

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 individually 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 ***or an assistance-dog-in-training,***
14 neither the person nor the dog shall be denied admittance to any hotel, motel,
15 restaurant, or eating establishment, nor shall the person be denied full and equal
16 accommodations, facilities, and privileges of all public places of amusement,
17 theater, or resort when accompanied by an assistance dog ***or assistance-dog-in-***
18 ***training.***

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

23 ~~(5)~~~~[(4)]~~ No person shall be required to pay additional charges or fare for the
24 transportation of any accompanying assistance dog ***or assistance-dog-in-training.***

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

1 ~~(7)~~~~(6)~~ Any person accompanied by an assistance dog **or assistance-dog-in-training**
2 may keep the dog in his **or her** immediate custody while a tenant in any apartment,
3 or building used as a public lodging.

4 ~~(8)~~~~(7)~~ All trainers accompanied by an assistance dog **or assistance-dog-in-training**
5 shall have in their personal possession identification verifying that they are trainers
6 of assistance dogs.

7 ~~(9)~~~~(8)~~ The provisions of this section shall not apply unless the person complies with
8 the legal limitations applicable to nondisabled persons and unless all requirements
9 of KRS 258.015 and 258.135 have been complied with.

10 ~~(10)~~~~(9)~~ Assistance dogs **and assistance-dogs-in-training** are exempt from all state
11 and local licensing fees.

12 ~~(11)~~~~(10)~~ Licensing authorities shall accept that the dog for which the license is sought
13 is an assistance dog **or an assistance-dog-in-training** if the person requesting the
14 license is a person with a disability or the trainer of the dog.

15 ~~(12)~~~~(11)~~ Emergency medical treatment shall not be denied to an assistance dog **or an**
16 **assistance-dog-in-training** assigned to a person regardless of the person's ability to
17 pay prior to treatment.

18 ~~(13)~~~~(12)~~ No person shall willfully or maliciously interfere with an assistance dog, **an**
19 **assistance-dog-in-training**, or the dog's user.

20 ~~(14)~~ **(a) No person shall misrepresent an assistance dog. A person is guilty of**
21 **misrepresentation of an assistance dog when a person:**

22 **1. Expressly or impliedly represents that a dog in his or her possession is**
23 **his or her assistance dog or an assistance-dog-in-training for the**
24 **purpose of obtaining any rights or privileges afforded to disabled**
25 **persons accompanied by assistance dogs but unavailable to other**
26 **people and their pets;**

27 **2. Knew or should have known that the dog in question did not meet the**

1 definition of an assistance dog or assistance-dog-in-training; and
 2 3. Takes a dog into a place of public accommodation where pets are not
 3 permitted while the dogs is wearing a cape, vest, special leash, or other
 4 form of identification that states or implies that the dog is an
 5 assistance dog or an assistance-dog-in-training entitled to be present,
 6 even if the individual makes no affirmative statements.

7 (b) Any peace officer or animal control officer may investigate and enforce this
 8 subsection by making inquiry of the person accompanied by the dog in
 9 question and issuing a citation. Refusal by the person to answer questions
 10 shall create a presumption that the dog is not an assistance dog or an
 11 assistance-dog-in-training, and the officer may issue the citation and
 12 require the individual to remove the dog from the place of public
 13 accommodation.

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

15 Any person violating KRS 258.500~~[(2),]~~ (3), (4), (5), (6), (7)~~[(11)], [or]~~ (12), (13) or (14)
 16 shall be punished by a fine of not less than two hundred and fifty dollars (\$250), nor more
 17 than one thousand dollars (\$1,000)~~[-, or by imprisonment in the county jail for not less~~
 18 ~~than ten (10) nor more than thirty (30) days, or both. No person shall be charged with a~~
 19 ~~violation of KRS 258.500(2), (3), (4), (5), (6), (11), or (12) if the requirements of KRS~~
 20 ~~258.500(7) are not met].~~