

AN ACT relating to cruelty to animals.

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

➔Section 1. KRS 525.010 is amended to read as follows:

The following definitions apply in this chapter unless the context otherwise requires:

(1) **"Adequate shelter" means:**

(a) In regard to livestock, shelter meeting the standards set in regulations promulgated by the Board of Agriculture under KRS 257.196;

(b) For domestic animals other than livestock, a structure appropriate for the animal's age, physical condition, and species that provides protection from the elements and weather conditions so as to maintain the animal in a good state of health.

(2) "Desecrate" means defacing, damaging, polluting, or otherwise physically mistreating in a way that the actor knows will outrage the sensibilities of persons likely to observe or discover his action.

(3)~~(2)~~ "Public" means affecting or likely to affect a substantial group of persons.

(4)~~(3)~~ "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highways, transportation facilities, schools, places of amusements, parks, places of business, playgrounds, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. An act is deemed to occur in a public place if it produces its offensive or proscribed consequences in a public place.

(5)~~(4)~~ "Transportation facility" means any conveyance, premises, or place used for or in connection with public passenger transportation by air, railroad, motor vehicle, or any other method. It includes aircraft, watercraft, railroad cars, buses, and air, boat, railroad, and bus terminals and stations and all appurtenances thereto.

(6)~~(5)~~ "Riot" means a public disturbance involving an assemblage of five (5) or more

persons which by tumultuous and violent conduct creates grave danger of damage or injury to property or persons or substantially obstructs law enforcement or other government function.

~~(Z)(6)~~ "Service animal" includes a:

- (a) "Bomb detection dog," which means a dog that is trained to locate bombs or explosives by scent;
- (b) "Narcotic detection dog," which means a dog that is trained to locate narcotics by scent;
- (c) "Patrol dog," which means a dog that is trained to protect a peace officer and to apprehend a person;
- (d) "Tracking dog," which means a dog that is trained to track and find a missing person, escaped inmate, or fleeing felon;
- (e) "Search and rescue dog," which means a dog that is trained to locate lost or missing persons, victims of natural or man-made disasters, and human bodies;
- (f) "Accelerant detection dog," which means a dog that is trained for accelerant detection, commonly referred to as arson canines;
- (g) "Cadaver dog," which means a dog that is trained to find human remains;
- (h) "Assistance dog," which means any dog that is trained to meet the requirements of KRS 258.500;
- (i) Any dog that is trained in more than one (1) of the disciplines specified in paragraphs (a) to (h) of this subsection; or
- (j) "Police horse," which means any horse that is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in detection of criminal activity, enforcement of laws, and apprehension of offenders.

➔Section 2. KRS 525.130 is amended to read as follows:

- (1) A person is guilty of cruelty to animals in the second degree when except as

authorized by law he or she intentionally or wantonly:

- (a) Subjects any animal to or causes cruel or injurious mistreatment through abandonment, [~~participates other than as provided in KRS 525.125 in causing it to fight for pleasure or profit (including, but not limited to being a spectator or vendor at an event where a four (4) legged animal is caused to fight for pleasure or profit),~~] mutilation, beating, torturing any animal other than a dog or cat, tormenting, [~~failing to provide adequate food, drink, space, or health care,~~] or by any other means;
 - (b) Subjects any animal in his or her custody to cruel neglect, including but not limited to failure to provide adequate food, potable water, space, shelter, or health care; or
 - (c) Participates other than as provided in KRS 525.125 in causing it to fight for pleasure or profit, including but not limited to being a spectator or vendor at an event where a four (4) legged animal is caused to fight for pleasure or profit [~~Kills any animal other than a domestic animal killed by poisoning. This paragraph shall not apply to intentional poisoning of a dog or cat. Intentional poisoning of a dog or cat shall constitute a violation of this section.~~]
- (2) Nothing in this section shall apply to actions taken with regard to [~~the killing of~~] animals:
- (a) Pursuant to a license to hunt, fish, or trap;
 - (b) Incident to standard [~~the~~] processing as food or for other lawful commercial purposes;
 - (c) For reasonable and humane purposes;
 - (d) For standard veterinary, agricultural, spaying or neutering, or cosmetic purposes;
 - (e) For purposes relating to lawful sporting activities, including but not limited to horse racing at organized races and training for organized races, organized

- horse shows, or other animal shows;
- (f) For bona fide animal research activities of institutions of higher education; or a business entity registered with the United States Department of Agriculture under the Animal Welfare Act or subject to other federal laws governing animal research;
 - (g) In defense of self or another person against an aggressive or diseased animal;
 - (h) In defense of a domestic animal against an aggressive or diseased animal;
 - (i) For ***recognized methods of*** animal or pest control; or
 - (j) For any other purpose authorized by law.
- (3) Activities of animals engaged in ***lawful*** hunting, field trials, dog training other than training a dog to fight for pleasure or profit, and other activities authorized either by a hunting license or by the Department of Fish and Wildlife shall not constitute a violation of this section.
- (4) Cruelty to animals in the second degree is a Class A misdemeanor.