

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2025 REGULAR SESSION
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Amend printed copy of **SB 69/GA**

On page 38, between lines 18 and 19, insert the following:

"➔SECTION 11. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

- (a) "Animal shelter" has the same meaning as in KRS 258.095;**
- (b) "Commercial sale" means the sale of a product in the stream of commerce at retail or at wholesale, including sales on the internet;**
- (c) "Qualified breeder" means a kennel located inside or outside of the Commonwealth that:**
 - 1. Is licensed by the United States Department of Agriculture;**
 - 2. Maintains dogs or cats for the purpose of breeding and commercially selling the offspring; and**
 - 3. Has no direct violations indicated by United States Department of Agriculture inspection reports in the last two (2) years; and**
- (d) "Retail pet shop" means a for-profit commercial establishment open to the public that sells, or offers for commercial sale, food, supplies, or animals to be kept as household pets.**

(2) A retail pet shop shall not sell, offer to sell, barter, auction, or otherwise transfer

Amendment No. HFA

Rep. Rep. Patrick Flannery

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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ownership of any dog or cat unless the animal was obtained from:

(a) An animal shelter; or

(b) A qualified breeder.

(3) A retail pet shop shall not sell, offer to sell, barter, auction, or otherwise transfer ownership of any dog or cat:

(a) That is less than eight (8) weeks old; or

(b) To an individual who is under eighteen (18) years old.

(4) A county or municipality, or any agency thereof, may:

(a) Adopt or enforce a rule, administrative regulation, code, or ordinance relating to the operations of a retail pet shop that does not prohibit a retail pet shop from operating within the county or municipality if the shop is in compliance with subsections (2) and (3) of this section and other rules, regulations, codes, or ordinances;

(b) Prohibit a retail pet shop or retail pet shop owner from selling dogs and cats within the county or municipality if the shop or owner has received:

1. Three (3) or more civil citations for violating subsection (2) or (3) of this section;

2. Three (3) or more civil citations for violating a rule, regulation, code, or ordinance adopted pursuant to paragraph (a) of this subsection; or

3. Any combination thereof; and

(c) Enforce any rule, regulation, code, or ordinance adopted pursuant to paragraph (a) of this subsection in accordance with KRS 65.8801 to 65.8839.

➔Section 12. KRS 258.990 is amended to read as follows:

(1) Any person who violates KRS 258.015, 258.035, 258.055, 258.065, or 258.085 shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100). Each day of

violation shall constitute a separate offense.

- (2) The owner of any dog, cat, or ferret which bites a human being shall be liable to pay all damages for personal injuries resulting from the bite of the dog, cat, or ferret.
- (3)
 - (a) Any person violating or failing or refusing to comply with KRS 258.095 to 258.365, except KRS 258.235(5)(a), shall, upon conviction, be fined not less than five dollars (\$5) nor more than one hundred dollars (\$100), or be imprisoned in the county jail for not less than five (5) nor more than sixty (60) days, or both.
 - (b) Any person violating KRS 258.235(5)(a) shall be punished by a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or by imprisonment in the county jail for not less than ten (10) nor more than sixty (60) days, or both.
- (4) All fines collected under subsection (3) of this section shall after costs and commissions have been deducted, be paid to the department to be credited to the animal control and care fund.
- (5)
 - (a) Any retail pet shop owner who violates subsection (2) or (3) of Section 11 of this Act shall be subject to a civil penalty of five hundred dollars (\$500), which shall be paid to the county or municipality in which the violation occurred.
 - (b) Each dog or cat offered for commercial sale in violation of subsection (2) or (3) of Section 11 of this Act shall constitute a separate violation.
 - (c) Any rule, administrative regulation, code, or ordinance adopted pursuant to subsection (4)(a) of Section 11 of this Act may prescribe additional civil penalties.

➔Section 13. Notwithstanding Section 11 of this Act, any ordinance, rule, or regulation enacted by a local government prior to January 1, 2024, to restrict retail pet sales shall remain in effect until replaced or modified by that local government."; and

Renumber the subsequent section accordingly.