Reprinted
March 19, 2013

ENGROSSED
HOUSE BILL No. 1093

DIGEST OF HB 1093 (Updated March 18, 2013 1:46 pm - DI 106)

Citations Affected: IC 5-2; IC 35-46; noncode.

Synopsis: Killing a law enforcement animal. Requires a court to order a person convicted of the offense of: (1) striking, tormenting, injuring, or otherwise mistreating a law enforcement animal; or (2) interfering with the actions of a law enforcement animal while the animal is engaged in assisting a law enforcement officer; to make restitution to the person or law enforcement agency that owns the animal for reimbursement of replacement costs of the animal if the animal is permanently disabled or killed. Permits a law enforcement agency to apply to the violent crime victims compensation unit to obtain reimbursement for expenses incurred in connection with a law enforcement animal that is killed or permanently disabled. Urges the
(Continued next page)

Effective: July 1, 2013.

VanDenburgh, Mahan, Lawson L, Austin, McMillin, Pierce, McNamara, DeLaney, Harman, Dvorak, Kubacki, Eberhart, Lehman, Rhoads, Steuerwald

(SENATE SPONSORS — LANDSKE, ARNOLD J, RANDOLPH, MILLER PATRICIA, ZAKAS, LANANE)

January 8, 2013, read first time and referred to Committee on Courts and Criminal Code.
February 7, 2013, amended, reported — Do Pass.
February 11, 2013, read second time, ordered engrossed.
February 12, 2013, engrossed. Read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Corrections and Criminal Law.
March 14, 2013, amended, reported favorably — Do Pass.
March 18, 2013, read second time, amended, ordered engrossed.

C o p y

Digest Continued

legislative council to assing to an interim study committee the topic of the appropriate penalty for a person who harms a law enforcement animal.

C o p y

Reprinted
March 19, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

ENGROSSED
HOUSE BILL No. 1093

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:

SECTION 1. IC 5-2-6.1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. Except as provided in sections 13 through 15 of this chapter, the following persons are eligible for assistance under this chapter:

(1) A resident of Indiana who is a victim of a violent crime committed:

(A) in Indiana; or

(B) in a jurisdiction other than Indiana, including a foreign country, if the jurisdiction in which the violent crime occurs does not offer assistance to a victim of a violent crime that is substantially similar to the assistance offered under this chapter.

(2) A nonresident of Indiana who is a victim of a violent crime committed in Indiana.

(3) A surviving spouse or dependent child of a victim of a violent crime who died as a result of that crime.

(4) Any other person legally dependent for principal support upon

a victim of a violent crime who died as a result of that crime.

(5) A person who is injured or killed while trying to prevent a violent crime or an attempted violent crime from occurring in the person's presence or while trying to apprehend a person who had committed a violent crime.

(6) A surviving spouse or dependent child of a person who dies as a result of:

(A) trying to prevent a violent crime or an attempted violent crime from occurring in the presence of the deceased person; or

(B) trying to apprehend a person who had committed a violent crime.

(7) A person legally dependent for principal support upon a person who dies as a result of:

(A) trying to prevent a violent crime or an attempted violent crime from occurring in the presence of the deceased person; or

(B) trying to apprehend a person who had committed a violent crime.

(8) A person who is injured or killed while giving aid and assistance to:

(A) a law enforcement officer in the performance of the officer's lawful duties; or

(B) a member of a fire department who is being obstructed from performing lawful duties.

(9) A law enforcement agency or person that owns a law enforcement animal that is permanently disabled or killed as a result of a violation of IC 35-46-3-11.

SECTION 2. IC 5-2-6.1-21.1, AS ADDED BY P.L.129-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 21.1. (a) This section applies to claims filed with the division after June 30, 2009.

(b) This subsection does not apply to reimbursement for forensic and evidence gathering services provided under section 39 of this chapter.

(c) An award may not be made unless the claimant has incurred an out-of-pocket loss of at least one hundred dollars ($100).

