

CHAPTER 48

(SB 23)

AN ACT relating to assistance dogs.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 258.500 is amended to read as follows:

- (1) As used in subsections (1) to (11) of this section, "person" means a "person with a disability" as defined by KRS 210.770. "Person" also includes a trainer of an assistance dog.
- (2) If a person is accompanied by an assistance dog, neither the person nor the dog shall be denied admittance to any hotel, motel, restaurant, or eating establishment, nor shall the person be denied full and equal accommodations, facilities, and privileges of all public places of amusement, theater, or resort when accompanied by an assistance dog.
- (3) Any person accompanied by an assistance dog shall be entitled to full and equal accommodations on all public transportation, if the dog does not occupy a seat in any public conveyance, nor endanger the public safety.
- (4) No person shall be required to pay additional charges or fare for the transportation of any accompanying assistance dog.
- (5) No person accompanied by an assistance dog shall be denied admittance and use of any public building, nor denied the use of any elevator operated for public use.
- (6) Any person accompanied by an assistance dog may keep the dog in his immediate custody while a tenant in any apartment, or building used as a public lodging.
- ~~(7) The provisions of this section shall not apply unless the assistance dog has been trained or is being trained by a recognized training agency or school, and is properly harnessed.~~
- ~~(8) (a) Except as provided in paragraph (b) of this subsection, all persons accompanied by an assistance dog shall have in their personal possession a certificate issued by the assistance dog training agency or school establishing that their dogs have been so trained.~~
 - ~~(b) All trainers accompanied by an assistance dog shall have in their personal possession identification verifying that they are trainers of assistance dogs.~~
- ~~(8)(9) The provisions of this section shall not apply unless the person complies with the legal limitations applicable to nondisabled persons and unless all requirements of KRS 258.015 and 258.135 have been complied with.~~
- ~~(9)(10) Assistance dogs are exempt from all state and local licensing fees.~~
- ~~(10)(11) Licensing authorities shall accept that the dog for which the license is sought is an assistance dog *if the person requesting the license is a person with a disability or the trainer of the dog* ~~when a copy of the certificate, as required under subsection (8) of this section, is attached to the licensing form.~~~~
- ~~(11)(12) *Emergency medical treatment shall not be denied to an assistance dog assigned to a person regardless of the person's ability to pay prior to treatment.*~~
- (12) No person shall willfully or maliciously interfere with an assistance dog or the dog's user.

Section 2. KRS 258.991 is amended to read as follows:

Any person violating KRS 258.500(2), (3), (4), (5), (6), (11), or (12) shall be punished by a fine of not less than two hundred and fifty dollars (\$250), nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than 10 nor more than 30 days, or both. No person shall be charged with a violation of KRS 258.500(2), (3), (4), (5), (6), (11), or (12) if the requirements of KRS 258.500(7)~~(8)~~ are not met.

Approved March 21, 2007.