

# SENATE BILL No. 505

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-23.

**Synopsis:** Registry of animal related offenses. Defines "animal related offense" and requires the Indiana criminal justice institute (institute) to establish an electronic animal abuse registry containing certain information about every person convicted of an animal related offense after December 31, 2019. Requires the institute to publish the registry on the institute's Internet web site and provides that the registry must be searchable and available to the public. Requires the institute to adopt rules establishing a procedure under which a person whose name is erroneously included in the registry can notify the institute of the erroneous inclusion and the institute will promptly remove the information about the person from the registry.

**Effective:** Upon passage.

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## Merritt

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

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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. 505

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*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. (a) As used in this chapter, "animal related offense"**  
6 **means:**

- 7 (1) **cruelty to an animal (IC 35-46-3-7);**
- 8 (2) **purchase or possession of an animal for a fighting contest**  
9 **(IC 35-46-3-8);**
- 10 (3) **possession of animal fighting paraphernalia**  
11 **(IC 35-46-3-8.5);**
- 12 (4) **promotion of, use of an animal in, or attendance with an**  
13 **animal at an animal fighting contest (IC 35-46-3-9);**
- 14 (5) **promoting an animal fighting contest (IC 35-46-3-9.5);**
- 15 (6) **cruelty to an animal (IC 35-46-3-10);**
- 16 (7) **cruelty to a law enforcement animal (IC 35-46-3-11);**
- 17 (8) **cruelty to a search and rescue dog (IC 35-46-3-11.3);**



- 1 (9) cruelty to a service animal (IC 35-46-3-11.5);  
 2 (10) cruelty to an animal (IC 35-46-3-12);  
 3 (11) torturing or mutilating a vertebrate animal  
 4 (IC 35-46-3-12);  
 5 (12) killing a domestic animal (IC 35-46-3-12);  
 6 (13) domestic violence animal cruelty (IC 35-46-3-12.5);  
 7 (14) cruelty to an animal (IC 35-46-3-13);  
 8 (15) bestiality (IC 35-46-3-14); or  
 9 (16) electrocution or decompression of an animal  
 10 (IC 35-46-3-15).

11 (b) The term includes a crime:

- 12 (1) that is committed in another jurisdiction; and  
 13 (2) the elements of which are substantially similar to a crime  
 14 described in this section.

15 Sec. 2. As used in this chapter, "institute" refers to the Indiana  
 16 criminal justice institute established by IC 5-2-6-3.

17 Sec. 3. As used in this chapter, "registry" means the animal  
 18 abuse registry established under this chapter.

19 Sec. 4. The institute shall:

- 20 (1) establish not later than January 1, 2020; and  
 21 (2) maintain;

22 an animal abuse registry.

23 Sec. 5. The institute shall include in the registry:

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

31 of every person convicted of an animal related offense after  
 32 December 31, 2019.

33 Sec. 6. The institute shall obtain data for publication on the  
 34 registry from:

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



1           **Sec. 7. (a) The institute shall publish the registry on the**  
2 **institute's Internet web site. The registry must be searchable and**  
3 **available to the public.**

4           **(b) The institute shall ensure that the registry is updated at least**  
5 **one (1) time every thirty (30) days.**

6           **(c) The institute shall ensure that the registry displays the**  
7 **following or similar words:**

8           **"Based on information submitted to law enforcement, a**  
9 **person whose name appears in this registry has been**  
10 **convicted of an animal related offense. However, information**  
11 **in the registry may not be complete."**

12           **Sec. 8. (a) The institute may adopt rules under IC 4-22-2 to**  
13 **implement this chapter.**

14           **(b) The institute shall adopt rules under IC 4-22-2 under which:**

15           **(1) a person who was not convicted of an animal related**  
16 **offense after December 31, 2019, but who is the subject of**  
17 **information included in the registry can notify the institute of**  
18 **the erroneous inclusion in the registry of information**  
19 **concerning the person; and**

20           **(2) the institute will promptly remove the information from**  
21 **the registry.**

22           **SECTION 2. An emergency is declared for this act.**

