

# SENATE BILL No. 110

---

## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Law enforcement and search and rescue animals. Increases the penalties for cruelty to a law enforcement animal and a search and rescue dog.

**Effective:** July 1, 2020.

---

---

## Crider

---

---

January 6, 2020, read first time and referred to Committee on Corrections and Criminal Law.

---

---



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

# SENATE BILL No. 110



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, AS AMENDED BY P.L.168-2014,  
2 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 11. (a) A person who 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~~: **Level 6 felony**.  
10 (b) An offense under subsection (a)(1) is a ~~Level 6~~ **Level 5** felony  
11 if the act 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 veterinary bills; and  
 10 (2) shall order the person convicted to make restitution to the  
 11 person or law enforcement agency owning the animal for  
 12 reimbursement of the cost of replacing the animal, which may  
 13 include the cost of training the animal, if the animal is  
 14 permanently disabled or killed.
- 15 SECTION 2. IC 35-46-3-11.3, AS AMENDED BY P.L.158-2013,  
 16 SECTION 564, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2020]: Sec. 11.3. (a) As used in this section,  
 18 "search and rescue dog" means a dog that receives special training to  
 19 locate or attempt to locate by air scent or ground or water tracking a  
 20 person who is an offender or is lost, trapped, injured, or incapacitated.  
 21 (b) A person who knowingly or intentionally:  
 22 (1) interferes with the actions of a search and rescue dog while the  
 23 dog is performing or is attempting to perform a search and rescue  
 24 task; or  
 25 (2) strikes, torments, injures, or otherwise mistreats a search and  
 26 rescue dog;  
 27 commits a ~~Class A misdemeanor~~ **Level 6 felony**.  
 28 (c) An offense under subsection (b)(2) is a ~~Level 6~~ **Level 5** felony  
 29 if the act results in:  
 30 (1) serious permanent disfigurement;  
 31 (2) unconsciousness;  
 32 (3) permanent or protracted loss or impairment of the function of  
 33 a bodily member or organ; or  
 34 (4) death;  
 35 of the search and rescue dog.  
 36 (d) It is a defense that the accused person:  
 37 (1) engaged in a reasonable act of training, handling, or  
 38 disciplining the search and rescue dog; or  
 39 (2) reasonably believed the conduct was necessary to prevent  
 40 injury to the accused person or another person.  
 41 (e) In addition to any sentence or fine imposed for a conviction of  
 42 an offense under this section, the court may order the person to make



- 1 restitution to the person who owns the search and rescue dog for
- 2 reimbursement of:
- 3     (1) veterinary bills; and
- 4     (2) replacement costs of the dog if the dog is disabled or killed.

