

IC 15-20ARTICLE 20. ANIMAL CONTROL

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IC 15-20-1Chapter 1. Liability for Dog Bites

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IC 15-20-1-0.2Repealed

As added by P.L.220-2011, SEC.303. Repealed by P.L.63-2012, SEC.18.

IC 15-20-1-1Political subdivision powers

Sec. 1. This chapter does not limit the power of an agency of the state or a political subdivision to adopt a rule or an ordinance that does not conflict with this chapter.

[Pre-2008 Recodification Citation: 15-5-12-6.]

As added by P.L.2-2008, SEC.11.

IC 15-20-1-2"Owner"

Sec. 2. As used in this chapter, "owner" means the owner of a dog. The term includes a person who possesses, keeps, or harbors a dog.

[Pre-2008 Recodification Citation: 15-5-12-2.]

As added by P.L.2-2008, SEC.11.

IC 15-20-1-3Dog bite liability

Sec. 3. (a) If a dog, without provocation, bites a person:

- (1) who is acting peaceably; and
- (2) who is in a location where the person may be required to be in order to discharge a duty imposed upon the person by:
 - (A) the laws of Indiana;
 - (B) the laws of the United States; or
 - (C) the postal regulations of the United States;

the owner of the dog is liable for all damages suffered by the person bitten.

(b) The owner of a dog described in subsection (a) is liable for damages even if:

- (1) the dog has not previously behaved in a vicious manner; or
- (2) the owner has no knowledge of prior vicious behavior by the dog.

[Pre-2008 Recodification Citation: 15-5-12-1.]

As added by P.L.2-2008, SEC.11.

IC 15-20-1-4Dog bite liability; criminal offense

Sec. 4. (a) Except as provided in subsection (b), the owner of a dog commits a Class C misdemeanor if:

- (1) the owner recklessly, knowingly, or intentionally fails to take reasonable steps to restrain the dog;
- (2) the dog enters property other than the property of the dog's owner; and
- (3) as the result of the owner's failure to restrain the dog, the dog bites or attacks another person without provocation, resulting in bodily injury to the other person.

(b) The offense under subsection (a) is:

- (1) a Class B misdemeanor if the person has been convicted of one (1) previous unrelated violation of this section;
- (2) a Class A misdemeanor if:
 - (A) the person has been convicted of more than one (1) previous unrelated violation of this section; or

- (B) the violation results in serious bodily injury to a person;
- (3) a Level 6 felony if the owner recklessly violates this section and the violation results in the death of a person; and
- (4) a Level 5 felony if the owner intentionally or knowingly violates this section and the violation results in the death of a person.

(c) This subsection does not apply to a nonaggressive dog that goes beyond the owner's premises onto agricultural or forested land. An owner of a dog commits a Class D infraction if the owner of the dog allows the dog to stray beyond the owner's premises, unless the dog is under the reasonable control of an individual or the dog is engaged in lawful hunting and accompanied by the owner or a custodian of the dog. However, the offense is a Class C infraction if the owner has a prior unrelated judgment for a violation of this subsection.

[Pre-2008 Recodification Citation: 15-5-12-3.]

As added by P.L.2-2008, SEC.11. Amended by P.L.158-2013, SEC.226.

IC 15-20-1-5Wolf hybrid and coydog liability; criminal offenses

Sec. 5. (a) The following definitions apply throughout this section:

- (1) "Coydog" means:
 - (A) an animal that is the offspring of a coyote and another animal; or
 - (B) an animal that is the offspring of:
 - (i) an animal that is the offspring of a coyote and another animal; and
 - (ii) another animal.
 - (2) "Secure enclosure" means an outdoor pen that is:
 - (A) roofed or that has sides at least six (6) feet tall; and
 - (B) constructed in such a manner that the type of animal contained within the pen cannot reasonably be expected to escape.
 - (3) "Wolf hybrid" means:
 - (A) an animal that is the offspring of a wolf and another animal; or
 - (B) an animal that is the offspring of:
 - (i) an animal that is the offspring of a wolf and another animal; and
 - (ii) another animal.
- (b) An owner of a wolf hybrid or coydog shall:
- (1) keep the animal in a building or secure enclosure; or
 - (2) keep the animal:
 - (A) under the reasonable control of an individual; and
 - (B) on a leash not more than eight (8) feet in length.

Subject to subsections (c) and (d), an owner who does not comply with this subsection commits a Class B infraction. An owner who merely tethers or chains a coydog or wolf hybrid does not comply with this subsection.

(c) Subject to subsection (d), an owner of a wolf hybrid or coydog commits a Class B misdemeanor if the owner recklessly, knowingly, or intentionally fails to comply with subsection (b) and:

- (1) the wolf hybrid or coydog enters property other than the property of the owner; and
- (2) the wolf hybrid or coydog causes damage to livestock or the personal property of another individual.

(d) The offense under subsection (c) is:

- (1) a Class A misdemeanor if the owner has one (1) prior unrelated conviction under this section;
- (2) a Level 6 felony if:
 - (A) the owner has more than one (1) prior unrelated conviction for a violation under this section; or
 - (B) the owner knowingly, intentionally, or recklessly fails to comply with subsection (b) and the failure to comply results in serious bodily injury to a person; and
- (3) a Level 5 felony if the owner knowingly, intentionally, or recklessly fails to comply with subsection (b) and the failure to comply results in the death of a person.

