

IC 15-17-10

Chapter 10. Dangerous and Diseased Animals

IC 15-17-10-1

Duty to report dangerous or diseased animals

Sec. 1. (a) The owner of an animal affected with a dangerous or contagious disease shall report the disease to the state veterinarian not later than forty-eight (48) hours after discovering the existence of the disease.

(b) A veterinarian, caretaker, or custodian of an animal who:

- (1) is not the owner of the animal; and
- (2) knows or has reason to suspect that a dangerous, contagious, or infectious disease exists in the animal;

shall report the existence of disease to the state veterinarian or local health officer not later than forty-eight (48) hours after discovering or having reason to suspect the disease exists.

(c) A local health officer who receives a report from a person under this section shall report the disease within twenty-four (24) hours to the state veterinarian.

As added by P.L.2-2008, SEC.8. Amended by P.L.86-2008, SEC.11.

IC 15-17-10-2

Owner and caretaker duties

Sec. 2. An owner or a caretaker of an animal and the owner's or a caretaker's agents shall provide reasonable assistance that is required to enable the state veterinarian, the state veterinarian's authorized agent, or an agent of the United States Department of Agriculture to perform the state veterinarian's or agent's duties.

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

IC 15-17-10-3

Examination of suspected or diseased animals

Sec. 3. The state veterinarian or the state veterinarian's agent shall make an examination of animals and objects suspected to be dangerous or diseased and shall enforce related laws, rules, and orders.

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

IC 15-17-10-4

Authority of USDA

Sec. 4. An agent of the United States Department of Agriculture may do the following:

- (1) Inspect, test, quarantine, and condemn animals and objects in Indiana that are affected with any disease or pest of animals, are suspected to be affected, or may have been exposed to any disease or pest of animals.
- (2) Enter the grounds or premises to carry out the duties under subdivision (1).

(3) Request that a law enforcement officer provide assistance in discharging the duties under subdivision (1). A law enforcement officer shall assist an agent when requested. An agent has the same power and protection as a law enforcement officer when engaged in the discharge of the agent's duties. However, the state is not liable for any damages or expenses caused or made by an agent.

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

IC 15-17-10-5

Proclamation prohibiting movement of animals

Sec. 5. If the governor has good reason to believe that:

- (1) any disease or pest of animals has been discovered; and
- (2) the importation of animals or objects from another state, or the movement of animals or objects within Indiana, would be injurious to the health of the citizens or the animals of Indiana;

the governor may, on the recommendation of the board, issue a proclamation to prohibit the entry into or other movement within Indiana of animals and objects or stipulate the conditions under which animals and objects may enter or move within Indiana.

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

IC 15-17-10-6

Indemnification

Sec. 6. (a) Except as provided in subsection (b), the owner of any animal or object condemned by the board shall be indemnified as provided in this article and regulations governing the payment of indemnity by the state or by the state in cooperation with the federal government. The length of time that a condemned animal has been in Indiana may not be considered when determining the payment of indemnity. The board or the board's agent shall determine indemnity amounts based on appraisals or other determinations of value made according to:

- (1) rules and policies adopted by the board; or
- (2) laws and policies of the federal government;

that govern indemnity payments.

(b) The board is not required to indemnify objects that are adulterated, misbranded, or condemned under IC 15-17-5, IC 15-18-1, or IC 16-42.

(c) The board may pay the cost of transporting, testing, treating, euthanizing, destroying, and disposing of infected, exposed, or suspect animals and objects.

(d) The board may pay the cost of cleaning and disinfecting for purposes allowed under this article.

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

IC 15-17-10-7

Indemnification exceptions

Sec. 7. (a) Except as provided in subsection (b), an indemnity

payment may not be made for the following:

- (1) Animals or objects belonging to the United States.
- (2) Animals or objects belonging to the state.
- (3) Animals or objects brought into the state or moved in violation of this article, the rules of the board, or an agreement for the control of diseases or pests.
- (4) Animals that were previously affected by any other disease or pest, which, from its nature and development, caused an incurable condition and was necessarily fatal.
- (5) Animals or objects affected with disease or pest of animals that the owner purchased, knowing that the animals or objects were infected with or exposed to a disease or pest of animals, including animals or objects purchased from a place where a contagious disease or pest of animals was known to exist.
- (6) Any animal or object that the owner or the owner's agent intentionally infects with or exposes to a disease or pest of animals.
- (7) Any animal or object for which the owner received indemnity or reimbursement from any other source.

