

1 AN ACT relating to interference with a religious service.

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 *As used*~~[The following definitions apply]~~ in this chapter, unless the context otherwise
5 requires:

6 (1) "Desecrate" means defacing, damaging, polluting, or otherwise physically
7 mistreating in a way that the actor knows will outrage the sensibilities of persons
8 likely to observe or discover his or her action.~~[.]~~

9 (2) "Public" means affecting or likely to affect a substantial group of persons.~~[.]~~

10 (3) "Public place" means a place to which the public or a substantial group of persons
11 has access and includes but is not limited to highways, transportation facilities,
12 schools, places of *amusement*~~[amusements]~~, parks, places of business,
13 playgrounds, and hallways, lobbies, and other portions of apartment houses and
14 hotels not constituting rooms or apartments designed for actual residence. An act is
15 deemed to occur in a public place if it produces its offensive or proscribed
16 consequences in a public place.~~[.]~~

17 (4) *"Religious organization"* means *an organization, a religious society, a church or*
18 *other house of worship, a body of communicants, or a group organized or*
19 *operated for religious purposes, regardless of whether it is integrated or affiliated*
20 *with a church or other house of worship;*

21 (5) *"Religious service"* means *a meeting, gathering, or assemblage of two (2) or*
22 *more persons for the purpose of worship, teaching, training, conducting religious*
23 *rituals, or other activities undertaken by a religious organization for the exercise*
24 *of religion;*~~[~~*"Transportation facility"* means any conveyance, premises, or place
25 used for or in connection with public passenger transportation by air, railroad,
26 motor vehicle, or any other method. It includes aircraft, watercraft, railroad cars,
27 buses, and air, boat, railroad, and bus terminals and stations and all appurtenances

1 thereto.

2 }

3 **(6){(5)}** "Riot" means a public disturbance involving an assemblage of five (5) or
4 more persons which by tumultuous and violent conduct creates grave danger of
5 damage or injury to property or persons or substantially obstructs law enforcement
6 or other government function;]

7 **(7){(6)}** "Service animal" includes *the following*[a]:

- 8 (a) *"Accelerant detection dog," which means a dog that is trained to for*
9 *accelerant detection, commonly referred to as arson canines*~~"Bomb~~
10 ~~detection dog," which means a dog that is trained to locate bombs or~~
11 ~~explosives by scent~~];
- 12 (b) *"Assistance dog," which has the same meaning as in KRS*
13 ~~258.500~~~~"Electronic detection dog," which means a dog that is trained to~~
14 ~~locate electronic devices by scent~~];
- 15 (c) *"Bomb detection dog," which means a dog that is trained to locate bombs*
16 *or explosives by scent*~~"Narcotic detection dog," which means a dog that is~~
17 ~~trained to locate narcotics by scent~~];
- 18 (d) *"Cadaver dog," which means a dog that is trained to find human*
19 *remains*~~"Patrol dog," which means a dog that is trained to protect a peace~~
20 ~~officer and to apprehend a person~~];
- 21 (e) *"Electronic detection dog," which means a dog that is trained to locate*
22 *electronic devices by scent*~~"Tracking dog," which means a dog that is trained~~
23 ~~to track and find a missing person, escaped inmate, or fleeing felon~~];
- 24 (f) *"Narcotic detection dog," which means a dog that is trained to locate*
25 *narcotics by scent*~~"Search and rescue dog," which means a dog that is trained~~
26 ~~to locate lost or missing persons, victims of natural or man-made disasters,~~
27 ~~and human bodies~~];

1 (g) *"Patrol dog," which means a dog that is trained to protect a peace officer*
2 *and to apprehend a person*~~"Accelerant detection dog," which means a dog~~
3 ~~that is trained for accelerant detection, commonly referred to as arson~~
4 ~~canines];~~

5 (h) *"Search and rescue dog," which means a dog that is trained to locate lost or*
6 *missing persons, victims of natural or man-made disasters, and human*
7 *bodies*~~"Cadaver dog," which means a dog that is trained to find human~~
8 ~~remains];~~