(e) Notwithstanding [IC 36-1-3-8](#)(a), a unit (as defined in [IC 36-1-2-23](#)) may adopt an ordinance:

- (1) prohibiting a person from possessing a wolf hybrid or coydog; or
- (2) imposing:
 - (A) a penalty of more than one thousand dollars (\$1,000) up to the limits prescribed in [IC 36-1-3-8](#)(a)(10)(B) for a violation of subsection (b); or
 - (B) conditions on the possession of a wolf hybrid or coydog that are more stringent than the provisions of subsection (b).

[Pre-2008 Recodification Citation: 5-5-12-3.5.]

As added by P.L.2-2008, SEC.11. Amended by P.L.158-2013, SEC.227.

IC 15-20-1-6Dog bite liability: exceptions

Sec. 6. An owner of a dog is exempt under section 4 of this chapter if the dog commits an act described in section 4 of this chapter during the period that the dog is owned by:

- (1) the United States;
- (2) an agency of the United States; or
- (3) a governmental entity (as defined in [IC 34-6-2-49](#));

and the dog is engaged in assisting the owner or the owner's agent in the performance of law enforcement or military duties.

[Pre-2008 Recodification Citation: 15-5-12-4.]

As added by P.L.2-2008, SEC.11.

IC 15-20-1-7Impoundment of animals; probable cause

Sec. 7. If a law enforcement officer or any other person having authority to impound animals has probable cause to believe that there has been a violation of section 4 of this chapter, [IC 35-46-3-6](#) applies.

[Pre-2008 Recodification Citation: 15-5-12-5.]

As added by P.L.2-2008, SEC.11.

IC 15-20-2Chapter 2. Livestock Killing Dogs

- [15-20-2-1](#)Liability of owner or harborer
- [15-20-2-2](#)Authority to kill dog injuring livestock
- [15-20-2-3](#)Repealed
- [15-20-2-4](#)Repealed
- [15-20-2-5](#)Repealed
- [15-20-2-6](#)Repealed
- [15-20-2-7](#)Repealed

IC 15-20-2-1Liability of owner or harborer

Sec. 1. If a dog kills or injures any livestock while the livestock is in the care, custody, and control of the livestock's owner or the owner's agent, the owner or harbinger of the dog is liable to the owner of the livestock for all damages sustained, including reasonable attorney's fees and court costs.

[Pre-2008 Recodification Citation: 15-5-7-1.]

As added by P.L.2-2008, SEC.11.

IC 15-20-2-2Authority to kill dog injuring livestock

Sec. 2. A person who observes a dog in the act of killing or injuring livestock may kill the dog if the person has the consent of the person in possession of the real estate on which the dog is found.

[Pre-2008 Recodification Citation: 15-5-7-2.]

As added by P.L.2-2008, SEC.11.

IC 15-20-2-3Repealed

[Pre-2008 Recodification Citations: subsection (a) formerly 15-5-7-3(a); subsection (b) formerly 15-5-7-3(c).]

As added by P.L.2-2008, SEC.11. Repealed by P.L.60-2014, SEC.1.

IC 15-20-2-4Repealed

[Pre-2008 Recodification Citations: subsection (a) formerly 15-5-7-3(d); subsection (b) formerly 15-5-7-3(e); subsection (c) formerly 15-5-7-3(f).]

As added by P.L.2-2008, SEC.11. Amended by P.L.1-2009, SEC.114. Repealed by P.L.60-2014, SEC.2.

IC 15-20-2-5Repealed

[Pre-2008 Recodification Citation: 15-5-7-3(b).]

As added by P.L.2-2008, SEC.11. Repealed by P.L.60-2014, SEC.3.

IC 15-20-2-6Repealed

[Pre-2008 Recodification Citations: subsection (a) formerly 15-5-7-4(a); subsection (b) formerly 15-5-7-4(b).]

As added by P.L.2-2008, SEC.11. Repealed by P.L.60-2014, SEC.4.

IC 15-20-2-7 Repealed

[Pre-2008 Recodification Citations: subsection (a) formerly 15-5-7-4(c); subsection (b) formerly 15-5-7-4(d).]
As added by P.L.2-2008, SEC.11. Repealed by P.L.60-2014, SEC.5.

IC 15-20-3 Chapter 3. Sale of Dogs to Laboratories

- [15-20-3-1](#) Application of chapter
- [15-20-3-2](#) Bill of sale; required for sale
- [15-20-3-3](#) Bill of sale: maintenance and inspection
- [15-20-3-4](#) Bill of sale: consequences for inability to produce

IC 15-20-3-1 Application of chapter

Sec. 1. This chapter applies to the sale of dogs to the following:

- (1) Research laboratories.
- (2) A laboratory that uses animals for the production of medicines or other products.

[Pre-2008 Recodification Citation: 15-5-18-1.]

As added by P.L.2-2008, SEC.11.

IC 15-20-3-2 Bill of sale; required for sale

Sec. 2. A person who sells a dog to a laboratory must show a valid bill of sale for the dog from:

- (1) a breeder or kennel;
- (2) an animal control facility; or
- (3) a private individual;

to the individual who purchases animals for the laboratory.

[Pre-2008 Recodification Citation: 15-5-18-2.]

As added by P.L.2-2008, SEC.11.

IC 15-20-3-3 Bill of sale: maintenance and inspection

Sec. 3. A person who sells a dog to a laboratory must:

- (1) maintain the bill of sale for the dog; and
- (2) allow a law enforcement officer to inspect the bill of sale;

for not less than one (1) year after the sale of the dog to a laboratory.

[Pre-2008 Recodification Citation: 15-5-18-3.]

As added by P.L.2-2008, SEC.11.

