

HOUSE BILL No. 1268

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2.

Synopsis: Animal abuse registry. Defines "animal-related offense" and requires the Indiana criminal justice institute (institute) to establish and administer an electronic animal abuse registry containing information relating to persons convicted of animal-related offenses. Requires the institute to adopt rules to establish a procedure to permit a person erroneously included in the registry to obtain relief.

Effective: July 1, 2020.

Candelaria Reardon

January 7, 2020, read first time and referred to Committee on Courts and Criminal Code.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1268

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 5-2-6-3, AS AMENDED BY P.L.239-2019,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 3. The institute is established to do the following:
4 (1) Evaluate state and local programs associated with:
5 (A) the prevention, detection, and solution of criminal
6 offenses;
7 (B) law enforcement; and
8 (C) the administration of criminal and juvenile justice.
9 (2) Participate in statewide collaborative efforts to improve all
10 aspects of law enforcement, juvenile justice, and criminal justice
11 in this state.
12 (3) Stimulate criminal and juvenile justice research.
13 (4) Develop new methods for the prevention and reduction of
14 crime.
15 (5) Prepare applications for funds under the Omnibus Act and the
16 Juvenile Justice Act.
17 (6) Administer victim and witness assistance funds.



- 1 (7) Administer the traffic safety functions assigned to the institute
2 under IC 9-27-2.
- 3 (8) Compile and analyze information and disseminate the
4 information to persons who make criminal justice decisions in this
5 state.
- 6 (9) Serve as the criminal justice statistical analysis center for this
7 state.
- 8 (10) Identify grants and other funds that can be used by the
9 department of correction to carry out its responsibilities
10 concerning sex or violent offender registration under IC 11-8-8.
- 11 (11) Administer the application and approval process for
12 designating an area of a consolidated or second class city as a
13 public safety improvement area under IC 36-8-19.5.
- 14 (12) Administer funds for the support of any sexual offense
15 services.
- 16 (13) Administer funds for the support of domestic violence
17 programs.
- 18 (14) Administer funds to support assistance to victims of human
19 sexual trafficking offenses as provided in IC 35-42-3.5-4.
- 20 (15) Administer the domestic violence prevention and treatment
21 fund under IC 5-2-6.7.
- 22 (16) Administer the family violence and victim assistance fund
23 under IC 5-2-6.8.
- 24 (17) Monitor and evaluate criminal code reform under
25 IC 5-2-6-24.
- 26 (18) Administer the enhanced enforcement drug mitigation area
27 fund and pilot program established under IC 5-2-11.5.
- 28 (19) Administer the ignition interlock inspection account
29 established under IC 9-30-8-7.
- 30 (20) Identify any federal, state, or local grants that can be used to
31 assist in the funding and operation of regional holding facilities
32 under IC 11-12-6.5.
- 33 **(21) Establish and administer the animal abuse registry under**
34 **IC 5-2-24.**
- 35 SECTION 2. IC 5-2-24 IS ADDED TO THE INDIANA CODE AS
36 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2020]:
- 38 **Chapter 24. Animal Abuse Registry**
- 39 **Sec. 1. The following definitions apply throughout this chapter:**
- 40 **(1) "Animal-related offense" means:**
- 41 **(A) cruelty to an animal (IC 35-46-3-7);**
- 42 **(B) purchase or possession of an animal for a fighting**



- 1 contest (IC 35-46-3-8);
 2 (C) possession of animal fighting paraphernalia
 3 (IC 35-46-3-8.5);
 4 (D) promotion, use of an animal, or attendance with an
 5 animal at an animal fighting contest (IC 35-46-3-9);
 6 (E) promoting an animal fighting contest (IC 35-46-3-9.5);
 7 (F) cruelty to an animal (IC 35-46-3-10);
 8 (G) cruelty to a law enforcement animal (IC 35-46-3-11);
 9 (H) cruelty to a search and rescue dog (IC 35-46-3-11.3);
 10 (I) cruelty to a service animal (IC 35-46-3-11.5);
 11 (J) cruelty to an animal (IC 35-46-3-12);
 12 (K) torturing or mutilating a vertebrate animal
 13 (IC 35-46-3-12);
 14 (L) killing a domestic animal (IC 35-46-3-12);
 15 (M) domestic violence animal cruelty (IC 35-46-3-12.5);
 16 (N) cruelty to an animal (IC 35-46-3-13);
 17 (O) bestiality (IC 35-46-3-14); and
 18 (P) decompression of an animal (IC 35-46-3-15).

19 The term includes a crime committed in another jurisdiction
 20 in which the elements of the crime are substantially similar to
 21 a crime described in this subdivision.

22 (2) "Institute" refers to the Indiana criminal justice institute
 23 established under IC 5-2-6-3.

24 (3) "Registry" means the animal abuse registry established
 25 under section 2 of this chapter.

26 Sec. 2. Not later than December 31, 2020, the institute shall
 27 establish and administer an animal abuse registry.

28 Sec. 3. The registry must contain:

- 29 (1) the name;
 30 (2) the age;
 31 (3) the last known address;
 32 (4) a recent photograph;
 33 (5) a description of the animal-related offense conviction; and
 34 (6) any other identifying information, as determined by the
 35 institute;

36 of every person convicted of an animal-related offense.

37 Sec. 4. The institute shall obtain data for publication on the
 38 registry from:

- 39 (1) criminal history data maintained by the state police
 40 department under IC 10-13-3, except for data whose
 41 publication is prohibited by federal law;
 42 (2) information reported to the institute by the department of



1 correction; and

2 (3) information obtained by the institute from another
3 governmental entity, if, in the opinion of the institute, the
4 information is credible and reliable.

5 Sec. 5. (a) The institute shall publish the registry on the
6 institute's Internet web site. The registry must be searchable and
7 available to the public.

8 (b) The institute shall ensure that the registry is updated at least
9 one (1) time every thirty (30) days.

10 (c) The institute shall ensure that the registry displays the
11 following or similar words:

12 "Based on information submitted to law enforcement, a
13 person whose name appears in this registry has been
14 convicted of an animal-related offense. However, information
15 on the registry may not be complete."

16 Sec. 6. (a) The institute may adopt rules under IC 4-22-2 to
17 implement this chapter.

18 (b) The institute shall adopt rules under IC 4-22-2 to establish
19 a procedure to permit a person whose name is erroneously
20 included in the registry to obtain relief.

