



Reprinted  
February 4, 2014

---

---

## SENATE BILL No. 251

---

DIGEST OF SB 251 (Updated February 3, 2014 3:20 pm - DI 106)

**Citations Affected:** IC 15-20; IC 35-46.

**Synopsis:** Animal control and protection. Provides that a person who recklessly, knowingly, or intentionally fails to restrain a dog commits a Level 6 felony if the dog enters the property of another person, the dog attacks another person, and the attack results in serious bodily injury. Specifies that a person who mutilates a vertebrate animal with intent to threaten or terrorize a family member commits a Level 6 felony.

**Effective:** July 1, 2014.

---

---

**Wyss, Broden, Arnold J, Randolph,  
Zakas**

---

---

January 9, 2014, read first time and referred to Committee on Corrections & Criminal Law.  
January 30, 2014, amended, reported favorably — Do Pass.  
February 3, 2014, read second time, amended, ordered engrossed.

---

---

SB 251—LS 6614/DI 106





Reprinted  
February 4, 2014

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.

## SENATE BILL No. 251

---

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 15-20-1-4, AS AMENDED BY P.L.158-2013,  
2 SECTION 226, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Except as provided in  
4 subsection (b), the owner of a dog commits a Class C misdemeanor if:  
5 (1) the owner recklessly, knowingly, or intentionally fails to take  
6 reasonable steps to restrain the dog;  
7 (2) the dog enters property other than the property of the dog's  
8 owner; and  
9 (3) as the result of the owner's failure to restrain the dog, the dog  
10 bites or attacks another person without provocation, resulting in  
11 bodily injury to the other person.  
12 (b) The offense under subsection (a) is:  
13 (1) a Class B misdemeanor if the person has been convicted of  
14 one (1) previous unrelated violation of this section;  
15 (2) a Class A misdemeanor if  
16 (A) the person has been convicted of more than one (1)

SB 251—LS 6614/DI 106



1                   previous unrelated violation of this section; ~~or~~  
 2                   ~~(B) the violation results in serious bodily injury to a person;~~  
 3                   (3) a Level 6 felony if the owner recklessly violates this section  
 4                   and the violation results in **serious bodily injury to or** the death  
 5                   of a person; and  
 6                   (4) a Level 5 felony if the owner intentionally or knowingly  
 7                   violates this section and the violation results in the death of a  
 8                   person.  
 9                   (c) This subsection does not apply to a nonaggressive dog that goes  
 10                  beyond the owner's premises onto agricultural or forested land. An  
 11                  owner of a dog commits a Class D infraction if the owner of the dog  
 12                  allows the dog to stray beyond the owner's premises, unless the dog is  
 13                  under the reasonable control of an individual or the dog is engaged in  
 14                  lawful hunting and accompanied by the owner or a custodian of the  
 15                  dog. However, the offense is a Class C infraction if the owner has a  
 16                  prior unrelated judgment for a violation of this subsection.  
 17                  SECTION 2. IC 35-46-3-12.5, AS AMENDED BY P.L.158-2013,  
 18                  SECTION 567, IS AMENDED TO READ AS FOLLOWS  
 19                  [EFFECTIVE JULY 1, 2014]: Sec. 12.5. A person who knowingly or  
 20                  intentionally **mutilates or** kills a vertebrate animal with the intent to  
 21                  threaten, intimidate, coerce, harass, or terrorize a family or household  
 22                  member commits domestic violence animal cruelty, a Level 6 felony.



## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 251, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 16.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 251 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 9, Nays 0.

---

 SENATE MOTION

Madam President: I move that Senate Bill 251 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 15-20-1-4, AS AMENDED BY P.L.158-2013, SECTION 226, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Except as provided in subsection (b), the owner of a dog commits a Class C misdemeanor if:

- (1) the owner recklessly, knowingly, or intentionally fails to take reasonable steps to restrain the dog;
- (2) the dog enters property other than the property of the dog's owner; and
- (3) as the result of the owner's failure to restrain the dog, the dog bites or attacks another person without provocation, resulting in bodily injury to the other person.

(b) The offense under subsection (a) is:

- (1) a Class B misdemeanor if the person has been convicted of one (1) previous unrelated violation of this section;
- (2) a Class A misdemeanor if
  - (A) the person has been convicted of more than one (1) previous unrelated violation of this section; ~~or~~
  - (B) the violation results in serious bodily injury to a person;

SB 251—LS 6614/DI 106



(3) a Level 6 felony if the owner recklessly violates this section and the violation results in **serious bodily injury to or** the death of a person; and

(4) a Level 5 felony if the owner intentionally or knowingly violates this section and the violation results in the death of a person.

(c) This subsection does not apply to a nonaggressive dog that goes beyond the owner's premises onto agricultural or forested land. An owner of a dog commits a Class D infraction if the owner of the dog allows the dog to stray beyond the owner's premises, unless the dog is under the reasonable control of an individual or the dog is engaged in lawful hunting and accompanied by the owner or a custodian of the dog. However, the offense is a Class C infraction if the owner has a prior unrelated judgment for a violation of this subsection."

Renumber all SECTIONS consecutively.

(Reference is to SB 251 as printed January 31, 2014.)

ZAKAS