IC 15-20-3-4 Bill of sale: consequences for inability to produce

Sec. 4. If a person is unable to show a valid bill of sale for a dog:

- (1) a laboratory may not purchase the dog; and
- (2) there is a rebuttable presumption that the dog is stolen.

[Pre-2008 Recodification Citation: 15-5-18-4.]

As added by P.L.2-2008, SEC.11.

IC 15-20-4 Chapter 4. Spay-Neuter Requirement for Animal Care Facilities

- [15-20-4-1](#) "Animal care facility"
- [15-20-4-2](#) "Companion animal"
- [15-20-4-3](#) Mandatory spay or neutering
- [15-20-4-4](#) Exemptions
- [15-20-4-5](#) Deposits for animal adoption; return of deposit; forfeiture of deposit

IC 15-20-4-1 "Animal care facility"

Sec. 1. As used in this chapter, "animal care facility" refers to an animal care facility (as defined in [IC 6-9-39-1](#)) that has companion animals that are available for adoption. The term includes the following:

- (1) Governmental and private entities.
- (2) Animal rescues.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-2 "Companion animal"

Sec. 2. As used in this chapter, "companion animal" means a dog or a cat.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-3Mandatory spay or neutering

Sec. 3. Beginning July 1, 2021, except as provided in section 4 of this chapter, a companion animal shall be spayed or neutered before adoption from an animal care facility.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-4Exemptions

Sec. 4. (a) A companion animal may be exempted from the requirements of section 3 of this chapter if a veterinarian (as defined in [IC 15-17-2-102](#)) determines, following an examination, that the companion animal:

- (1) has a permanent health condition that precludes safe administration of a spay-neuter procedure;
 - (2) has a health condition that precludes safe administration of a spay-neuter procedure, but:
 - (A) the veterinarian determines that the health condition is not permanent and can be treated to allow for safe administration of a spay-neuter procedure not more than one hundred twenty (120) days after the date of the examination; and
 - (B) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption; or
 - (3) is less than six (6) months of age on the date of the examination and:
 - (A) the veterinarian determines that the companion animal cannot be safely spayed or neutered due to the age of the animal; and
 - (B) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption.
- (b) In addition, a companion animal may be exempted from the requirements of section 3 of this chapter if:
- (1) the companion animal is less than six (6) months of age, but is at an age as determined by the animal care facility in consultation with a veterinarian (as defined in [IC 15-17-2-102](#)) at which the companion animal can be safely spayed or neutered; and
 - (2) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-5Deposits for animal adoption; return of deposit; forfeiture of deposit

Sec. 5. (a) A deposit made under section 4(a)(2)(B), 4(a)(3)(B), or 4(b)(2) of this chapter shall be held by the animal care facility in a separate account. The deposit shall be:

- (1) returned to the depositor not later than one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility if proof is given that a spay-neuter procedure has been completed on the companion animal; or
 - (2) forfeited after one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility, if proof is not given under subdivision (1).
- (b) If a deposit is forfeited under subsection (a)(2), the animal care facility holding the deposit shall remit the forfeited deposit amount to the bureau of motor vehicles within a reasonable time. The bureau of motor vehicles shall deposit any amounts received under this section in a trust fund established under [IC 9-18.5-12-14\(f\)](#), for a special group that provides spay-neuter services.

As added by P.L.201-2016, SEC.3. Amended by P.L.198-2016, SEC.647.

IC 35-46-3 Chapter 3. Offenses Relating to Animals

[35-46-3-0.1](#) Application of certain amendments to chapter

[35-46-3-0.5](#) Definitions

[35-46-3-1](#) Harboring a non-immunized dog

[35-46-3-2](#) Repealed

[35-46-3-3](#) "Animal"

[35-46-3-4](#) "Animal fighting contest"

[35-46-3-4.3](#) "Animal fighting paraphernalia"

[35-46-3-4.5](#) "Law enforcement animal"

[35-46-3-5](#) Exceptions from chapter; electrocution

[35-46-3-6](#) Impoundment of animals; probable cause hearing; penalties; custody; bond

[35-46-3-7](#) Abandonment or neglect of vertebrate animals; defense

[35-46-3-8](#) Purchase or possession of animals for fighting contests

[35-46-3-8.5](#) Possession of animal fighting paraphernalia

[35-46-3-9](#) Promotion, use of animals, or attendance with animal at animal fighting contest

[35-46-3-9.5](#) Promoting an animal fighting contest

[35-46-3-10](#) Attendance at fighting contest

[35-46-3-11](#) Cruelty to a law enforcement animal

[35-46-3-11.3](#) Cruelty to a search and rescue dog

[35-46-3-11.5](#) Cruelty to a service animal

[35-46-3-12](#) Torture or mutilation of a vertebrate animal; killing a domestic animal

[35-46-3-12.5](#) Domestic violence animal cruelty

[35-46-3-13](#) Removal of attack dog's vocal cords; animal cruelty

[35-46-3-14](#) Bestiality

[35-46-3-15](#) Decompression of animals

IC 35-46-3-0.1 Application of certain amendments to chapter

Sec. 0.1. The following amendments to this chapter apply as follows:

(1) The amendments made to section 12 of this chapter by P.L.7-2007 apply only to:

(A) offenses; and

(B) acts that would be a crime if committed by an adult;

that are committed after June 30, 2007.

(2) The amendments made to sections 8 and 12 of this chapter by P.L.171-2007 apply only to crimes committed after June 30, 2007. However, the amendments made to section 12(d) of this chapter by P.L.171-2007 apply only to:

(A) crimes; and

(B) delinquent acts that would be crimes if committed by an adult;

that are committed after June 30, 2007.

