

SENATE BILL No. 454

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-3-12.

Synopsis: Cruelty to animals. Raises the penalty for torturing an animal from a Class A misdemeanor to a Class D felony. Removes the recidivist provision, which makes a repeat offense a Class D felony.

Effective: July 1, 2002.

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January 14, 2002, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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Second Regular Session 112th General Assembly (2002)

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 2001 General Assembly.

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SENATE BILL No. 454



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 35-46-3-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. (a) A person who
3 knowingly or intentionally tortures, beats, or mutilates a vertebrate
4 animal commits cruelty to an animal, a ~~Class A misdemeanor~~.
5 However, the offense is a ~~Class D felony~~ if the person has a previous,
6 ~~unrelated conviction under this section~~. **Class D felony.**

7 (b) It is a defense to a prosecution under this section that the
8 accused person:

- 9 (1) reasonably believes the conduct was necessary to:
10 (A) prevent injury to the accused person or another person;
11 (B) protect the property of the accused person from destruction
12 or substantial damage; or
13 (C) prevent a seriously injured vertebrate animal from
14 prolonged suffering; or
15 (2) engaged in a reasonable and recognized act of training,
16 handling, or disciplining the vertebrate animal.

17 SECTION 2. [EFFECTIVE JULY 1, 2002] **IC 35-46-3-12, as**



1 amended by this act, applies only to crimes committed after June
2 30, 2002.

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