(d) Subject to subsections (b) and (c), the division may order the payment of compensation under this chapter for any of the following:

(1) Reasonable expenses incurred within one hundred eighty (180) days after the date of the violent crime for necessary:

(A) medical, chiropractic, hospital, dental, optometric, and

C o p y

ambulance services;
(B) prescription drugs; and
(C) prosthetic devices;
that do not exceed the claimant's out-of-pocket loss.
(2) Loss of income:
(A) the victim would have earned had the victim not died or been injured, if the victim was employed at the time of the violent crime; or
(B) the parent, guardian, or custodian of a victim who is less than eighteen (18) years of age incurred by taking time off from work to care for the victim.
A claimant seeking reimbursement under this subdivision must provide the division with proof of employment and current wages.
(3) Reasonable emergency shelter care expenses, not to exceed the expenses for thirty (30) days, that are incurred for the claimant or a dependent of the claimant to avoid contact with a person who committed the violent crime.
(4) Reasonable expense incurred for child care, not to exceed one thousand dollars ($1,000), to replace child care the victim would have supplied had the victim not died or been injured.
(5) Loss of financial support the victim would have supplied to legal dependents had the victim not died or been injured.
(6) Documented expenses incurred for funeral, burial, or cremation of the victim that do not exceed five thousand dollars ($5,000). The division shall disburse compensation under this subdivision in accordance with guidelines adopted by the division.
(7) Outpatient mental health counseling, not to exceed three thousand dollars ($3,000), concerning mental health issues related to the violent crime.
(8) As compensation for a law enforcement animal that is permanently disabled or killed as a result of a violation of IC 35-46-3-11, the cost of replacing the animal, which may include the cost of training the animal.
~~(8)~~ **(9)** Other actual expenses related to bodily injury to or the death of the victim that the division determines are reasonable.

(e) If a health care provider accepts payment from the division under this chapter, the health care provider may not require the victim to pay a copayment or an additional fee for the provision of services.

(f) A health care provider who seeks compensation from the division under this chapter may not simultaneously seek funding for services provided to a victim from any other source.

C o p y

(g) The director may extend the one hundred eighty (180) day compensation period established by subsection (d)(1) for a period not to exceed two (2) years after the date of the violent crime if:

(1) the victim or the victim's representative requests the extension; and

(2) medical records and other documentation provided by the attending medical providers indicate that an extension is appropriate.

(h) The director may extend the one hundred eighty (180) day compensation period established by subsection (d)(1) for outpatient mental health counseling, established by subsection (d)(7), if the victim:

(1) was allegedly a victim of a sex crime (under IC 35-42-4) or incest (under IC 35-46-1-3);

(2) was under eighteen (18) years of age at the time of the alleged crime; and

(3) did not reveal the crime within two (2) years after the date of the alleged crime.

SECTION 3. IC 5-2-6.1-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) The state is subrogated to the rights of the victim **or claimant** to whom an award is granted to the extent of the award.

(b) The subrogation rights are against the perpetrator of the crime or a person liable for the pecuniary loss.

(c) If the victim **or claimant** initiates a civil action against the perpetrator of the crime or against the person liable for the pecuniary loss, the victim **or claimant** shall promptly notify the division of the filing of the civil action.

SECTION 4. IC 5-2-6.1-23, AS AMENDED BY P.L.121-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. (a) In addition to the subrogation rights under section 22 of this chapter, the state is entitled to a lien in the amount of the award on a recovery made by or on behalf of the victim **or claimant.**

(b) The state may:

(1) recover the amount under subsection (a) in a separate action; or

(2) intervene in an action brought by or on behalf of the victim **or claimant.**

(c) If the claimant brings the action, the claimant may deduct from the money owed to the state under the lien the state's pro rata share of the reasonable expenses for the court suit, including attorney's fees of

C o p y

not more than fifteen percent (15%).

SECTION 5. IC 5-2-6.1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. (a) If an application is complete, the division shall accept the application for filing and investigate the facts stated in the application.

(b) As part of the investigation, the division shall verify that:

(1) a:

(A) violent crime; **or**

(B) crime under IC 35-46-3-11, for purposes of compensation payable under section 12(9) of this chapter;

was committed;

(2) the victim was ~~bodily injured or~~ killed **or suffered bodily injury** as a result of the crime, **or, for a crime under IC 35-46-3-11, a law enforcement animal was permanently disabled or killed;**

(3) the requirements of sections 13, 16(a), 16(b), 17, 18, and 19 of this chapter are met; and

(4) out-of-pocket loss exceeded one hundred dollars ($100).

SECTION 6. IC 5-2-6.1-32, AS AMENDED BY P.L.121-2006, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 32. (a) The division shall reduce an award made under this chapter by the amount of benefits received or to be received from the following sources if those benefits result from or are in any manner attributable to the bodily injury or death upon which the award is based:

(1) Benefits from public or private pension programs, including Social Security benefits.

(2) Benefits from proceeds of an insurance policy.