As added by P.L.220-2011, SEC.616. Amended by P.L.63-2012, SEC.70.

IC 35-46-3-0.5 Definitions

Sec. 0.5. The following definitions apply throughout this chapter:

(1) "Abandon" means to desert an animal or to leave the animal without making provision for adequate long term care of the animal. The term does not include leaving an animal in a place that is temporarily vacated for the protection of human life during a disaster.

(2) "Abuse" means to knowingly or intentionally beat, torment, injure, or otherwise harm an animal. The term includes destruction of an animal by any means other than humane euthanasia if the person who destroys the animal is:

(A) a humane society;

(B) an animal control agency; or

(C) a governmental entity operating an animal shelter or other animal impounding facility.

(3) "Humane euthanasia" means the humane destruction of an animal using sodium pentobarbital or a derivative, administered in a manner that causes painless loss of consciousness and death. The term does not include a method:

(A) prohibited by section 15 of this chapter; or

(B) involving the use of carbon monoxide, carbon dioxide, or any nonanesthetic inhalant.

(4) "Mutilate" means to wound, injure, maim, or disfigure an animal by damaging the animal's body parts or to render any part of the animal's body useless. The term includes bodily injury involving:

(A) serious permanent disfigurement;

(B) serious temporary disfigurement;

- (C) permanent or protracted loss or impairment of the function of a bodily part or organ; or
- (D) a fracture.

(5) "Neglect" means:

(A) endangering an animal's health by failing to provide or arrange to provide the animal with food or drink, if the animal is dependent upon the person for the provision of food or drink;

(B) restraining an animal for more than a brief period in a manner that endangers the animal's life or health by the use of a rope, chain, or tether that:

- (i) is less than three (3) times the length of the animal;
- (ii) is too heavy to permit the animal to move freely; or
- (iii) causes the animal to choke;

(C) restraining an animal in a manner that seriously endangers the animal's life or health;

(D) failing to:

- (i) provide reasonable care for; or
- (ii) seek veterinary care for;

an injury or illness to a dog or cat that seriously endangers the life or health of the dog or cat; or

(E) leaving a dog or cat outside and exposed to:

- (i) excessive heat without providing the animal with a means of shade from the heat; or
- (ii) excessive cold if the animal is not provided with straw or another means of protection from the cold;

regardless of whether the animal is restrained or kept in a kennel.

(6) "Torture" means:

(A) to inflict extreme physical pain or injury on an animal with the intent of increasing or prolonging the animal's pain;

(B) to administer poison to a domestic animal (as defined in section 12(d) of this chapter) or expose a domestic animal to a poisonous substance with the intent that the domestic animal ingest the substance;

(C) to destroy an animal by electrocution in a manner inconsistent with section 5 of this chapter; or

(D) to intentionally freeze or heat an animal to death.

As added by P.L.171-2007, SEC.5. Amended by P.L.111-2009, SEC.10; P.L.141-2019, SEC.8; P.L.41-2021, SEC.8.

IC 35-46-3-1Harboring a non-immunized dog

Sec. 1. A person who knowingly or intentionally harbors a dog that is over the age of six (6) months and not immunized against rabies commits harboring a non-immunized dog, a Class C infraction. However, the offense is a Class B misdemeanor if the dog causes bodily injury by biting a person.

As added by Acts 1976, P.L.148, SEC.6. Amended by Acts 1977, P.L.340, SEC.94.

IC 35-46-3-2Repealed

As added by Acts 1977, P.L.26, SEC.24. Amended by Acts 1979, P.L.302, SEC.1; Acts 1981, P.L.163, SEC.3; P.L.331-1983, SEC.1; P.L.326-1985, SEC.1. Repealed by P.L.193-1987, SEC.17.

IC 35-46-3-3"Animal"

Sec. 3. As used in this chapter, "animal" does not include a human being.

As added by P.L.193-1987, SEC.6.

IC 35-46-3-4"Animal fighting contest"

Sec. 4. As used in this chapter, "animal fighting contest" means a conflict between two (2) or more animals. The term does not include a conflict that is unorganized or accidental.

As added by P.L.193-1987, SEC.7.

IC 35-46-3-4.3"Animal fighting paraphernalia"

Sec. 4.3. As used in this chapter, "animal fighting paraphernalia" means equipment used to train or condition animals for participation in an animal fighting contest.

As added by P.L.76-2002, SEC.2.

IC 35-46-3-4.5"Law enforcement animal"

Sec. 4.5. (a) As used in this chapter, "law enforcement animal" means an animal that is owned or used by a law enforcement agency for the principal purposes of:

- (1) aiding in:

- (A) the detection of criminal activity;
- (B) the enforcement of laws; and
- (C) the apprehension of offenders; and
- (2) ensuring the public welfare.
- (b) The term includes, but is not limited to, the following:
 - (1) A horse.
 - (2) An arson investigation dog.
 - (3) A bomb detection dog.
 - (4) A narcotic detection dog.
 - (5) A patrol dog.

As added by P.L.213-1997, SEC.2. Amended by P.L.9-2003, SEC.1.

