
ENGROSSED
SENATE BILL No. 384

DIGEST OF SB384 (Updated February 17, 1998 7:00 pm - DI 75)

Citations Affected: IC 15-2.1.

Synopsis: Rabies control. Provides that when the state veterinarian orders a quarantine for rabies, the owners of animals within the quarantine area must confine their animals, and the state veterinarian may order any animal vaccinated for rabies. Removes a requirement that when a veterinarian vaccinates an animal for rabies, the veterinarian provide a copy of the vaccination record to the county health officer. Provides that the board of animal health may adopt rules for documenting rabies vaccinations and identifying vaccinated animals. Provides that the owner of an animal must document that the animal was vaccinated for rabies during the previous 12 months as a
(Continued next page)

Effective: July 1, 1998.

Jackman

(HOUSE SPONSORS — DAVIS, LEUCK)

January 12, 1998, read first time and referred to Committee on Health and Environmental Affairs.

January 29, 1998, amended, reported favorably — Do Pass.

February 2, 1998, read second time, ordered engrossed. Engrossed.

February 3, 1998, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 10, 1998, read first time and referred to Committee on Agriculture and rural Development.

February 12, 1998, reported — Do Pass.

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condition to obtain the release of the animal. (Under current law, the owner must document that the animal was vaccinated during the previous nine months.) Eliminates the \$1 ceiling on the impoundment fee that a board of county commissioners may impose for impounded animals. Provides that an animal may be confined under the supervision of a person designated by any person who exercises authority under the rabies control statute.

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Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE ENROLLED ACT No. 384

AN ACT to amend the Indiana Code concerning agriculture and animals.

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

SECTION 1. IC 15-2.1-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. ~~Quarantine.~~ (a) The state veterinarian may declare a quarantine against rabies in any county, township, city or town, or designated part of any county, township, city or town whenever he finds that rabies exist in such area to the extent that the health or lives of persons or domestic animals are endangered.

(b) Whenever a quarantine has been declared, ~~all dogs~~ **the owner or caretaker of an animal** in the quarantine area shall ~~be confined~~ **confine the animal:**

- (1) on the premises of the owner; or
- (2) in a suitable place for the impounding and care of ~~dogs~~ **animals** as provided in this chapter, which place shall be subject to approval of the state veterinarian. ~~however, a dog may be permitted to leave the premises of the owner or custodian if the owner or custodian keeps the dog under such reasonable restraint, so as to prevent it from coming into contact with any person or animal.~~

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(c) **A quarantine order may specify the circumstances and conditions under which owners may remove animals from the owner's premises or an impoundment facility.**

SECTION 2. IC 15-2.1-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. ~~Vaccination.~~ (a) When a quarantine has been declared, the state veterinarian may order ~~all dogs~~ **any animal, species of animal, or group of animals** in the quarantined area vaccinated within a period stipulated in the order and the cost of the antirabies immunization shall be borne by the owner of the ~~dog or dogs.~~ **animal.** However, local health departments or political subdivisions of government may furnish antirabies immunization without charge to owners who are unable to pay ~~therefor.~~ **for the immunization.**

(b) When an order for a rabies vaccination is made, any ~~dog~~ **animal** within the quarantined area whose owner refuses to have ~~his dog~~ **the owner's animal** vaccinated shall be seized and disposed of by the state veterinarian, ~~his~~ **the state veterinarian's** representative, or any person having police power within the quarantined area.

SECTION 3. IC 15-2.1-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. ~~Notice of Order to Vaccinate.~~ (a) Whenever the state veterinarian has ~~ordered the vaccination of all dogs within the quarantined area,~~ **he issued an order under section 2 of this chapter:**

- (1) **the state veterinarian** shall give notice of the order to the county health officer of the county within which the quarantined area is located; and
- (2) the county health officer shall:
 - (A) publish notice of the order as provided in IC 5-3-1; and ~~shall~~
 - (B) deliver a copy of the order to the sheriff of the county.

(b) The sheriff shall assist in the enforcement of ~~the provisions of~~ this chapter.

SECTION 4. IC 15-2.1-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. ~~Area for Impounding Dogs.~~ The county board of commissioners of each county in which the quarantined area is located shall furnish a suitable area or quarters:

- (1) for the impounding and care of ~~dogs~~ **which animals that** may be impounded under ~~the provisions of~~ this chapter; ~~which quarters shall be in accordance and~~
- (2) **that must comply** with the ~~regulations promulgated~~ **rules adopted** by the board.

SECTION 5. IC 15-2.1-6-5 IS AMENDED TO READ AS



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FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 5. ~~Immunization Certificates.~~ A certificate of rabies vaccination shall be issued at least in triplicate and, upon the dog being vaccinated for rabies; (a) **Whenever an animal is vaccinated for rabies in Indiana, the veterinarian vaccinating the animal shall:**

- (1) **make and keep a record of the vaccination; and**
 - (2) **give one (1) copy shall be given of the record to the owner of the dog; animal.**
- one (1) copy forwarded to the county health officer and one (1) copy retained by the veterinarian vaccinating such dog. A metal vaccination tag shall be worn by the dog during the quarantine period.

