

1 AN ACT relating to agricultural operation interference.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 511 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Commercial food manufacturing or processing facility" means a
7 commercial facility in which food is manufactured, processed, or packaged
8 for human consumption, but does not include retail food establishments,
9 home-based processors, or home-based microprocessors as those terms are
10 defined in KRS 217.015;

11 (b) "Concentrated animal feeding operation" has the same meaning as in 40
12 C.F.R. sec. 122.23;

13 (c) "Operate" has the same meaning as in KRS 183.011; and

14 (d) 1. "Unmanned aircraft" means an expendable or recoverable aircraft
15 that is autonomous or remotely operated without the possibility of
16 direct human intervention from within or on the aircraft.

17 2. "Unmanned aircraft" does not include any unmanned aircraft used
18 by any federal, state, or local government law enforcement agency,
19 emergency medical service agency, disaster management agency,
20 hazardous materials response team, or other emergency management
21 agency for the purposes of incident command, area reconnaissance,
22 personnel and equipment deployment monitoring, training, or related
23 purposes.

24 (2) A person is guilty of agricultural operation interference when, without formal
25 written consent of the owner or authorized representative of the concentrated
26 animal feeding operation or commercial food manufacturing or processing
27 facility, he or she:

- 1 (a) Operates an unmanned aircraft, video recording device, audio recording
2 device, or photography equipment on or above property containing a
3 concentrated animal feeding operation or commercial food manufacturing
4 or processing facility; or
- 5 (b) Knowingly records, photographically, electronically, or otherwise, any part,
6 procedure, or action of a concentrated animal feeding operation or
7 commercial food manufacturing or processing facility.
- 8 (3) Agricultural operation interference is a Class B misdemeanor.
- 9 (4) This section does not apply to any federal, state, or local government law
10 enforcement or regulatory officer or employee while the officer or employee is
11 engaged in the performance of his or her official duties.