wright**

January 16, 2018, read first time and referred to Committee on Judiciary.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1261

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-10-3-8.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]: **Sec. 8.5. (a) If, during an investigation under section 8 of**
4 **this chapter, an adult protective services unit observes, or has**
5 **reason to believe, that an animal is a victim of animal cruelty,**
6 **abandonment, or neglect, the adult protective services unit may**
7 **make a report of the observed or suspected animal cruelty,**
8 **abandonment, or neglect to:**
9 (1) the local law enforcement agency; or
10 (2) the local animal control officer.
11 (b) The information provided in a report under subsection (a)
12 must include the following:
13 (1) A name and description of the animal and the animal's
14 condition.
15 (2) The name and contact number, if known, of the owner or
16 custodian of the animal.
17 (3) The address or location of the observed or suspected



1 **animal cruelty, abandonment, or neglect.**

2 **(4) The nature and apparent extent of the observed or**
 3 **suspected animal cruelty, abandonment, or neglect.**

4 **(c) This section does not impose a duty or obligation on the adult**
 5 **protective services unit to investigate known or suspected animal**
 6 **cruelty, abandonment, or neglect.**

7 **(d) An adult protective services unit that makes a report of an**
 8 **animal that may be a victim of animal cruelty, abandonment, or**
 9 **neglect is immune from any civil or criminal liability unless the**
 10 **adult protective services unit made the report as a result of gross**
 11 **negligence or willful and wanton misconduct.**

12 **(e) The identity of any adult protective services unit that makes**
 13 **a report under this section is confidential.**

14 **(f) This section does not expand or limit other laws concerning**
 15 **confidentiality requirements.**

16 SECTION 2. IC 31-33-8-7.5 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2018]: **Sec. 7.5. (a) If, during the assessment, a caseworker**
 19 **observes, or has reason to believe, that an animal is a victim of**
 20 **animal cruelty, abandonment, or neglect, the caseworker may**
 21 **make a report of the observed or suspected animal cruelty,**
 22 **abandonment, or neglect to:**

- 23 **(1) the local law enforcement agency; or**
 24 **(2) the local animal control officer.**

25 **(b) The information provided in a report under subsection (a)**
 26 **must include the following:**

- 27 **(1) A name and description of the animal and the animal's**
 28 **condition.**
 29 **(2) The name and contact number, if known, of the owner or**
 30 **custodian of the animal.**
 31 **(3) The address or location of the observed or suspected**
 32 **animal cruelty, abandonment, or neglect.**
 33 **(4) The nature and apparent extent of the observed or**
 34 **suspected animal cruelty, abandonment, or neglect.**

35 **(c) This section does not impose a duty or obligation on the**
 36 **caseworker to investigate known or suspected animal cruelty,**
 37 **abandonment, or neglect.**

38 **(d) A caseworker who makes a report of an animal that may be**
 39 **a victim of animal cruelty, abandonment, or neglect is immune**
 40 **from any civil or criminal liability unless the caseworker made the**
 41 **report as a result of gross negligence or willful and wanton**
 42 **misconduct.**



1 **(e) The identity of any caseworker who makes a report under**
2 **this section is confidential.**

3 **(f) This section does not expand or limit other laws concerning**
4 **confidentiality requirements.**

5 SECTION 3. IC 34-30-2-40.2 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2018]: **Sec. 40.2. IC 12-10-3-8.5 (Concerning**
8 **an adult protective services unit for making a report of animal**
9 **cruelty, abandonment, or neglect).**

10 SECTION 4. IC 34-30-2-134.1 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2018]: **Sec. 134.1. IC 31-33-8-7.5 (Concerning**
13 **a caseworker for making a report of animal cruelty, abandonment,**
14 **or neglect).**

