

SENATE BILL No. 432

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-23.

Synopsis: Animal abuse registry. Defines "animal-related offense" and requires the Indiana criminal justice institute (institute) to establish an electronic animal abuse registry containing information relating to persons convicted of animal-related offenses. Requires the institute to adopt rules to establish a procedure to permit a person erroneously included in the registry to obtain relief.

Effective: Upon passage.

Ford J.D.

January 14, 2019, read first time and referred to Committee on Judiciary.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 432

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 5-2-23 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 23. Animal Abuse Registry**
5 **Sec. 1. The following definitions apply throughout this chapter:**
6 (1) "Animal-related offense" means:
7 (A) cruelty to an animal (IC 35-46-3-7);
8 (B) purchase or possession of an animal for a fighting
9 contest (IC 35-46-3-8);
10 (C) possession of animal fighting paraphernalia
11 (IC 35-46-3-8.5);
12 (D) promotion, use of an animal, or attendance with an
13 animal at an animal fighting contest (IC 35-46-3-9);
14 (E) promoting an animal fighting contest (IC 35-46-3-9.5);
15 (F) cruelty to an animal (IC 35-46-3-10);
16 (G) cruelty to a law enforcement animal (IC 35-46-3-11);
17 (H) cruelty to a search and rescue dog (IC 35-46-3-11.3);



- 1 (I) cruelty to a service animal (IC 35-46-3-11.5);
 2 (J) cruelty to an animal (IC 35-46-3-12);
 3 (K) torturing or mutilating a vertebrate animal
 4 (IC 35-46-3-12);
 5 (L) killing a domestic animal (IC 35-46-3-12);
 6 (M) domestic violence animal cruelty (IC 35-46-3-12.5);
 7 (N) cruelty to an animal (IC 35-46-3-13);
 8 (O) bestiality (IC 35-46-3-14); and
 9 (P) electrocution or decompression of an animal
 10 (IC 35-46-3-15).

11 The term includes a crime committed in another jurisdiction
 12 in which the elements of the crime are substantially similar to
 13 a crime described in this section.

14 (2) "Institute" refers to the Indiana criminal justice institute
 15 created under IC 5-2-6-3.

16 (3) "Registry" means the animal abuse registry established
 17 under section 2 of this chapter.

18 Sec. 2. Not later than July 1, 2019, the institute shall establish
 19 and maintain an animal abuse registry.

20 Sec. 3. The registry must contain:

- 21 (1) the name;
 22 (2) the age;
 23 (3) the last known address;
 24 (4) a recent photograph;
 25 (5) a description of the animal-related offense conviction; and
 26 (6) any other identifying information, as determined by the
 27 institute;

28 of every person convicted of an animal-related offense.

29 Sec. 4. The institute shall obtain data for publication on the
 30 registry from:

- 31 (1) criminal history data maintained by the state police
 32 department under IC 10-13-3, except for data whose
 33 publication is prohibited by federal law;
 34 (2) information reported to the institute by the department of
 35 correction; and
 36 (3) information obtained by the institute from another
 37 governmental entity, if, in the opinion of the institute, the
 38 information is credible and reliable.

39 Sec. 5. (a) The institute shall publish the registry on the
 40 institute's Internet web site. The registry must be searchable and
 41 available to the public.

42 (b) The institute shall ensure that the registry is updated at least



1 **one (1) time every thirty (30) days.**
2 **(c) The institute shall ensure that the registry displays the**
3 **following or similar words:**
4 **"Based on information submitted to law enforcement, a**
5 **person whose name appears in this registry has been**
6 **convicted of an animal-related offense. However, information**
7 **on the registry may not be complete."**
8 **Sec. 6. (a) The institute may adopt rules under IC 4-22-2 to**
9 **implement this chapter.**
10 **(b) The institute shall adopt rules under IC 4-22-2 to establish**
11 **a procedure to permit a person whose name is erroneously**
12 **included in the registry to obtain relief.**
13 **SECTION 2. An emergency is declared for this act.**

