
HOUSE BILL No. 1121

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-18; IC 15-5-9.

Synopsis: Animal friendly trust license plates. Requires the bureau of motor vehicles to issue an Indiana animal friendly trust license plate. Requires the additional fee required for the Indiana animal friendly trust license plate to be deposited ultimately in the township dog fund in the township in which the vehicle is registered. Permits a county legislative body to designate by ordinance a humane society to receive the additional fee, to be used for spaying and neutering services, either at reduced or no cost to the public. Makes conforming amendments.

Effective: January 1, 2003.

Becker, Bottorff

January 9, 2001, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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HOUSE BILL No. 1121



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

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

1 SECTION 1. IC 9-18-15-1, AS AMENDED BY P.L.222-1999,
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JANUARY 1, 2003]: Sec. 1. (a) A person who is the registered owner
 4 or lessee of a:
 5 (1) passenger motor vehicle;
 6 (2) motorcycle;
 7 (3) recreational vehicle; or
 8 (4) vehicle registered as a truck with a declared gross weight of
 9 not more than:
 10 (A) eleven thousand (11,000) pounds;
 11 (B) nine thousand (9,000) pounds; or
 12 (C) seven thousand (7,000) pounds;
 13 registered with the bureau or who makes an application for an original
 14 registration or renewal registration of a vehicle may apply to the bureau
 15 for a personalized license plate to be affixed to the vehicle for which
 16 registration is sought instead of the regular license plate.
 17 (b) A person who:



- 1 (1) is the registered owner or lessee of a vehicle described in
 2 subsection (a); and
 3 (2) is eligible to receive a license plate for the vehicle under:
 4 (A) IC 9-18-17 (prisoner of war license plates);
 5 (B) IC 9-18-18 (disabled veteran license plates);
 6 (C) IC 9-18-19 (purple heart license plates);
 7 (D) IC 9-18-20 (Indiana national guard license plates);
 8 (E) IC 9-18-21 (Indiana guard reserve license plates);
 9 (F) IC 9-18-22 (license plates for persons with disabilities);
 10 (G) IC 9-18-23 (amateur radio operator license plates);
 11 (H) IC 9-18-24 (civic event license plates);
 12 (I) IC 9-18-25 (special group recognition license plates);
 13 (J) IC 9-18-29 (environmental license plates);
 14 (K) IC 9-18-30 (children's trust license plates);
 15 (L) IC 9-18-31 (education license plates);
 16 (M) IC 9-18-32.2 (drug free Indiana trust license plates);
 17 (N) IC 9-18-33 (Indiana FFA trust license plates);
 18 (O) IC 9-18-34 (Indiana firefighter license plates);
 19 (P) IC 9-18-35 (Indiana food bank trust license plates);
 20 (Q) IC 9-18-36 (Indiana girl scouts trust license plates);
 21 (R) IC 9-18-37 (Indiana boy scouts trust license plates);
 22 (S) IC 9-18-38 (Indiana retired armed forces member license
 23 plates);
 24 (T) IC 9-18-39 (Indiana antique car museum trust license
 25 plates);
 26 (U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 27 (V) IC 9-18-41 (Indiana arts trust license plates);
 28 (W) IC 9-18-42 (Indiana health trust license plates);
 29 (X) IC 9-18-43 (Indiana mental health trust license plates);
 30 (Y) IC 9-18-44 (Indiana Native American Trust license
 31 plates);
 32 (Z) IC 9-18-45.8 (Pearl Harbor survivor license plates); ~~or~~
 33 (AA) IC 9-18-46.2 (Indiana state educational institution trust
 34 license plates); **or**
 35 **(BB) IC 9-18-47 (Indiana animal friendly trust license**
 36 **plates);**
 37 may apply to the bureau for a personalized license plate to be
 38 affixed to the vehicle for which registration is sought instead of
 39 the regular special recognition license plate.
 40 SECTION 2. IC 9-18-47 IS ADDED TO THE INDIANA CODE AS
 41 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 2003]:

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Chapter 47. Indiana Animal Friendly Trust License Plates

Sec. 1. As used in this chapter, "humane society" has the meaning set forth in IC 15-5-9-1(e).