IC 35-46-3-5 Exceptions from chapter; electrocution

Sec. 5. (a) Except as provided in subsections (b) through (c), this chapter does not apply to the following:

- (1) Fishing, hunting, trapping, or other conduct authorized under [IC 14-22](#).
 - (2) Conduct authorized under [IC 15-20-2](#).
 - (3) Generally accepted veterinary standards and practices.
 - (4) Conduct authorized by a local ordinance.
 - (5) Acceptable farm management practices.
 - (6) Conduct authorized by [IC 15-17](#), and rules adopted under [IC 15-17](#) for:
 - (A) state or federally inspected livestock slaughtering facilities;
 - (B) emergency events; or
 - (C) state or federal animal disease control programs.
 - (7) A research facility registered with the United States Department of Agriculture under the federal Animal Welfare Act (7 U.S.C. 2131 et seq.).
 - (8) Destruction of a vertebrate defined as a pest under [IC 15-16-5-24](#).
 - (9) Destruction of or injury to a fish.
 - (10) Destruction of a vertebrate animal that is:
 - (A) endangering, harassing, or threatening livestock or a domestic animal; or
 - (B) destroying or damaging a person's property.
 - (11) Humane euthanasia of an animal by:
 - (A) a humane society;
 - (B) an animal control agency; or
 - (C) a governmental entity operating an animal shelter or other animal impounding facility.
 - (12) Destruction of an injured or ill animal by an individual to prevent the animal from prolonged suffering.
 - (13) Conduct not resulting in serious injury or illness to the animal that is incidental to exhibiting an animal for show, competition, or display, or that is incidental to transporting the animal for show, competition, or display.
 - (14) Parking an animal.
 - (15) Humane destruction of an animal that the person owns.
- (b) Section 1 of this chapter applies to conduct described in subsection (a).
- (c) Destruction of an animal by electrocution is authorized under this section only if it is conducted by a person who:
- (1) uses generally accepted veterinary standards and practices for euthanasia, depopulation, or slaughter of animals;
 - (2) is engaged in an acceptable farm management practice; or
 - (3) is engaged in activities by a research facility registered with the United States Department of Agriculture under the Animal Welfare Act, or for the animal disease diagnostic laboratory established under [IC 21-46-3-1](#) or a research facility licensed by the United States Department of Agriculture, a college, or a university.
- As added by P.L.193-1987, SEC.8. Amended by P.L.2-1993, SEC.188; P.L.1-1995, SEC.76; P.L.137-1996, SEC.74; P.L.41-1998, SEC.1; P.L.2-2007, SEC.378; P.L.171-2007, SEC.6; P.L.2-2008, SEC.79; P.L.111-2009, SEC.11; P.L.141-2019, SEC.9; P.L.41-2021, SEC.9.*

IC 35-46-3-6 Impoundment of animals; probable cause hearing; penalties; custody; bond

Sec. 6. (a) This section does not apply to a violation of section 1 of this chapter.

- (b) Any law enforcement officer or any other person having authority to impound animals who has probable cause to believe there has been a violation of this chapter or [IC 15-20-1-4](#) may take custody of the animal involved.

(c) The owner of an animal that has been impounded under this section may prevent disposition of the animal by an animal shelter that is caring for the animal by posting, not later than ten (10) days after the animal has been impounded, a bond with the court in an amount sufficient to provide for the animal's care and keeping for at least thirty (30) days, beginning from the date the animal was impounded. The owner may renew a bond by posting a new bond, in an amount sufficient to provide for the animal's care and keeping for at least an additional thirty (30) days, not later than ten (10) days after the expiration of the period for which a previous bond was posted. If a bond expires and is not renewed, the animal shelter may determine disposition of the animal, subject to court order. If the owner of an animal impounded under this section is convicted of an offense under this chapter or [IC 15-20-1-4](#), the owner shall reimburse the animal shelter for the expense of the animal's care and keeping. If the owner has paid a bond under this subsection, the animal shelter may euthanize an animal if a veterinarian determines that an animal is suffering extreme pain.

(d) If the owner requests, the court having jurisdiction of criminal charges filed under this chapter or [IC 15-20-1](#) shall hold a hearing to determine whether probable cause exists to believe that a violation of this chapter or [IC 15-20-1](#) has occurred. If the court determines that probable cause does not exist, the court shall order the animal returned to its owner, and the return of any bond posted by its owner.

(e) Whenever charges are filed under this chapter, the court shall appoint:

- (1) the state veterinarian under [IC 15-17-4-1](#); or
- (2) the state veterinarian's designee;

to investigate the condition of the animal and the circumstances relating to the animal's condition and make a recommendation to the court under subsection (f) regarding the confiscation of the animal.

(f) The state veterinarian or the state veterinarian's designee who is appointed under subsection (e) shall do the following:

- (1) Make a recommendation to the court concerning whether confiscation is necessary to protect the safety and well-being of the animal or public.
- (2) If confiscation is recommended under subdivision (1), recommend a manner for handling the confiscation and disposition of the animal that is in the best interests of the animal and public.

The state veterinarian or the state veterinarian's designee who submits a recommendation under this subsection shall articulate to the court the reasons supporting the recommendation.

(g) The court:

- (1) shall give substantial weight to; and
- (2) may enter an order based upon;

a recommendation submitted under subsection (f).

(h) If a person is convicted of an offense under this chapter or [IC 15-20-1](#), the court may impose the following additional penalties against the person:

- (1) A requirement that the person pay the costs of caring for an animal involved in the offenses that are incurred during a period of impoundment authorized under subsection (b).
- (2) An order terminating or imposing conditions on the person's right to possession, title, custody, or care of:
 - (A) an animal that was involved in the offense; or
 - (B) any other animal in the custody or care of the person.

(i) If a person's right to possession, title, custody, or care of an animal is terminated under subsection (h), the court may:

- (1) award the animal to a humane society or other organization that has as its principal purpose the humane treatment of animals; or
- (2) order the disposition of the animal as recommended under subsection (f).

