

1 AN ACT relating to torture of a dog or cat.

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

3 ➔Section 1. KRS 525.135 is amended to read as follows:

- 4 (1) As used in this section, unless the context otherwise requires, "torture" means the  
5 intentional infliction of or subjection to extreme physical pain or injury, motivated  
6 by an intent to increase or prolong the pain of the animal ***or by a disregard of the***  
7 ***consequences. Acts of torture may also include but are not limited to intentionally***  
8 ***depriving a dog or cat of food and water, failing to provide shelter from extreme***  
9 ***weather conditions, or intentionally depriving necessary medical care***  
10 ***accompanied by physical restraint which denies a domestic dog or cat a means of***  
11 ***escape or discovery to save its own life.***
- 12 (2) A person is guilty of torture of a dog or cat when he or she without legal  
13 justification intentionally tortures a domestic dog or cat.
- 14 (3) Torture of a dog or cat is a ~~Class A misdemeanor for the first offense and a~~ Class  
15 D felony ~~for each subsequent offense if the dog or cat suffers physical injury as a~~  
16 ~~result of the torture, and a Class D felony if the dog or cat suffers serious physical~~  
17 ~~injury or death as a result of the torture].~~
- 18 (4) Nothing in this section shall apply to the killing or injuring of a dog or cat ***without***  
19 ***the intent to increase or prolong the pain or suffering of the dog or cat or a***  
20 ***disregard of the consequences:***
- 21 (a) In accordance with a license to hunt, fish, or trap;
- 22 (b) For humane purposes;
- 23 (c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;
- 24 (d) For purposes relating to sporting activities including but not limited to training  
25 for organized dog or cat shows, or other animal shows in which a dog or a cat,  
26 or both, participate;
- 27 (e) For bona fide animal research activities, using dogs or cats, of institutions of

- 1 higher education; or a business entity registered with the United States  
2 Department of Agriculture under the Animal Welfare Act or subject to other  
3 federal laws governing animal research;
- 4 (f) In defense of self or another person against an aggressive or diseased dog or  
5 cat;
- 6 (g) In defense of a domestic animal against an aggressive or diseased dog or cat;
- 7 (h) For animal or pest control; or
- 8 (i) For any other purpose authorized by law.
- 9 (5) Unless committed with the intent to increase or prolong the pain or suffering of a  
10 dog or a disregard of the consequences, activities of animals engaged in hunting,  
11 field trials, dog training other than training a dog to fight for pleasure or profit, and  
12 other activities authorized either by a hunting license or by the Department of Fish  
13 and Wildlife Resources shall not constitute a violation of this section.
- 14 (6) The acts specified in this section shall not constitute cruelty to animals under KRS  
15 525.125 or 525.130.