

1 AN ACT relating to animal welfare.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 17 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Animal abuse offender registry" means the registry for animal abuse
7 offenders established under subsection (2) of this section;

8 (b) "Animal abuse offense" means a violation of KRS 525.125, 525.130,
9 525.135, 525.137, 525.200, or 525.205;

10 (c) "Department" means the Department of Kentucky State Police;

11 (d) "Offender" means any person who has been convicted of, pled guilty to, or
12 entered an Alford plea to an animal abuse offense; and

13 (e) "Offender information" means an offender's name, age, county of
14 residence, current photograph, a description of the crime or crimes
15 committed, and other identifying information determined necessary by the
16 department.

17 (2) The department shall develop and operate an animal abuse offender registry by
18 January 1, 2027.

19 (3) (a) After the department has developed the animal abuse offender registry and
20 it is operational, an offender, upon his or her release by a court or the,
21 Parole Board, Department of Corrections, Department of Juvenile Justice,
22 or any detention facility shall be required to register with the department for
23 two (2) years for a first animal abuse offense, and five (5) years for each
24 subsequent animal abuse offense. The person in charge of the release shall
25 facilitate the registration process.

26 (b) All required registration periods for animal abuse offenses shall run
27 consecutively. At the conclusion of an offender's registration period, the

1 department shall remove the corresponding offender information from the
2 animal abuse offender registry.

3 (4) Any person required to register under subsection (3)(a) of this section shall be
4 informed of the duty to register:

5 (a) By the court at the time of sentencing if the court grants probation or
6 conditional discharge or does not impose a penalty of incarceration; or

7 (b) If incarcerated, by the official in charge of the place of incarceration upon
8 release.

9 (5) (a) Except as provided in paragraph (b) of this subsection, any person required
10 to register under subsection (3)(a) of this section shall be required to pay a
11 fee of one hundred dollars (\$100) to the department at the time of
12 registration, and an additional one hundred dollars (\$100) annually for
13 each year the person is required to be registered. The fee shall be deposited
14 by the department into the animal abuse offender registry fund established
15 in subsection (11) of this section.

16 (b) The department shall waive a registration fee if the registrant is found by a
17 court of competent jurisdiction to be an indigent person as defined in KRS
18 31.100.

19 (c) A registrant shall not be prevented from registering because of failure to
20 pay the registration fee.

21 (6) (a) Once the department has developed the animal abuse offender registry, the
22 department shall establish a website available to the public. The website
23 shall display offender information and shall be updated at least once every
24 thirty (30) days.

25 (b) Upon receiving notice from a court that an offender is required to register,
26 the department shall post the offender information provided by the court on
27 the website, and shall provide the offender information to each county

1 sheriff.

2 (7) The department shall promulgate administrative regulations to establish and
3 operate the animal abuse offender registry, including but not limited to policies
4 and procedures:

5 (a) For compiling, publishing, and maintaining offender information;

6 (b) Detailing how an individual may be removed from the registry; and

7 (c) To ensure compliance with all other state and federal laws.

8 (8) Any department employee who disseminates or does not disseminate offender
9 information in good-faith compliance with this section shall be immune from
10 criminal and civil liability for the dissemination or lack thereof.

11 (9) Any person required to register under this section who knowingly violates any
12 provision of this section is guilty of a Class A misdemeanor.

13 (10) Any person required to register under this section who knowingly provides false,
14 misleading, or incomplete information in relation to the registry is guilty of a
15 Class A misdemeanor.

16 (11) (a) The animal abuse offender registry fund is created as a restricted fund that
17 shall consist of moneys deposited pursuant to this section and shall be used
18 for the purposes set forth in paragraph (c) of this subsection. The
19 department shall administer the fund.

20 (b) Notwithstanding KRS 45.229, any moneys in the fund shall not lapse but
21 shall be carried forward to the next fiscal year. In addition, any interest
22 earned on moneys in the fund shall become part of the fund and shall not
23 lapse.

24 (c) All moneys in the fund shall be used by the department to develop and
25 operate the animal abuse offender registry in accordance with this section.

26 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 620 IS CREATED TO
27 READ AS FOLLOWS:

1 *Any person employed by the Cabinet for Health and Family Services who reasonably*
2 *believes that an animal the employee observed while performing job-related duties is*
3 *being abused or neglected in violation of KRS 525.125, 525.130, 525.135, 525.137,*
4 *525.200, or 525.205 shall make an oral or written report to law enforcement.*

5 ➔Section 3. KRS 321.188 is amended to read as follows:

6 If a veterinarian finds that an animal with which the veterinarian has a VCPR has been
7 abused in violation of KRS 525.125, 525.130, 525.135,~~[-or-]~~ 525.137, *525.200, or*
8 *525.205*, the veterinarian ~~*shall*~~~~*may*~~ make a report to:

- 9 (1) The Office of the State Veterinarian for any animal for which an on-farm livestock
10 or poultry care standard has been promulgated under KRS 257.196; or
11 (2) Law enforcement for any other animal.