Sec. 2. The bureau of motor vehicles shall design and issue an Indiana animal friendly trust license plate. The Indiana animal friendly trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18-25.

Sec. 3. A person who is eligible to register a vehicle under this title is eligible to receive an Indiana animal friendly trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana animal friendly trust license plate.

(2) Paying the fees under section 4 of this chapter.

Sec. 4. (a) The fees for an Indiana animal friendly trust license plate are as follows:

(1) The appropriate fee under IC 9-29-5-38(a).

(2) An annual fee of twenty-five dollars (\$25).

(b) The bureau shall collect the fee described in subsection (a)(2).

(c) The annual fee described in subsection (a)(2) shall be deposited in the fund established by section 5 of this chapter.

Sec. 5. (a) The Indiana animal friendly trust fund is established.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The commissioner shall administer the trust fund. Expenses of administering the fund shall be paid from money in the fund.

(d) On June 30 of each year, the commissioner shall distribute the money received from registration of vehicles under this chapter from the fund on a per capita basis to the township trustee of the township of registration of each vehicle, to be placed in the township dog fund, as set forth in IC 15-5-9-8.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 6. A county legislative body may designate by ordinance one (1) humane society located in that county to receive the annual fee, as provided by IC 15-5-9-8 (f).

SECTION 3. IC 15-5-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003]: Sec. 1. (a) The township assessor shall make a diligent census as to the number of dogs owned, harbored, or kept by any person. A person owning or harboring a dog shall pay

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1 immediately to the township assessor a tax for each dog owned,
 2 harbored, or kept on the same premises, whether owned by that person
 3 or some other person, as follows:

- 4 (1) Except as provided in subsection (d), for each neutered dog,
 5 two dollars (\$2).
 6 (2) For each nonneutered dog, four dollars (\$4).
 7 (3) For each additional dog, six dollars (\$6).

8 No dog under six (6) months of age is subject to any tax under this
 9 chapter. Whoever becomes the owner or harbored of a dog after the dog
 10 census by the township assessor or any owner or harbored of a dog for
 11 which for any reason the assessor failed to collect the tax, shall, within
 12 thirty (30) days after becoming the owner or harbored of a dog, apply
 13 to the assessor, or the assessor's designee pay the required fee, and
 14 procure a tag for the dog.

15 (b) Dogs kept in kennels for breeding, boarding, or training
 16 purposes or for sale shall not be assessed an individual license fee, but
 17 the owner or keeper shall pay a kennel license fee according to the
 18 following schedule:

- 19 (1) For a major kennel, consisting of fifteen (15) or more dogs, a
 20 fee of thirty dollars (\$30).
 21 (2) For a minor kennel, consisting of less than fifteen (15) dogs,
 22 a fee of twenty dollars (\$20).

23 For each individual dog tag or kennel license issued under this chapter,
 24 the township assessor (or trustee who collects the fee) shall retain from
 25 the fee described in this section, an administrative fee of fifty cents
 26 (\$0.50). Administrative fees collected by the assessor shall be
 27 deposited in the county general fund, and administrative fees collected
 28 by the trustee shall be deposited in the township general fund.

29 (c) Upon the payment of the license fee required by subsection (b),
 30 the township assessor shall deliver to the owner or keeper of the kennel
 31 a proper license together with a metallic tag for each dog in such
 32 kennel. The license shall be dated and numbered and shall bear the
 33 name of the county issuing it and the name and address of the owner of
 34 the kennel licensed, and a description of the breed, number, sex, and
 35 age of the dogs kept in such kennel. Any person becoming the owner
 36 of a dog kennel shall, within thirty (30) days after becoming the owner,
 37 apply to the township assessor, township trustee, or assessor's designee
 38 and, upon payment of the required fee, procure a license and a metallic
 39 tag for all dogs kept in the kennel.

