

1 AN ACT relating to assistance dogs.

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

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

4 (1) As used in subsections (1) to ~~(12)~~~~[(11)]~~ of this section, "person" means a "person
5 with a disability" as defined by KRS 210.770. "Person" also includes a trainer of an
6 assistance dog.

7 (2) ***As used in this section:***

8 ***(a) "Assistance dog" means a dog that has been individual trained to do work
9 or perform tasks for a person with a disability; and***

10 ***(b) 'Assistance-dog-in-training' means a dog or puppy that has been selected
11 for assistance dog work and is being handled by a trainer of an assistance
12 dog.***

13 **(3)** If a person is accompanied by an assistance dog, neither the person nor the dog shall
14 be denied admittance to any hotel, motel, restaurant, or eating establishment, nor
15 shall the person be denied full and equal accommodations, facilities, and privileges
16 of all public places of amusement, theater, or resort when accompanied by an
17 assistance dog.

18 ~~**(4)**~~~~[(3)]~~ Any person accompanied by an assistance dog shall be entitled to full and
19 equal accommodations on all public transportation, if the dog does not occupy a
20 seat in any public conveyance, nor endanger the public safety.

21 ~~**(5)**~~~~[(4)]~~ No person shall be required to pay additional charges or fare for the
22 transportation of any accompanying assistance dog.

23 ~~**(6)**~~~~[(5)]~~ No person accompanied by an assistance dog shall be denied admittance and
24 use of any public building, nor denied the use of any elevator operated for public
25 use.

26 ~~**(7)**~~~~[(6)]~~ Any person accompanied by an assistance dog may keep the dog in his
27 immediate custody while a tenant in any apartment, or building used as a public

1 lodging.

2 ~~(8)~~~~(7)~~ All trainers accompanied by an assistance dog shall have in their personal
3 possession identification verifying that they are trainers of assistance dogs.

4 ~~(9)~~~~(8)~~ The provisions of this section shall not apply unless the person complies with
5 the legal limitations applicable to nondisabled persons and unless all requirements
6 of KRS 258.015 and 258.135 have been complied with.

7 ~~(10)~~~~(9)~~ Assistance dogs are exempt from all state and local licensing fees.

8 ~~(11)~~~~(10)~~ Licensing authorities shall accept that the dog for which the license is sought
9 is an assistance dog if the person requesting the license is a person with a disability
10 or the trainer of the dog.

11 ~~(12)~~~~(11)~~ Emergency medical treatment shall not be denied to an assistance dog
12 assigned to a person regardless of the person's ability to pay prior to treatment.

13 ~~(13)~~~~(12)~~ No person shall willfully or maliciously interfere with an assistance dog or the
14 dog's user.

15 **(14) No person shall misrepresent an assistance dog. Misrepresentation of a**
16 **assistance dog occurs when an individual:**

17 **(a) Expressly or impliedly represents that a dog in his or her possession is his**
18 **or her assistance dog or an assistance-dog-in-training for the purpose of**
19 **obtaining any rights or privileges afforded disabled persons accompanied by**
20 **assistance dogs, but unavailable to other people and their pets;**

21 **(b) Knew or should have known that the dog in question did not meet the**
22 **definition of an assistance dog or assistance-dog-in-training; and**

23 **(c) Takes a dog into a place of public accommodation where pets are not**
24 **permitted while the dogs is wearing a cape, vest, special leash, or other form**
25 **of identification that states or implies that the dog is an assistance dog**
26 **entitled to be present, even if the individual makes no affirmative**
27 **statements.**

1 **(15) Misrepresentation of a service dog is a violation.**

2 **(16) Any peace or animal control officer may investigate and enforce subsection (14)**
3 **of this section by making inquiry of the individual accompanied by the dog in**
4 **question and issuing a citation. Refusal by the individual to answer the**
5 **permissible questions shall create a presumption that the dog is not an assistance**
6 **dog and the officer may issue the citation and require the individual to remove**
7 **the dog from the place of public accommodation.**

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

9 Any person violating KRS 258.500~~[(2),]~~ (3), (4), (5), (6), **(7)**~~[(11)], [or] (12),~~ **(13)** shall be
10 punished by a fine of not less than two hundred and fifty dollars (\$250), nor more than
11 one thousand dollars (\$1,000), or by imprisonment in the county jail for not less than ten
12 (10) nor more than thirty (30) days, or both.~~[No person shall be charged with a violation~~
13 ~~of KRS 258.500(2), (3), (4), (5), (6), (11), or (12) if the requirements of KRS 258.500(7)~~
14 ~~are not met.]~~