(b) **The vaccinated animal must be identified as vaccinated according to rules adopted by the board. The board may adopt additional rules for documenting rabies vaccinations and for the identification of animals that have been vaccinated for rabies.**

SECTION 6. IC 15-2.1-6-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 7. ~~Impoundment; Release and Disposition of Dogs.~~ (a) Any dog ~~animal~~ found running at large in violation of ~~the a~~ quarantine **must declared under section 1 of this chapter** may be impounded for a period of at least three (3) days **as provided in the quarantine order**, in the area or quarters provided by the board of county commissioners. During such period of time the owner may obtain possession of ~~such dog the animal~~ by **doing all of the following:**

- (1) Paying the expenses of ~~his the animal's~~ board, ~~any~~ and all tax or license fees which may be due and unpaid on ~~such dog; by the animal.~~
- (2) Having the ~~dog animal~~ vaccinated and paying ~~therefor; for the vaccination~~ or furnishing evidence that ~~such dog has been the animal was~~ vaccinated ~~within a period of nine (9) during the previous twelve (12) months. immediately prior thereto; and by~~
- (3) Paying ~~such the~~ impounding fee as ~~may be~~ fixed by the county board of commissioners. ~~not to exceed the sum of one dollar (\$1.00). Any dog which has~~

(b) **An animal** not been so redeemed and its release obtained from ~~such pound by its owner under subsection (a)~~ shall be disposed of in a manner prescribed by the local health officer having jurisdiction.

SECTION 7. IC 15-2.1-6-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 8. ~~Expense of Impoundment.~~ Whenever a quarantine has been declared by the state veterinarian under ~~the provisions~~ **section 1** of this chapter, the expense

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of operating ~~such~~ **the** pound, including food for ~~dogs~~ **animals** impounded and expense of personnel, shall be paid out of the general fund of the county without appropriation unless there be funds regularly appropriated for such purpose in which event it shall be paid out of such appropriated funds.

SECTION 8. IC 15-2.1-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9. ~~Non-local Dogs:~~ **When a quarantine is declared under section 1 of this chapter**, all ~~dogs~~ **animals** brought into a quarantined area, except for exhibition purposes where ~~dogs~~ **animals** are confined and not permitted to run at large, shall be subject to the same provisions and restrictions as ~~dogs~~ **animals** already located within the quarantined area.

SECTION 9. IC 15-2.1-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 10. (a) It is the duty of all police officers to impound or destroy an animal found running at large:

- (1) during a quarantine **ordered under section 1 of this chapter**;
- or
- (2) that is the subject of an order of confinement under section 11 of this chapter.

(b) A police officer or other authorized individual shall impound an animal that is subject to quarantine or confinement under ~~subsection (a)~~ **this chapter** if a statement is provided to the officer or authorized individual that states that the animal has broken quarantine or confinement. The statement must be:

- (1) in writing;
- (2) given under oath;
- (3) signed by at least two (2) individuals; and
- (4) must include the name and address of the owner or suspected owner of the animal if known.

(c) When possible, the authorized individual or agency contacted under this section shall give written notice to the owner or suspected owner of the animal before destroying and upon impounding that animal.

(d) All costs incurred by a local government relating to the impoundment of an animal under subsection (b) shall be paid by the owner of the animal.

SECTION 10. IC 15-2.1-6-11, AS AMENDED BY P.L.26-1997, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 11. (a) **Even if an order has not been issued under section 1 of this chapter**, the state veterinarian, the local health officer having jurisdiction, or an individual designated by the state

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veterinarian or the local health officer having jurisdiction may do the following:

- (1) Order the confinement and destruction of any animal showing clinical symptoms of rabies for laboratory diagnosis.
- (2) Order the confinement of any animal suspected of having rabies.
- (3) Order the confinement of any animal that has bitten or otherwise exposed a person.
- (4) Order the confinement and destruction of any animal that has bitten or otherwise potentially exposed a person to rabies.

(b) When possible, the state veterinarian or local health officer exercising authority under this section shall give written notice to the owner or suspected owner of the animal:

- (1) upon impounding; and
- (2) before destroying;

that animal.

(c) The period of confinement ordered under subsection (a) must be:

- (1) of at least ten (10) days duration;
- (2) under the supervision of:
 - (A) the state veterinarian; or
 - (B) a licensed, accredited veterinarian, **or a person** designated by the official exercising authority under this ~~section~~; **chapter**; and
- (3) at the expense of the owner.

(d) Any animal that has been bitten by a domestic or feral animal suspected or known to have rabies may be:

- (1) confined for not more than twelve (12) months at the owner's expense; or
- (2) destroyed.

(e) Whenever informed that an animal subject to an order of quarantine or an order of destruction or confinement under subsection (a) is running at large, the official who issued the order, or the official's designee, shall investigate the status of the animal. If the investigating official is given a statement that complies with section 10(b) of this chapter, the investigating official may order the animal impounded and, if necessary, provide the statement to a law enforcement officer for action under section 10 of this chapter.

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