

1 AN ACT relating to agritourism.

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

3 ➔Section 1. KRS 247.801 is amended to read as follows:

4 As used in KRS 247.800 to 247.810:

- 5 (1) "Agritourism" means the act of visiting:
- 6 (a) A farm or ranch; or
- 7 (b) Any agricultural, horticultural, or agribusiness operation;
- 8 for the purpose of enjoyment, education, or active involvement in the activities of
- 9 the farm, ranch, or operation;
- 10 (2) "Agritourism activity" means any activity that:
- 11 (a) Is carried out on a farm, ranch, agricultural operation, horticultural operation,
- 12 or agribusiness operation; and
- 13 (b) Allows or invites participants to view or participate in activities for
- 14 recreational, entertainment, or educational purposes. Qualifying activities may
- 15 include farming, ranching, historic, cultural, civic, or ceremonial activities,
- 16 including but not limited to weddings and ancillary events; harvest-your-own
- 17 operations; farmers' markets; horseback riding; horse-drawn carriage rides;
- 18 livestock or poultry shows; petting farms; rodeos;~~or~~ natural resource-based
- 19 activities; or any activity that has historically involved the utilization of
- 20 working animals. The activities may qualify as agritourism activities whether
- 21 or not a participant pays to view or to participate in the activity;
- 22 (3) "Agritourism building" means any building or structure or any portion thereof that
- 23 is used for one (1) or more agritourism activities;
- 24 (4) "Agritourism professional" means any person, including employees or authorized
- 25 agents acting on behalf of the agritourism professional, who is engaged in the
- 26 business of providing one (1) or more agritourism activities;
- 27 (5) "Inherent risks of agritourism activity" means those dangers or conditions that are

1 an integral part of an agritourism activity, including certain hazards, such as surface
2 or subsurface conditions; natural conditions of land, vegetation, or water; the
3 behavior of wild or domestic animals; and the ordinary dangers of structures or
4 equipment used in farming and ranching operations;~~and~~

5 (6) "Participant" means any person, other than the agritourism professional, who
6 engages in an agritourism activity; ***and***

7 ***(7) "Working animal" means the use of any animal for the purpose of performing a***
8 ***specific duty or function in commerce or service, including but not limited to***
9 ***animals in entertainment, transportation, education, exhibition, hunting, or***
10 ***agritourism.***

11 ➔SECTION 2. A NEW SECTION OF KRS 247.800 TO 247.810 IS CREATED
12 TO READ AS FOLLOWS:

13 ***(1) No city, town, county, or other political subdivision of the Commonwealth shall***
14 ***adopt or continue to enforce any ordinance, resolution, rule, or regulation***
15 ***restricting a person from engaging in an agritourism activity so long as the***
16 ***agritourism activity complies with health, safety, and planning and zoning***
17 ***requirements. Local legislation in violation of this section shall be void and***
18 ***unenforceable.***

19 ***(2) An agritourism activity shall not include dog fighting as defined in KRS 525.125***
20 ***or animal fighting as referenced in 21 U.S.C. sec. 2156.***