

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2024 Regular Session**

Part I: Measure Information

Bill Request #: 1378

Bill #: HB 335 HCS 1

Document ID #: 8374

Bill Title: AN ACT relating to animals and making an appropriation therefor.

Sponsor: Representative Candy Massaroni

Unit of Government: City County Urban-County
Unified Local
 Charter County Consolidated Local Government

Office(s) Impacted: County Animal Shelters; Courts; Jails

Requirement: Mandatory Optional

Effect on
Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 335 HCS 1 amends the rights, privileges, and accommodations granted to persons with assistance dogs or emotional support animals, as well as the accommodations that establishments are required to make for such persons. It also amends the offense of misrepresenting a dog as an assistance dog and the fines for such violations.

Section 1 amends KRS 258.500 and conditions rights, privileges, and accommodations afforded to persons with assistance dogs on complying with requirements laid out in the section, including: tagging, vaccinating, leashing, and licensing the assistance dog, as well as preventing the assistance dog from disrupting the establishment or becoming a nuisance. The section also permits establishments to ask the person requesting accommodation if the dog is an assistance dog and refuse admittance of the assistance dog if it would jeopardize the health and safety of others. Establishments admitting assistance dogs under tenancy may also request applicable documentation showing the dog is an assistance dog. Handlers of assistance dogs are liable for damages caused by the assistance dogs. Rights, privileges, and accommodations afforded to handlers of

assistance dogs do not extend to those of emotional support animals (as defined in the bill), except for those outlined in KRS 383.085.

Section 2 establishes it as unlawful for a person to misrepresent a dog as an assistance dog in order to request an accommodation granted in Section 2, whether the misrepresentation is communicated verbally or nonverbally. **Section 3** establishes the fine for this violation as up to \$1,000. Section 3 also increases the minimum fine for certain violations of KRS 258.500 from \$250 to \$500, but removes the possibility of imprisonment.

HB 335 HCS 1 would have a minimally positive fiscal impact on local courts and jails. Publicly funded housing may request documentation from tenants with assistance dogs showing that theirs is an assistance dog.

Given the increase in minimum fines for certain violations of KRS 258.500, there may be a slight increase in fines collected by local courts. The removal of jail time as a possible punishment for these violations may have a slightly positive impact on jails who would have housed offenders incarcerated for these offenses.

Data Source(s): LRC Staff

Preparer: Ryan Brown (BL) **Reviewer:** KHC **Date:** 3/14/24