As added by P.L.193-1987, SEC.9. Amended by P.L.176-1993, SEC.6; P.L.166-1993, SEC.5; P.L.14-2000, SEC.75; P.L.76-2002, SEC.3; P.L.171-2007, SEC.7; P.L.2-2008, SEC.80; P.L.41-2021, SEC.10.

IC 35-46-3-7Abandonment or neglect of vertebrate animals; defense

Sec. 7. (a) A person who:

- (1) has a vertebrate animal in the person's custody; and
- (2) recklessly, knowingly, or intentionally abandons or neglects the animal;

commits cruelty to an animal, a Class A misdemeanor. However, except for a conviction under section 1 of this chapter, the offense is a Level 6 felony if the person has a prior unrelated conviction under this chapter.

(b) It is a defense to a prosecution for abandoning a vertebrate animal under this section that the person who had the animal in the person's custody reasonably believed that the vertebrate animal was capable of surviving on its own.

(c) For purposes of this section, an animal that is feral is not in a person's custody.

As added by P.L.193-1987, SEC.10. Amended by P.L.171-2007, SEC.8; P.L.111-2009, SEC.12; P.L.158-2013, SEC.558.

IC 35-46-3-8Purchase or possession of animals for fighting contests

Sec. 8. A person who knowingly or intentionally purchases or possesses an animal for the purpose of using the animal in an animal fighting contest commits a Level 6 felony.

As added by P.L.193-1987, SEC.11. Amended by P.L.171-2007, SEC.9; P.L.158-2013, SEC.559.

IC 35-46-3-8.5Possession of animal fighting paraphernalia

Sec. 8.5. A person who knowingly or intentionally possesses animal fighting paraphernalia with the intent to commit a violation of section 9 of this chapter commits possession of animal fighting paraphernalia, a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.

As added by P.L.76-2002, SEC.4. Amended by P.L.6-2012, SEC.228.

IC 35-46-3-9Promotion, use of animals, or attendance with animal at animal fighting contest

Sec. 9. A person who knowingly or intentionally:

- (1) promotes or stages an animal fighting contest;
- (2) uses an animal in a fighting contest; or
- (3) attends an animal fighting contest having an animal in the person's possession;

commits a Level 6 felony.

As added by P.L.193-1987, SEC.12. Amended by P.L.158-2013, SEC.560.

IC 35-46-3-9.5Promoting an animal fighting contest

Sec. 9.5. A person who knowingly or intentionally:

- (1) possesses animal fighting paraphernalia with the intent to commit a violation of section 9 of this chapter; and
- (2) possesses, harbors, or trains a dog, cock, fowl, or bird bearing:
 - (A) a scar;
 - (B) a wound; or
 - (C) an injury;

consistent with participation in or training for an animal fighting contest;

commits promoting an animal fighting contest, a Level 6 felony.

As added by P.L.76-2002, SEC.5. Amended by P.L.6-2012, SEC.229; P.L.158-2013, SEC.561.

IC 35-46-3-10Attendance at fighting contest

Sec. 10. A person who knowingly or intentionally attends a fighting contest involving animals commits cruelty to an animal, a Class A misdemeanor. However, except for a conviction under section 1 of this chapter, the offense is a Level 6 felony if the person has a prior unrelated conviction under this chapter.

As added by P.L.193-1987, SEC.13. Amended by P.L.111-2009, SEC.13; P.L.158-2013, SEC.562.

IC 35-46-3-11Cruelty to a law enforcement animal

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 Level 6 felony if the act results in:

- (1) serious permanent disfigurement;
- (2) unconsciousness;
- (3) permanent or protracted loss or impairment of the function of 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 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 the cost of replacing the animal, which may include the cost of training the animal, if the animal is permanently disabled or killed.

As added by P.L.193-1987, SEC.14. Amended by P.L.213-1997, SEC.3; P.L.9-2003, SEC.2; P.L.161-2013, SEC.8; P.L.158-2013, SEC.563; P.L.168-2014, SEC.86.

IC 35-46-3-11.3Cruelty to a search and rescue dog

Sec. 11.3. (a) As used in this section, "search and rescue dog" means a dog that receives special training to locate or attempt to locate by air scent or ground or water tracking a person who is an offender or is lost, trapped, injured, or incapacitated.

- (b) A person who knowingly or intentionally:
 - (1) interferes with the actions of a search and rescue dog while the dog is performing or is attempting to perform a search and rescue task; or
 - (2) strikes, torments, injures, or otherwise mistreats a search and rescue dog;

commits a Class A misdemeanor.

- (c) An offense under subsection (b)(2) is a Level 6 felony if the act results in:
 - (1) serious permanent disfigurement;
 - (2) unconsciousness;
 - (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or
 - (4) death;

of the search and rescue dog.

- (d) It is a defense that the accused person:
 - (1) engaged in a reasonable act of training, handling, or disciplining the search and rescue dog; or
 - (2) reasonably believed the conduct was necessary to prevent injury to the accused person or another person.
- (e) In addition to any sentence or fine imposed for a conviction of an offense under this section, the court may order the person to make restitution to the person who owns the search and rescue dog for reimbursement of:
 - (1) veterinary bills; and
 - (2) replacement costs of the dog if the dog is disabled or killed.

As added by P.L.9-2003, SEC.3. Amended by P.L.158-2013, SEC.564.

