

# HOUSE BILL No. 1268

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-20-5.

**Synopsis:** Return of lost pets to owners. Requires an animal care facility to adopt policies and procedures that govern the return of lost or stray dogs and cats to the dog's or cat's owner. Provides animal care policies and procedures that an animal care facility may include to return lost or stray dogs and cats to the dog's or cat's owner.

**Effective:** July 1, 2021.

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## Hamilton, Karickhoff

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January 14, 2021, read first time and referred to Committee on Agriculture and Rural Development.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## HOUSE BILL No. 1268

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 15-20-5 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2021]:  
4 **Chapter 5. Return of Lost or Stray Companion Animals by**  
5 **Animal Care Facilities**  
6 **Sec. 1. As used in this chapter, "animal care facility" refers to**  
7 **any of the following:**  
8 (1) **A humane society.**  
9 (2) **An animal control agency.**  
10 (3) **A governmental entity that operates an animal shelter or**  
11 **other animal impounding facility.**  
12 **Sec. 2. As used in this chapter, "companion animal" means a**  
13 **dog or cat.**  
14 **Sec. 3. As used in this chapter, "owner" refers to the owner of**  
15 **a companion animal.**  
16 **Sec. 4. As used in this chapter, "unit" has the meaning set forth**  
17 **in IC 36-1-2-23.**



1           **Sec. 5. An animal care facility shall adopt written policies and**  
2 **procedures to ensure that the animal care facility makes a**  
3 **reasonable effort to quickly and reliably return a lost or stray**  
4 **companion animal to an owner. A policy or procedure adopted**  
5 **under this chapter may include the following:**

6           **(1) A process to screen a lost or stray companion animal that**  
7 **includes a review of the animal for any identifying:**

- 8                   **(A) tag;**  
9                   **(B) license;**  
10                   **(C) microchip; or**  
11                   **(D) tattoo.**

12           **(2) A process for the animal care facility to match a lost or**  
13 **stray companion animal with any report that the animal care**  
14 **facility receives from an owner who reports a lost or stray**  
15 **companion animal.**

16           **(3) A procedure to notify the public not later than forty-eight**  
17 **(48) hours after the animal care facility receives a lost or stray**  
18 **companion animal. The notification described in this**  
19 **subdivision may include a notice posted on the:**

- 20                   **(A) property of the animal care facility; or**  
21                   **(B) animal care facility's Internet web site.**

22           **(4) A procedure to make a reasonable effort to notify a**  
23 **identified owner of a lost or stray companion animal not later**  
24 **than forty-eight (48) hours after the animal is identified. A**  
25 **reasonable effort to notify an identified owner may include an**  
26 **attempt to contact the identified owner by telephone,**  
27 **electronic mail, United States mail, or by personal service at**  
28 **the owner's last known address.**

29           **(5) Notice to the public of the following information:**

- 30                   **(A) The location of the animal care facility posted on the**  
31 **animal care facility's Internet web site.**  
32                   **(B) The animal care facility's hours and fees posted on the**  
33 **animal care facility's:**  
34                       **(i) Internet web site;**  
35                       **(ii) physical location; and**  
36                       **(iii) telephone voicemail message system.**

37                   **(C) The animal care facility's procedure for returning a**  
38 **companion animal to an owner posted on the animal care**  
39 **facility's Internet web site.**

40           **(6) Access for an owner to retrieve a lost or stray companion**  
41 **animal on at least one (1) weekend day per week and after 5**  
42 **p.m. on at least one (1) weekday per week. However, this**



1 subdivision may not be construed to require an animal care  
2 facility to increase the facility's total operating hours.

3 (7) A procedure that allows a law enforcement officer, a  
4 person with authority to impound an animal, or another  
5 person who is employed by an animal care facility to directly  
6 return a lost or stray companion animal to the animal's owner  
7 when the owner is identifiable.

8 (8) Procedural safeguards to minimize the euthanasia of an  
9 owned companion animal, which may include:

10 (A) record verification to ensure that each companion  
11 animal to be euthanized is the correct companion animal  
12 designated for the procedure; and

13 (B) proper scanning for an implanted microchip using a  
14 universal scanner immediately before the procedure.

15 (9) This subdivision applies to an animal care facility located  
16 in a unit that has established by ordinance or resolution a  
17 minimum period to hold a lost or stray companion animal. A  
18 procedure to allow for a temporary extension of a minimum  
19 period to hold a lost or stray companion animal if:

20 (A) the President of the United States declares a disaster;  
21 or

22 (B) the governor declares a state of disaster emergency  
23 under IC 10-14-3-12;

24 for the area where the animal care facility is located and the  
25 unit determines it is necessary to extend the minimum period  
26 to hold a lost or stray companion animal.

