

HOUSE BILL No. 1093

DIGEST OF INTRODUCED BILL

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

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 offense results in the death of the animal.

Effective: July 1, 2013.

VanDenburgh

January 8, 2013, read first time and referred to Committee on Courts and Criminal Code.

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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.

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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:

1 SECTION 1. IC 35-46-3-11 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: 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.
 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) 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) In addition to any sentence or fine imposed for a conviction of
- 6 an offense under this section, the court:
- 7 (1) may order the person convicted to make restitution to the
- 8 person or law enforcement agency owning the animal for
- 9 reimbursement of:
- 10 (1) (A) veterinary bills; and
- 11 (2) (B) replacement costs of the animal if the animal is
- 12 disabled; ~~or~~ **and**
- 13 (2) **shall order the person convicted to make restitution to the**
- 14 **person or law enforcement agency owning the animal for**
- 15 **reimbursement of replacement costs of the animal if the**
- 16 **animal is killed.**

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