40 (d) A county council may increase the tax on neutered dogs imposed
 41 under subsection (a) from two dollars (\$2) to three dollars (\$3).

42 (e) A township assessor (or a township trustee who has the duties of

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1 a township assessor) may designate one (1) or more licensed
 2 veterinarians or humane societies in the assessor's township to collect
 3 the dog taxes and kennel license fees and issue the licenses under this
 4 chapter. A designee may retain seventy-five cents (\$0.75) as a fee for
 5 that service and remit the balance of the money collected to the
 6 township trustee by the tenth day of each month. As used in this
 7 subsection **and section (8)(f) of this chapter**, "humane society"
 8 includes an animal shelter, animal control center, or other animal
 9 impounding facility that has as its purpose the humane treatment of
 10 animals.

11 SECTION 4. IC 15-5-9-8 IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JANUARY 1, 2003]: Sec. 8. (a) All money derived by
 13 the taxing of dogs under this chapter **and through funds derived**
 14 **through the sale of animal friendly trust special recognition license**
 15 **plates under IC 9-18-47-5(d)** shall constitute a fund known as the
 16 township dog fund that the township trustee shall use in the manner
 17 provided in this chapter for the payment of the following:

18 (1) Damages, less insurance proceeds, sustained by owners of the
 19 following stock, fowl, or game killed, maimed, or damaged by
 20 dogs:

- 21 (A) Sheep.
- 22 (B) Cattle.
- 23 (C) Horses.
- 24 (D) Swine.
- 25 (E) Goats.
- 26 (F) Mules.
- 27 (G) Chickens.
- 28 (H) Geese.
- 29 (I) Turkeys.
- 30 (J) Ducks.
- 31 (K) Guineas.
- 32 (L) Tame rabbits.
- 33 (M) Game birds and game animals held in captivity under
 34 authority of a game breeder's license issued by the department
 35 of natural resources.
- 36 (N) Bison.
- 37 (O) Farm raised cervidae.
- 38 (P) Ratitae.

39 (2) The expense of taking the Pasteur treatment for hydrophobia
 40 incurred by any person bitten by or exposed to a dog known to
 41 have hydrophobia, within any township of Indiana.

42 (b) Any person requiring the treatment described in subsection

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- 1 (a)(2) may select the person's own physician.
- 2 (c) No damages shall be assessed or paid under this chapter on
- 3 sheep except where individual damage exists or is shown.
- 4 (d) This subsection applies to a county whose legislative body has
- 5 acted under this subsection. A county legislative body may designate
- 6 by ordinance one (1) humane society located in that county to receive
- 7 fifty cents (\$0.50) from each dog tax payment collected under this
- 8 chapter.
- 9 (e) A humane society designated under subsection (d) shall use the
- 10 funds disbursed to the society to maintain an animal shelter.
- 11 (f) **This subsection applies to a county whose legislative body has**
- 12 **acted under this subsection. A county legislative body may**
- 13 **designate by ordinance a humane society located in that county**
- 14 **that provides spaying and neutering services, or a humane society**
- 15 **located in another county that provides spaying and neutering**
- 16 **services to the county through an interlocal agreement as provided**
- 17 **under IC 36-1-7, to receive the annual fee collected under**
- 18 **IC 9-18-47-4(a)(2) and deposited in the township dog fund as**
- 19 **provided by IC 9-18-47-5(d).**
- 20 (g) **A humane society designated under subsection (f) shall use**
- 21 **the funds disbursed to the humane society to provide spaying and**
- 22 **neutering services, either at reduced or no cost to the public.**
- 23 (h) If a county does not designate a humane society to receive
- 24 payments under ~~subsection~~ **subsections (d) and (f)**, those amounts
- 25 remain in the township dog fund.

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