(3) Benefits under IC 22-3-2 through IC 22-3-6.

(4) Unemployment compensation benefits.

(5) Benefits from other public funds, including Medicaid and Medicare.

Compensation must be further reduced or denied to the extent that the claimant's loss is recouped from other collateral sources.

(b) The division shall further reduce an award under this chapter by the following:

(1) The amount of court ordered restitution actually received by the victim **or claimant** from the offender.

(2) Benefits actually received by the victim **or claimant** from a third party on behalf of the offender.

(c) The division shall determine whether the victim **or claimant** vigorously pursued recovery against available collateral sources

C o p y

described in this section.

(d) If the division finds that a victim **or claimant** has failed to pursue an applicable collateral source of recovery, the division shall reduce or deny an award under this section by the amount that is available to the victim **or claimant** through the collateral source.

(e) A claimant must exhaust any paid or otherwise compensated vacation leave, sick leave, personal leave, or other compensatory time accrued through an employer before applying for benefits. The division may not reimburse the victim **or claimant** for the use of paid or otherwise compensated vacation leave, sick leave, personal leave, or other compensatory time.

SECTION 7. IC 5-2-6.1-34, AS AMENDED BY P.L.121-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 34. (a) In determining the amount of the award, the division shall determine whether the victim **(or law enforcement animal, in an application described in section 12(9) of this chapter)** contributed to the infliction of the ~~victim's~~ injury or death.

(b) If the division finds that the victim **(or law enforcement animal, in an application described in section 12(9) of this chapter)** contributed to the infliction of the ~~victim's~~ injury or death, the division may deny an award.

(c) If the division further finds that the ~~victim's~~ contributory conduct was solely attributable to an effort to:

(1) prevent a crime from occurring; ~~in the victim's presence;~~ or

(2) apprehend a person who committed a crime; ~~in the victim's presence;~~

the ~~victim's~~ contributory conduct does not render the victim **or claimant** ineligible for compensation.

SECTION 8. IC 35-46-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 11. (a) A person who knowingly or intentionally:

(1) strikes, torments, injures, or otherwise mistreats a law enforcement animal; or

(2) interferes with the actions of a law enforcement animal while the animal is engaged in assisting a law enforcement officer in the performance of the officer's duties;

commits a Class A misdemeanor.

(b) An offense under subsection (a)(1) is a Class D felony if the act results in:

(1) serious permanent disfigurement;

(2) unconsciousness;

(3) permanent or protracted loss or impairment of the function of

C o p y

a bodily member or organ; or

(4) death;

of the law enforcement animal.

(c) It is a defense that the accused person:

(1) engaged in a reasonable act of training, handling, or discipline; and

(2) acted as an employee or agent of a law enforcement agency.

(d) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court:

(1) may order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of ~~(1)~~ veterinary bills; and

(2) **shall order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of** ~~replacement costs of the animal~~ **the cost of replacing the animal, which may include the cost of training the animal,** if the animal is **permanently** disabled or killed.

SECTION 9. [EFFECTIVE JULY 1, 2013] **(a) The general assembly urges the legislative council to assign to an existing study committee, for study during the 2013 legislative interim, the topic of the appropriate criminal penalty for a person who violates IC 35-46-3-11 (harming a law enforcement animal).**

(b) This SECTION expires December 31, 2013.

C o p y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1093, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 5 through 16, begin a new paragraph and insert:

"(d) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court:

(1) may order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of ~~(1)~~ veterinary bills; and

(2) **shall order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of** replacement costs of the animal if the animal is **permanently** disabled or killed.".

and when so amended that said bill do pass.

(Reference is to HB 1093 as introduced.)

MCMILLIN, Chair

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred House Bill No. 1093, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-2-6.1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. Except as provided in sections 13 through 15 of this chapter, the following persons are eligible for assistance under this chapter:

(1) A resident of Indiana who is a victim of a violent crime committed:

(A) in Indiana; or

(B) in a jurisdiction other than Indiana, including a foreign country, if the jurisdiction in which the violent crime occurs

C o p y

does not offer assistance to a victim of a violent crime that is substantially similar to the assistance offered under this chapter.

(2) A nonresident of Indiana who is a victim of a violent crime committed in Indiana.

(3) A surviving spouse or dependent child of a victim of a violent crime who died as a result of that crime.

(4) Any other person legally dependent for principal support upon a victim of a violent crime who died as a result of that crime.

(5) A person who is injured or killed while trying to prevent a violent crime or an attempted violent crime from occurring in the person's presence or while trying to apprehend a person who had committed a violent crime.