(b) The board may pay indemnity for animals or objects described in subsection (a)(3) through (a)(5) if the board finds that payment of indemnity is necessary to accomplish the purposes of this article.

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

IC 15-17-10-8

Condemnation

Sec. 8. (a) The board or the board's agent may condemn and control the disposition of any animal or object infected with or exposed to, or suspected to be infected with or exposed to, foot and mouth disease, glanders, or other diseases or pests of animals that, in the opinion of the board, are a health hazard to the livestock industry, other animals, or the citizens of Indiana.

(b) Objects infected with, exposed to, or suspected to be infected with or exposed to a disease or pests of animals described in subsection (a) may be condemned and shall be destroyed or disposed of in a manner as directed by the board.

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

IC 15-17-10-9

Board's powers; emergency rules and orders

Sec. 9. If the board determines that a disease or pest of animals presents a health hazard to the citizens or animals of Indiana, the following action may be taken:

- (1) The board may adopt emergency rules under IC 4-22-2-37.1 that facilitate the prevention, detection, control, and eradication of the disease or pest of animals, including the following to:
 - (A) Prohibit or impose conditions on importing animals and objects into Indiana.
 - (B) Require testing of animals and objects.

- (C) Require vaccination or other treatment of animals and objects.
 - (D) Prohibit or impose conditions on moving animals and objects within Indiana.
 - (E) Govern the disposition of animals and objects.
 - (F) Impose other measures governing animals and objects to protect the citizens and animals of Indiana from diseases and pests of animals.
- (2) The state veterinarian may issue emergency orders under IC 4-21.5-4 governing animals and objects in order to protect the citizens and animals of the state from diseases and pests of animals.

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

IC 15-17-10-10

Disposal of dead animals

Sec. 10. If the board determines that a disease or pest of animals has or is imminently likely to result in a large number of dead animals, the board may facilitate the prompt disposal of the dead animals by adopting an emergency rule under IC 4-22-2-37.1 that amends or suspends any of the following:

- (1) IC 15-17-11.
- (2) A rule adopted by the board that governs the disposal of dead animals.

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

IC 15-17-10-11

Declaration of animal health emergency

Sec. 11. If the board determines that a disease or pest of animals presents a hazard to the citizens or animals of Indiana, the board may:

- (1) use funds appropriated to the board by the general assembly for indemnity or any other purpose; and
- (2) submit to the budget agency a request for additional funds under IC 4-12-1-15 or any other prescribed procedure and use any funds received;

to address the hazard.

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

IC 15-17-10-12

Purchasing animals for disease study

Sec. 12. The board may purchase an animal or object to prevent, detect, control, and eradicate diseases and pests of animals.

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

IC 15-17-10-13

Forms

Sec. 13. The board shall prescribe and furnish upon request all forms to be used in conjunction with applications and reports required under this article.

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

IC 15-17-10-14

Receipts; report; deposit

Sec. 14. All money received by the state veterinarian under this chapter shall be reported to the auditor of state at the end of each month or at another time prescribed by law, and at the same time the state veterinarian shall deposit the entire amount of the receipts with the treasurer of state for deposit in the state general fund.

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

IC 15-17-10-15

State poultry association; cooperation

Sec. 15. The Indiana State Poultry Association is designated as the official state agency to cooperate with the United States Department of Agriculture and the board in administering the national poultry improvement plan.

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

IC 15-17-10-16

Feeding garbage to swine

Sec. 16. A person may not feed or permit the feeding of garbage to swine, unless:

- (1) the garbage is treated to kill disease organisms in accordance with rules adopted by the board; and
- (2) the processing occurs at a facility operated by a person holding a valid license issued by the board, for the treatment of garbage.

As added by P.L.2-2008, SEC.8. Amended by P.L.133-2015, SEC.6; P.L.202-2015, SEC.6.