

AN ACT relating to animals.

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

➔Section 1. KRS 525.125 is amended to read as follows:

- (1) The following persons are guilty of cruelty to animals in the first degree whenever a four-legged animal is caused to fight for pleasure or profit:
 - (a) The owner of the animal;
 - (b) The owner of the property on which the fight is conducted if the owner knows of the fight;
 - (c) Anyone who participates in the organization of the fight.
- (2) Activities of animals engaged in hunting, field trials, dog training, 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.
- (3) Cruelty to animals in the first degree is a Class D felony.
- (4) *Any person who has been convicted of, entered an Alford plea to, or pleaded guilty to cruelty to animals in the first degree shall forfeit ownership of the animal or animals and shall be prohibited from owning or possessing any animal of the same species for a period of two (2) years from the date of the conviction or plea.***

➔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 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 custody to cruel neglect; or
 - (c) 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 the killing of animals:
- (a) Pursuant to a license to hunt, fish, or trap;
 - (b) Incident to the processing as food or for other commercial purposes;
 - (c) For humane purposes;
 - (d) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;
 - (e) For purposes relating to 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 animal or pest control; or
 - (j) For any other purpose authorized by law.
- (3) Activities of animals engaged in 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.
- (5) Any person who has been convicted of, entered an Alford plea to, or pleaded**

guilty to cruelty to animals in the second degree shall forfeit ownership of the animal or animals and shall be prohibited from owning or possessing any animal of the same species for a period of two (2) years from the date of the conviction or plea.

➔Section 3. KRS 525.135 is amended to read as follows:

- (1) As used in this section, unless the context otherwise requires, "torture" means the intentional infliction of or subjection to extreme physical pain or injury, motivated by an intent to increase or prolong the pain of the animal.
- (2) A person is guilty of torture of a dog or cat when he or she without legal justification intentionally tortures a domestic dog or cat.
- (3) Torture of a dog or cat is a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense if the dog or cat suffers physical injury as a result of the torture, and a Class D felony if the dog or cat suffers serious physical injury or death as a result of the torture.
- (4) Nothing in this section shall apply to the killing or injuring of a dog or cat:
 - (a) In accordance with a license to hunt, fish, or trap;
 - (b) For humane purposes;
 - (c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;
 - (d) For purposes relating to sporting activities including but not limited to training for organized dog or cat shows, or other animal shows in which a dog or a cat, or both, participate;
 - (e) For bona fide animal research activities, using dogs or cats, 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;
 - (f) In defense of self or another person against an aggressive or diseased dog or cat;

- (g) In defense of a domestic animal against an aggressive or diseased dog or cat;
 - (h) For animal or pest control; or
 - (i) For any other purpose authorized by law.
- (5) Activities of animals engaged in 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 Resources shall not constitute a violation of this section.
- (6) The acts specified in this section shall not constitute cruelty to animals under KRS 525.125 or 525.130.
- (7) Any person who has been convicted of, entered an Alford plea to, or pleaded guilty to torturing a dog or cat shall forfeit ownership of the dog or cat and shall be prohibited from owning or possessing a dog or cat for a period of two (2) years from the date of the conviction or plea.**