

1 AN ACT relating to service animals.

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

3 ➔Section 1. KRS 525.010 is amended to read as follows:

4 The following definitions apply in this chapter unless the context otherwise requires:

- 5 (1) "Desecrate" means defacing, damaging, polluting, or otherwise physically
6 mistreating in a way that the actor knows will outrage the sensibilities of persons
7 likely to observe or discover his or her action.
- 8 (2) "Public" means affecting or likely to affect a substantial group of persons.
- 9 (3) "Public place" means a place to which the public or a substantial group of persons
10 has access and includes but is not limited to highways, transportation facilities,
11 schools, places of amusements, parks, places of business, playgrounds, and
12 hallways, lobbies, and other portions of apartment houses and hotels not
13 constituting rooms or apartments designed for actual residence. An act is deemed to
14 occur in a public place if it produces its offensive or proscribed consequences in a
15 public place.
- 16 (4) "Transportation facility" means any conveyance, premises, or place used for or in
17 connection with public passenger transportation by air, railroad, motor vehicle, or
18 any other method. It includes aircraft, watercraft, railroad cars, buses, and air, boat,
19 railroad, and bus terminals and stations and all appurtenances thereto.
- 20 (5) "Riot" means a public disturbance involving an assemblage of five (5) or more
21 persons which by tumultuous and violent conduct creates grave danger of damage
22 or injury to property or persons or substantially obstructs law enforcement or other
23 government function.
- 24 (6) "Service animal" includes a:
- 25 (a) "Bomb detection dog," which means a dog that is trained to locate bombs or
26 explosives by scent;
- 27 (b) **"Electronic detection dog," which means a dog that is trained to locate**

1 **electronic devices by scent:**

2 **(c)** "Narcotic detection dog," which means a dog that is trained to locate narcotics
3 by scent;

4 **(d)**~~(e)~~ "Patrol dog," which means a dog that is trained to protect a peace officer
5 and to apprehend a person;

6 **(e)**~~(d)~~ "Tracking dog," which means a dog that is trained to track and find a
7 missing person, escaped inmate, or fleeing felon;

8 **(f)**~~(e)~~ "Search and rescue dog," which means a dog that is trained to locate lost
9 or missing persons, victims of natural or man-made disasters, and human
10 bodies;

11 **(g)**~~(f)~~ "Accelerant detection dog," which means a dog that is trained for
12 accelerant detection, commonly referred to as arson canines;

13 **(h)**~~(g)~~ "Cadaver dog," which means a dog that is trained to find human
14 remains;

15 **(i)**~~(h)~~ "Assistance dog," which means any dog that is trained to meet the
16 requirements of KRS 258.500;

17 **(j)**~~(i)~~ Any dog that is trained in more than one (1) of the disciplines specified
18 in paragraphs (a) to **(i)**~~(h)~~ of this subsection; ~~or~~

19 **(k)** **"Police dog," which means any dog that is owned, or the service of which is**
20 **employed, by a law enforcement agency for the principal purpose of aiding**
21 **in detection of criminal activity, enforcement of laws, and apprehension of**
22 **offenders; or**

23 **(L)**~~(j)~~ "Police horse," which means any horse that is owned, or the service of
24 which is employed, by a law enforcement agency for the principal purpose of
25 aiding in detection of criminal activity, enforcement of laws, and
26 apprehension of offenders.

27 ➔Section 2. KRS 525.220 is amended to read as follows:

1 No person shall be convicted of assault on a service animal when:

2 (1) He or she has also been convicted of a violation of KRS 525.125, 525.130,
3 512.020, 512.030, or 512.040 arising out of the same incident;~~[-or]~~

4 (2) He or she has destroyed or treated a service animal that is injured, diseased, or
5 suffering or that constitutes a hazard to public safety if not destroyed;~~[-or]~~

6 (3) He or she has used physical force against the service animal when he or she
7 believes that such force is necessary to protect himself, herself, or a third person
8 against the use or imminent use of unlawful physical force by the service animal~~[-~~
9 ~~in protection of himself or a third person]; or~~

10 (4) He or she has used physical force without knowledge that the animal was a service
11 animal.

12 ➔Section 3. KRS 525.200 is amended to read as follows:

13 (1) A person is guilty of assault on a service animal in the first degree when, without
14 legal justification or lawful authority:

15 (a) He or she intentionally kills or causes serious physical injury to a service
16 animal;

17 (b) He or she intentionally causes physical injury to a service animal by means of
18 a deadly weapon or dangerous instrument; or

19 (c) He or she wantonly causes serious physical injury to a service animal by
20 means of a deadly weapon or dangerous instrument.

21 (2) For the purposes of this section, "service animal" has the same meaning as in KRS
22 525.010, except that "service animal" does not include assistance dogs as in KRS
23 525.010(6)(i)~~[-(h)]~~.

24 (3) Assault on a service animal in the first degree is a Class D felony.

25 ➔Section 4. This Act may be cited as Bo's Law.