9 (i) *"Tracking dog," which means a dog that is trained to track and find a*
10 *missing person, escaped inmate, or fleeing felon*~~"Assistance dog," which~~
11 ~~has the same meaning as in KRS 258.500];~~

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

14 (k) ~~"Police dog," which means }Any *animal*~~dog~~ that is owned, or the service of~~
15 ~~which is employed, by a law enforcement agency as defined in KRS 61.298~~
16 ~~for the principal purpose of aiding in detection of criminal activity,~~
17 ~~enforcement of laws, and apprehension of offenders; *and*}; or~~

18 (l) ~~"Police horse," which means any horse that is owned, or the service of which is~~
19 ~~employed, by a law enforcement agency for the principal purpose of aiding in~~
20 ~~detection of criminal activity, enforcement of laws, and apprehension of offenders.]~~

21 (8) *"Transportation facility":*

22 (a) *Means any conveyance, premises, or place used for or in connection with*
23 *public passenger transportation by air, railroad, motor vehicle, or any other*
24 *method; and*

25 (b) *Includes aircraft, watercraft, railroad cars, buses, and air, boat, railroad,*
26 *and bus terminals and stations and all appurtenances thereto.*

27 ➔ SECTION 2. A NEW SECTION OF KRS CHAPTER 525 IS CREATED TO

1 READ AS FOLLOWS:

2 (1) A person is guilty of interference with a religious service when, with intent to
3 prevent or disrupt a religious service held by a religious organization, he or she:
4 (a) Does any act tending to obstruct, or physically or audibly interfere with, the
5 religious service or any individual's access to or egress from the service;
6 (b) Intentionally damages or destroys, or attempts to damage or destroy, the
7 property of a religious organization; or
8 (c) By force or threat of force, intentionally injures, intimidates, or interferes
9 with, or attempts to injure, intimidate, or interfere with, any individual
10 attending or attempting to attend the religious service.

11 (2) Interference with a religious service is a Class A misdemeanor.

12 ➔ SECTION 3. A NEW SECTION OF KRS CHAPTER 411 IS CREATED TO
13 READ AS FOLLOWS:

14 (1) A person who violates Section 2 of this Act shall be personally liable in a civil
15 cause of action brought against him or her by:
16 (a) A victim who was lawfully exercising or seeking to exercise a right of
17 religious worship; or
18 (b) The religious organization that was undertaking the religious service.
19 (2) The action may be filed in the Circuit Court for the county where the alleged
20 violation occurred or the county where the plaintiff resides.
21 (3) The court may award appropriate relief including:
22 (a) Injunctive relief;
23 (b) Compensatory damages, or at the plaintiff's election prior to the rendering
24 of final judgment, statutory damages of ten thousand dollars (\$10,000) for
25 each violation of Section 2 of this Act;
26 (c) Costs and expenses, including reasonable expert witness fees; and
27 (d) Reasonable attorney's fees.

1 (4) (a) If the Attorney General has reasonable cause to believe that a person or
2 group of persons is being, has been, or may be injured by conduct
3 constituting a violation of Section 2 of this Act, the Attorney General may
4 commence a civil action in the Circuit Court for the county where the
5 alleged violation occurs, provided an action has not previously been
6 commenced under subsection (3) of this section.

7 (b) The court may award appropriate relief, including injunctive relief,
8 compensatory damages, and civil penalties not exceeding twenty-five
9 thousand dollars (\$25,000) per violation.

10 (5) A person found liable under this section shall be jointly and severally liable with
11 each other person, if any, found liable under this section for the damages arising
12 from the same violation of Section 2 of this Act.

13 ➔ Section 4. KRS 525.200 is amended to read as follows:

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

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

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

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

22 (2) As used in~~[For the purposes of]~~ this section, "service animal" ~~[has the same~~
23 ~~meaning as in KRS 525.010, except that "service animal"]~~does not include an
24 assistance dog~~[dogs]~~ as defined in KRS 525.010(7)(b)~~[(6)(i)]~~.

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