

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,]~~

5 ***(a)*** "Torture" means

6 ***1.*** The~~intentional~~ infliction of or subjection to extreme physical pain or
 7 injury ***to a dog or cat***, motivated by an intent to ***cause***, increase, or
 8 prolong the pain ***or suffering*** of the ***dog or cat, including but not***
 9 ***limited to:***

10 ***a. Crushing, burning, drowning, beating, poisoning, electrocuting,***
 11 ***suffocating, hanging, impaling, or skinning alive;***

12 ***b. Causing physical disfigurement; or***

13 ***c. Causing the loss of function of a limb or bodily organ; or***

14 ***2. The infliction of or subjection to extreme physical pain or injury***
 15 ***through the deprivation of:***

16 ***a. Food;***

17 ***b. Water;***

18 ***c. Adequate shelter; or***

19 ***d. Life-saving medical care;***

20 ***while restraining the dog or cat with wanton disregard for its pain,***
 21 ***suffering, injury, or death; and***

22 ***(b) "Restrain" means to keep a dog or cat confined to a finite space such that***
 23 ***the dog or cat cannot seek escape***~~[animal].~~

24 (2) A person is guilty of torture of a dog or cat when he or she, without legal
 25 justification, intentionally tortures a ~~domestic~~ dog or cat .

26 (3) Torture of a dog or cat is ~~a Class A misdemeanor for the first offense and]~~ a Class
 27 D felony ~~for each subsequent offense if the dog or cat suffers physical injury as a~~

1 ~~result of the torture, and a Class D felony if the dog or cat suffers serious physical~~
2 ~~injury or death as a result of the torture].~~

3 (4) **Each act of torture of a dog or cat may constitute a separate offense.**

4 (5) Nothing in this section shall apply to the killing or injuring of a dog or cat **without**
5 **the intent to cause, increase, or prolong the pain or suffering of the dog or cat:**

6 (a) In accordance with a license to hunt, fish, or trap;

7 (b) For humane purposes;

8 (c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;

9 (d) For purposes relating to sporting activities including but not limited to training
10 for organized dog or cat shows, or other animal shows in which a dog or a cat,
11 or both, participate;

12 (e) For bona fide animal research activities, using dogs or cats, of institutions of
13 higher education; or a business entity registered with the United States
14 Department of Agriculture under the Animal Welfare Act or subject to other
15 federal laws governing animal research;

16 (f) In defense of self or another person against an aggressive or diseased dog or
17 cat;

18 (g) In defense of a domestic animal against an aggressive or diseased dog or cat;

19 (h) For animal or pest control; or

20 (i) For any other purpose authorized by law.

21 ~~(6)~~~~(5)~~ Activities of animals engaged in hunting, field trials, dog training other than
22 training a dog to fight for pleasure or profit, and other activities authorized either by
23 a hunting license or by the Department of Fish and Wildlife Resources shall not
24 constitute a violation of this section.

25 ~~(7)~~~~(6)~~ The acts specified in this section shall not constitute cruelty to animals under
26 KRS 525.125 or 525.130.