(6) A surviving spouse or dependent child of a person who dies as a result of:

(A) trying to prevent a violent crime or an attempted violent crime from occurring in the presence of the deceased person; or

(B) trying to apprehend a person who had committed a violent crime.

(7) A person legally dependent for principal support upon a person who dies as a result of:

(A) trying to prevent a violent crime or an attempted violent crime from occurring in the presence of the deceased person; or

(B) trying to apprehend a person who had committed a violent crime.

(8) A person who is injured or killed while giving aid and assistance to:

(A) a law enforcement officer in the performance of the officer's lawful duties; or

(B) a member of a fire department who is being obstructed from performing lawful duties.

(9) A law enforcement agency or person that owns a law enforcement animal that is permanently disabled or killed as a result of a violation of IC 35-46-3-11.

SECTION 2. IC 5-2-6.1-21.1, AS ADDED BY P.L.129-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 21.1. (a) This section applies to claims filed with the division after June 30, 2009.

(b) This subsection does not apply to reimbursement for forensic and evidence gathering services provided under section 39 of this

C o p y

chapter.

(c) An award may not be made unless the claimant has incurred an out-of-pocket loss of at least one hundred dollars ($100).

(d) Subject to subsections (b) and (c), the division may order the payment of compensation under this chapter for any of the following:

(1) Reasonable expenses incurred within one hundred eighty (180) days after the date of the violent crime for necessary:

(A) medical, chiropractic, hospital, dental, optometric, and ambulance services;

(B) prescription drugs; and

(C) prosthetic devices;

that do not exceed the claimant's out-of-pocket loss.

(2) Loss of income:

(A) the victim would have earned had the victim not died or been injured, if the victim was employed at the time of the violent crime; or

(B) the parent, guardian, or custodian of a victim who is less than eighteen (18) years of age incurred by taking time off from work to care for the victim.

A claimant seeking reimbursement under this subdivision must provide the division with proof of employment and current wages.

(3) Reasonable emergency shelter care expenses, not to exceed the expenses for thirty (30) days, that are incurred for the claimant or a dependent of the claimant to avoid contact with a person who committed the violent crime.

(4) Reasonable expense incurred for child care, not to exceed one thousand dollars ($1,000), to replace child care the victim would have supplied had the victim not died or been injured.

(5) Loss of financial support the victim would have supplied to legal dependents had the victim not died or been injured.

(6) Documented expenses incurred for funeral, burial, or cremation of the victim that do not exceed five thousand dollars ($5,000). The division shall disburse compensation under this subdivision in accordance with guidelines adopted by the division.

(7) Outpatient mental health counseling, not to exceed three thousand dollars ($3,000), concerning mental health issues related to the violent crime.

(8) As compensation for a law enforcement animal that is permanently disabled or killed as a result of a violation of IC 35-46-3-11, the cost of replacing the animal, which may include the cost of training the animal.

C o p y

~~(8)~~ **(9)** Other actual expenses related to bodily injury to or the death of the victim that the division determines are reasonable.

(e) If a health care provider accepts payment from the division under this chapter, the health care provider may not require the victim to pay a copayment or an additional fee for the provision of services.

(f) A health care provider who seeks compensation from the division under this chapter may not simultaneously seek funding for services provided to a victim from any other source.

(g) The director may extend the one hundred eighty (180) day compensation period established by subsection (d)(1) for a period not to exceed two (2) years after the date of the violent crime if:

(1) the victim or the victim's representative requests the extension; and

(2) medical records and other documentation provided by the attending medical providers indicate that an extension is appropriate.

(h) The director may extend the one hundred eighty (180) day compensation period established by subsection (d)(1) for outpatient mental health counseling, established by subsection (d)(7), if the victim:

(1) was allegedly a victim of a sex crime (under IC 35-42-4) or incest (under IC 35-46-1-3);

(2) was under eighteen (18) years of age at the time of the alleged crime; and

(3) did not reveal the crime within two (2) years after the date of the alleged crime.

SECTION 3. IC 5-2-6.1-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) The state is subrogated to the rights of the victim **or claimant** to whom an award is granted to the extent of the award.

(b) The subrogation rights are against the perpetrator of the crime or a person liable for the pecuniary loss.

(c) If the victim **or claimant** initiates a civil action against the perpetrator of the crime or against the person liable for the pecuniary loss, the victim **or claimant** shall promptly notify the division of the filing of the civil action.