IC 35-46-3-11.5Cruelty to a service animal

Sec. 11.5. (a) As used in this section, "service animal" means an animal that a person who is impaired by:

- (1) blindness or any other visual impairment;
- (2) deafness or any other aural impairment;
- (3) a physical disability; or
- (4) a medical condition;

relies on for navigation, assistance in performing daily activities, or alert signals regarding the onset of the person's medical condition.

- (b) A person who knowingly or intentionally:
 - (1) interferes with the actions of a service animal; or
 - (2) strikes, torments, injures, or otherwise mistreats a service animal;

while the service animal is engaged in assisting an impaired person described in subsection (a) commits a Class A misdemeanor.

- (c) An offense under subsection (b)(2) is a Level 6 felony if the act results in the:
 - (1) serious permanent disfigurement;
 - (2) unconsciousness;
 - (3) permanent or protracted loss or impairment of the function of a bodily member or organ; or
 - (4) death;

of the service animal.

- (d) It is a defense that the accused person:
 - (1) engaged in a reasonable act of training, handling, or disciplining the service animal; or
 - (2) reasonably believed the conduct was necessary to prevent injury to the accused person or another person.

As added by P.L.143-1996, SEC.2. Amended by P.L.9-2003, SEC.4; P.L.158-2013, SEC.565.

IC 35-46-3-12Torture or mutilation of a vertebrate animal; killing a domestic animal

Sec. 12. (a) This section does not apply to a person who euthanizes an injured, a sick, a homeless, or an unwanted domestic animal if:

- (1) the person is employed by a humane society, an animal control agency, or a governmental entity operating an animal shelter or other animal impounding facility; and
- (2) the person euthanizes the domestic animal in accordance with guidelines adopted by the humane society, animal control agency, or governmental entity operating the animal shelter or other animal impounding facility.

(b) A person who knowingly or intentionally abuses a vertebrate animal commits cruelty to an animal, a Class A misdemeanor. However, the offense is a Level 6 felony if:

- (1) the person has a previous, unrelated conviction under this section; or
- (2) the person committed the offense with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member.

(c) A person who knowingly or intentionally tortures or mutilates a vertebrate animal commits torturing or mutilating a vertebrate animal, a Level 6 felony.

(d) As used in this subsection, "domestic animal" means an animal that is not wild. The term is limited to:

- (1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry, ostriches, rhea, and emus; and
- (2) an animal of the bovine, equine, ovine, caprine, porcine, canine, feline, camelid, cervidae, or bison species.

A person who knowingly or intentionally kills a domestic animal without the consent of the owner of the domestic animal commits killing a domestic animal, a Level 6 felony.

(e) It is a defense to a prosecution under this section that the accused person:

- (1) reasonably believes the conduct was necessary to:
 - (A) prevent injury to the accused person or another person;
 - (B) protect the property of the accused person from destruction or substantial damage; or
 - (C) prevent a seriously injured vertebrate animal from prolonged suffering; or
- (2) engaged in a reasonable and recognized act of training, handling, or disciplining the vertebrate animal.

(f) When a court imposes a sentence or enters a dispositional decree under this section, the court:

- (1) shall consider requiring:
 - (A) a person convicted of an offense under this section; or
 - (B) a child adjudicated a delinquent child for committing an act that would be a crime under this section if committed by an adult;to receive psychological, behavioral, or other counseling as a part of the sentence or dispositional decree; and
- (2) may order an individual described in subdivision (1) to receive psychological, behavioral, or other counseling as a part of the sentence or dispositional decree.

As added by P.L.193-1987, SEC.15. Amended by P.L.41-1998, SEC.2; P.L.132-2002, SEC.1; P.L.7-2007, SEC.1; P.L.171-2007, SEC.10; P.L.111-2009, SEC.14; P.L.158-2013, SEC.566; P.L.141-2019, SEC.10.

IC 35-46-3-12.5Domestic violence animal cruelty

Sec. 12.5. A person who knowingly or intentionally kills a vertebrate animal with the intent to threaten, intimidate, coerce, harass, or terrorize a family or household member commits domestic violence animal cruelty, a Level 6 felony.

As added by P.L.171-2007, SEC.11. Amended by P.L.158-2013, SEC.567.

IC 35-46-3-13Removal of attack dog's vocal cords; animal cruelty

Sec. 13. (a) A person who knowingly or intentionally removes the vocal cords of a trained attack dog commits cruelty to an animal, a Class A misdemeanor.

(b) It is a defense to a prosecution under this section that the accused person reasonably believes that the conduct was necessary to prevent a seriously injured dog from prolonged injury.

As added by P.L.76-2002, SEC.7.

IC 35-46-3-14Bestiality

Sec. 14. A person who knowingly or intentionally performs an act involving:

- (1) a sex organ of a person and the mouth or anus of an animal;
- (2) a sex organ of an animal and the mouth or anus of a person;

- (3) any penetration of the human female sex organ by an animal's sex organ; or
 - (4) any penetration of an animal's sex organ by the human male sex organ;
- commits bestiality, a Level 6 felony.

As added by P.L.171-2007, SEC.12. Amended by P.L.158-2013, SEC.568.

IC 35-46-3-15Decompression of animals

Sec. 15. (a) This section does not apply to the following:

- (1) A state or federally inspected livestock slaughtering facility (for conduct authorized by [IC 15-17-5](#) and rules adopted under that chapter).
 - (2) An animal disease diagnostic laboratory established under [IC 21-46-3-1](#).
 - (3) A postsecondary educational institution.
 - (4) A research facility licensed by the United States Department of Agriculture.
- (b) As used in this section, "animal" has the meaning set forth in [IC 35-46-3-3](#).
- (c) A person who knowingly or intentionally destroys or authorizes the destruction of an animal by placing the animal in a decompression chamber and lowering the pressure of or the oxygen content in the air surrounding the animal commits a Class B misdemeanor.

