

HOUSE BILL No. 1345

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-3-11.

Synopsis: Offenses against law enforcement animals. Provides that mistreating or interfering with a law enforcement animal is a Class D felony. (Current law provides that the offense is a Class A misdemeanor, absent specified aggravating circumstances under which the offense is a Class D felony.)

Effective: July 1, 2011.

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January 13, 2011, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1345



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 35-46-3-11 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 11. (a) A person who
 3 knowingly or intentionally:
 4 (1) strikes, torments, injures, or otherwise mistreats a law
 5 enforcement animal; or
 6 (2) interferes with the actions of a law enforcement animal while
 7 the animal is engaged in assisting a law enforcement officer in the
 8 performance of the officer's duties;
 9 commits a ~~Class A misdemeanor~~: **Class D felony**.
 10 (b) An offense under subsection (a)(1) is a ~~Class D felony~~ if the act
 11 results in:
 12 (1) serious permanent disfigurement;
 13 (2) unconsciousness;
 14 (3) permanent or protracted loss or impairment of the function of
 15 a bodily member or organ; or
 16 (4) death;
 17 of the law enforcement animal.



- 1 ~~(c)~~ **(b)** It is a defense that the accused person:
- 2 (1) engaged in a reasonable act of training, handling, or
- 3 discipline; and
- 4 (2) acted as an employee or agent of a law enforcement agency.
- 5 ~~(d)~~ **(e)** In addition to any sentence or fine imposed for a conviction
- 6 of an offense under this section, the court may order the person
- 7 convicted to make restitution to the person or law enforcement agency
- 8 owning the animal for reimbursement of:
- 9 (1) veterinary bills; and
- 10 (2) replacement costs of the animal if the animal is disabled or
- 11 killed.

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