SECTION 4. IC 5-2-6.1-23, AS AMENDED BY P.L.121-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. (a) In addition to the subrogation rights under section 22 of this chapter, the state is entitled to a lien in the amount of the award on a recovery made by or on behalf of the victim **or claimant.**

C o p y

(b) The state may:

(1) recover the amount under subsection (a) in a separate action; or

(2) intervene in an action brought by or on behalf of the victim **or claimant.**

(c) If the claimant brings the action, the claimant may deduct from the money owed to the state under the lien the state's pro rata share of the reasonable expenses for the court suit, including attorney's fees of not more than fifteen percent (15%).

SECTION 5. IC 5-2-6.1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. (a) If an application is complete, the division shall accept the application for filing and investigate the facts stated in the application.

(b) As part of the investigation, the division shall verify that:

(1) a:

(A) violent crime; **or**

(B) crime under IC 35-46-3-11, for purposes of compensation payable under section 12(9) of this chapter;

was committed;

(2) the victim was ~~bodily injured or~~ killed **or suffered bodily injury** as a result of the crime, **or, for a crime under IC 35-46-3-11, a law enforcement animal was permanently disabled or killed;**

(3) the requirements of sections 13, 16(a), 16(b), 17, 18, and 19 of this chapter are met; and

(4) out-of-pocket loss exceeded one hundred dollars ($100).

SECTION 6. IC 5-2-6.1-32, AS AMENDED BY P.L.121-2006, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 32. (a) The division shall reduce an award made under this chapter by the amount of benefits received or to be received from the following sources if those benefits result from or are in any manner attributable to the bodily injury or death upon which the award is based:

(1) Benefits from public or private pension programs, including Social Security benefits.

(2) Benefits from proceeds of an insurance policy.

(3) Benefits under IC 22-3-2 through IC 22-3-6.

(4) Unemployment compensation benefits.

(5) Benefits from other public funds, including Medicaid and Medicare.

Compensation must be further reduced or denied to the extent that the claimant's loss is recouped from other collateral sources.

C o p y

(b) The division shall further reduce an award under this chapter by the following:

(1) The amount of court ordered restitution actually received by the victim **or claimant** from the offender.

(2) Benefits actually received by the victim **or claimant** from a third party on behalf of the offender.

(c) The division shall determine whether the victim **or claimant** vigorously pursued recovery against available collateral sources described in this section.

(d) If the division finds that a victim **or claimant** has failed to pursue an applicable collateral source of recovery, the division shall reduce or deny an award under this section by the amount that is available to the victim **or claimant** through the collateral source.

(e) A claimant must exhaust any paid or otherwise compensated vacation leave, sick leave, personal leave, or other compensatory time accrued through an employer before applying for benefits. The division may not reimburse the victim **or claimant** for the use of paid or otherwise compensated vacation leave, sick leave, personal leave, or other compensatory time.

SECTION 7. IC 5-2-6.1-34, AS AMENDED BY P.L.121-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 34. (a) In determining the amount of the award, the division shall determine whether the victim **(or law enforcement animal, in an application described in section 12(9) of this chapter)** contributed to the infliction of the ~~victim's~~ injury or death.

(b) If the division finds that the victim **(or law enforcement animal, in an application described in section 12(9) of this chapter)** contributed to the infliction of the ~~victim's~~ injury or death, the division may deny an award.

(c) If the division further finds that the ~~victim's~~ contributory conduct was solely attributable to an effort to:

(1) prevent a crime from occurring; ~~in the victim's presence;~~ or

(2) apprehend a person who committed a crime; ~~in the victim's presence;~~

the ~~victim's~~ contributory conduct does not render the victim **or claimant** ineligible for compensation.".

C o p y

Page 2, line 12, strike "replacement costs of the animal" and insert "**the cost of replacing the animal, which may include the cost of training the animal,**".

and when so amended that said bill do pass.

(Reference is to HB 1093 as printed February 8, 2013.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 6, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1093 be amended to read as follows:

Page 7, after line 17, begin a new paragraph and insert:

"SECTION 9. [EFFECTIVE JULY 1, 2013] **(a) The general assembly urges the legislative council to assign to an existing study committee, for study during the 2013 legislative interim, the topic of the appropriate criminal penalty for a person who violates IC 35-46-3-11 (harming a law enforcement animal).**

(b) This SECTION expires December 31, 2013.".

(Reference is to EHB 1093 as printed March 15, 2013.)

LANANE

C o p y