

**CHAPTER 169****( HB 115 )**

AN ACT relating to service animals.

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

➔Section 1. KRS 525.010 is amended to read as follows:

The following definitions apply in this chapter unless the context otherwise requires:

- (1) "Desecrate" means defacing, damaging, polluting, or otherwise physically mistreating in a way that the actor knows will outrage the sensibilities of persons likely to observe or discover his *or her* action.
- (2) "Public" means affecting or likely to affect a substantial group of persons.
- (3) "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highways, transportation facilities, schools, places of amusements, parks, places of business, playgrounds, and hallways, lobbies, and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. An act is deemed to occur in a public place if it produces its offensive or proscribed consequences in a public place.
- (4) "Transportation facility" means any conveyance, premises, or place used for or in connection with public passenger transportation by air, railroad, motor vehicle, or any other method. It includes aircraft, watercraft, railroad cars, buses, and air, boat, railroad, and bus terminals and stations and all appurtenances thereto.
- (5) "Riot" means a public disturbance involving an assemblage of five (5) or more persons which by tumultuous and violent conduct creates grave danger of damage or injury to property or persons or substantially obstructs law enforcement or other government function.
- (6) "Service animal" includes a:
  - (a) "Bomb detection dog," which means a dog that is trained to locate bombs or explosives by scent;
  - (b) **"Electronic detection dog," which means a dog that is trained to locate electronic devices by scent;**
  - (c) "Narcotic detection dog," which means a dog that is trained to locate narcotics by scent;
  - ~~(d)(e)~~ "Patrol dog," which means a dog that is trained to protect a peace officer and to apprehend a person;
  - ~~(e)(d)~~ "Tracking dog," which means a dog that is trained to track and find a missing person, escaped inmate, or fleeing felon;
  - ~~(f)(e)~~ "Search and rescue dog," which means a dog that is trained to locate lost or missing persons, victims of natural or man-made disasters, and human bodies;
  - ~~(g)(f)~~ "Accelerant detection dog," which means a dog that is trained for accelerant detection, commonly referred to as arson canines;
  - ~~(h)(g)~~ "Cadaver dog," which means a dog that is trained to find human remains;
  - ~~(i)(h)~~ "Assistance dog," which means any dog that is trained to meet the requirements of KRS 258.500;
  - ~~(j)(i)~~ Any dog that is trained in more than one (1) of the disciplines specified in paragraphs (a) to ~~(i)(h)~~ of this subsection; ~~{or}~~
  - (k) **"Police dog," which means any dog that is owned, or the service of which is employed, by a law enforcement agency as defined in KRS 61.298 for the principal purpose of aiding in detection of criminal activity, enforcement of laws, and apprehension of offenders; or**
  - ~~(l)(j)~~ "Police horse," which means any horse that is owned, or the service of which is employed, by a law enforcement agency for the principal purpose of aiding in detection of criminal activity, enforcement of laws, and apprehension of offenders.

➔Section 2. KRS 525.200 is amended to read as follows:

- (1) A person is guilty of assault on a service animal in the first degree when, without legal justification or lawful authority:
  - (a) He or she intentionally kills or causes serious physical injury to a service animal;
  - (b) He or she intentionally causes physical injury to a service animal by means of a deadly weapon or dangerous instrument; or
  - (c) He or she wantonly causes serious physical injury to a service animal by means of a deadly weapon or dangerous instrument.
- (2) For the purposes of this section, "service animal" has the same meaning as in KRS 525.010, except that "service animal" does not include assistance dogs as in KRS 525.010(6)(i)~~(h)~~.
- (3) Assault on a service animal in the first degree is a Class D felony.

**Signed by Governor April 4, 2023.**