[Pre-2008 Title 15 Recodification Citations: subsection (a) formerly 15-5-17-2(a); subsection (b) formerly 15-5-17-1; subsection (c) formerly 15-5-17-2(b).]

IC 15-17-6

Chapter 6. Rabies

IC 15-17-6-1

Rabies vaccination records

Sec. 1. (a) When 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 of the record to the owner of the animal.

(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.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-2

Quarantine declaration

Sec. 2. (a) The state veterinarian may declare a quarantine against rabies in any county, township, city, or town, or a designated part of any county, township, city, or town whenever the state veterinarian finds that rabies exist in the area to the extent that the health or lives of individuals or domestic animals are endangered.

(b) If a quarantine has been declared, the owner or caretaker of an animal in the quarantine area shall confine the animal:

- (1) on the premises of the owner; or
- (2) in a suitable place, subject to the approval of the state veterinarian, for the impounding and care of animals as provided in this chapter.

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

As added by P.L.2-2008, SEC.8.

IC 15-17-6-3

Vaccination order

Sec. 3. (a) If a quarantine has been declared, the state veterinarian may order any animal, species of animal, or group of animals in the quarantined area vaccinated within a period stipulated in the order. The owner of the animal shall pay the cost of the antirabies immunization. However, local health departments or political subdivisions of government may furnish antirabies immunization without charge to owners who are unable to pay for the immunization.

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

As added by P.L.2-2008, SEC.8.

IC 15-17-6-4

Notice of vaccine order; duties of county health officer and sheriff

Sec. 4. (a) If the state veterinarian issues an order under section 3 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
 - (B) deliver a copy of the order to the sheriff of the county.

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

As added by P.L.2-2008, SEC.8.

IC 15-17-6-5

Impounding area

Sec. 5. The board of county commissioners of each county containing an area quarantined under section 2 of this chapter shall furnish a suitable area or quarters:

- (1) for the impounding and care of animals that may be impounded under this chapter; and
- (2) that comply with the rules adopted by the board.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-6

State veterinarian assistance to local health officers

Sec. 6. If a quarantine has been declared under this chapter, the state veterinarian shall send an agent or employee into the area to assist the local health officers in the development of a program to control rabies in that area and assist the local law enforcement officers in the enforcement of the quarantine requirements.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-7

Impoundment, release, and disposition of animals

Sec. 7. (a) An animal found running at large in violation of a quarantine declared under section 2 of this chapter may be impounded as provided in the quarantine order, in the area or quarters provided by the board of county commissioners. During the quarantine period the owner may obtain possession of the animal by doing all of the following:

- (1) Paying the expenses of the animal's board and all tax or license fees that are due and unpaid on the animal.
- (2) Having the animal vaccinated and paying for the vaccination or furnishing evidence that the animal was vaccinated during the previous twelve (12) months.
- (3) Paying the impounding fee fixed by the board of county

commissioners.

(b) An animal not redeemed under subsection (a) shall be disposed of in a manner prescribed by the local health officer having jurisdiction.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-8

Expenses of impoundment

Sec. 8. Whenever a quarantine is declared by the state veterinarian under section 2 of this chapter, the expense of operating a pound, including food for animals impounded and expense of personnel, shall be paid from the general fund of the county without appropriation unless there are funds regularly appropriated to operate the pound.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-9

Requirements for animals in quarantine area

Sec. 9. Whenever a quarantine is declared under section 2 of this chapter, all animals brought into a quarantined area, except for exhibition purposes where animals are confined and not permitted to run at large, are subject to the same requirements as animals already located within the quarantined area.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-10

Loose animals; impoundment or destruction; notice; costs

Sec. 10. (a) A law enforcement officer shall impound or destroy an animal found running at large:

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

(b) A law enforcement officer or other authorized individual shall impound an animal that is subject to quarantine or confinement under 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:

- (1) be in writing;
- (2) be given under oath;
- (3) be signed by at least two (2) individuals; and
- (4) 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 upon impounding and before destroying the 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.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-11

Authority of state veterinarian and local health officer; confinement and destruction of animals; investigation

Sec. 11. (a) If an order has not been issued under section 2 of this chapter, the state veterinarian, the local health officer having jurisdiction, or an individual designated by the state veterinarian or the local health officer having jurisdiction may do the following:

- (1) Order the confinement and destruction of an animal showing clinical symptoms of rabies for laboratory diagnosis.
- (2) Order the confinement of an animal suspected of having rabies.
- (3) Order the confinement of an animal that has potentially exposed an individual to rabies.
- (4) Order the confinement and destruction of an animal that has potentially exposed an individual to rabies.

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

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

the 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 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.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-12**Emergency order; nonexpiration**

Sec. 12. (a) For purposes of IC 4-21.5, an order issued under this chapter is an emergency order.

(b) Notwithstanding IC 4-21.5-4-5(a)(3), an emergency order issued under this chapter does not expire.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-13**Cooperation**

Sec. 13. The state department of health and the local health officers shall cooperate with the state veterinarian in the rabies control program.

As added by P.L.2-2008, SEC.8.

IC 15-17-6-14**Local ordinances**

Sec. 14. This chapter may not be construed as repealing or prohibiting municipal ordinances on rabies control or divesting municipalities of existing rights or powers related to rabies control that are not in conflict with this chapter.

As added by P.L.2-2008, SEC.8.