

1 AN ACT relating to the sale of dogs, cats, and rabbits in retail pet shops.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Animal shelter" has the same meaning as in KRS 258.095;

7 (b) "Breeder" means a person that maintains dogs, cats, or rabbits for the
8 purpose of breeding and selling their offspring;

9 (c) "Broker" means a person that transfers dogs, cats, or rabbits for resale by
10 another person; and

11 (d) "Retail pet shop" means a for-profit establishment open to the public that
12 sells, or offers for sale, food, supplies, or animals to be kept as household
13 pets.

14 (2) A retail pet shop shall not sell, offer to sell, barter, auction, or otherwise transfer
15 ownership of any dog, cat, or rabbit. Nothing in this section shall be construed to
16 prohibit a retail pet shop from collaborating with any animal shelter to provide
17 space to showcase dogs, cats, or rabbits owned by the entities for the purpose of
18 adoption.

19 (3) Retail pet shops shall not collaborate to showcase dogs, cats, or rabbits with any
20 entity which:

21 (a) Is affiliated with, or is housed on the premises of a breeder or a broker,

22 (b) Obtains dogs, cats, or rabbits from a breeder or broker in exchange for
23 payment or compensation; or

24 (c) Resells dogs, cats, or rabbits obtained from a breeder or broker and provides
25 payment or compensation to such breeder or broker.

26 (4) Each retail pet shop shall maintain for at least one (1) year records sufficient to
27 document the source of each dog, cat, or rabbit the pet shop sells or for which it

1 provides space to showcase. Additionally, each retail pet shop shall post, in a
2 conspicuous location on the cage or enclosure of each animal, a sign listing the
3 name of the animal rescue organization from which each animal was obtained.
4 Animal control officers or animal shelters may periodically require pet stores to
5 provide access to these records.

6 (5) This section does not prohibit a local governing body from adopting requirements
7 that are more protective of animal welfare than those set forth in this section.

8 ➔Section 2. KRS 258.990 is amended to read as follows:

9 (1) Any person who violates KRS 258.015, 258.035, 258.055, 258.065, or 258.085
10 shall be fined not less than ten dollars (\$10) nor more than one hundred dollars
11 (\$100). Each day of violation shall constitute a separate offense.

12 (2) The owner of any dog, cat, or ferret which bites a human being shall be liable to pay
13 all damages for personal injuries resulting from the bite of the dog, cat, or ferret.

14 (3) (a) Any person violating or failing or refusing to comply with KRS 258.095 to
15 258.365, except KRS 258.235(5)(a), shall, upon conviction, be fined not less
16 than five dollars (\$5) nor more than one hundred dollars (\$100), or be
17 imprisoned in the county jail for not less than five (5) nor more than sixty (60)
18 days, or both.

19 (b) Any person violating KRS 258.235(5)(a) shall be punished by a fine of not
20 less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or by
21 imprisonment in the county jail for not less than ten (10) nor more than sixty
22 (60) days, or both.

23 (4) Any retail pet shop operator who violates subsection (2) of Section 1 of this Act
24 shall be subject to a civil penalty of five hundred dollars (\$500). Each animal
25 offered for sale in violation of this section shall constitute a separate violation.

26 (5) All fines collected under subsection (3) of this section shall after costs and
27 commissions have been deducted, be paid to the department to be credited to the

1 animal control and care fund.