

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 public health and safety and planning and
17 zoning requirements. Local legislation in violation of this section shall be void
18 and 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.