

1 AN ACT relating to animal torture.

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

3 ➔Section 1. KRS 525.135 is amended to read as follows:

- 4 (1) As used in this section, unless the context otherwise requires, "torture" means the
5 intentional infliction of or subjection to extreme physical pain or injury, motivated
6 by an intent to increase or prolong the pain of the animal.
- 7 (2) A person is guilty of torture of a dog or cat when he or she without legal
8 justification intentionally tortures a domestic dog or cat.
- 9 (3) Torture of a dog or cat is a Class A misdemeanor for the first offense and a Class D
10 felony for each subsequent offense if the dog or cat suffers physical injury as a
11 result of the torture, and a Class D felony if the dog or cat suffers serious physical
12 injury or death as a result of the torture.
- 13 (4) ***The term of imprisonment for a person convicted of torture of a dog or cat who***
14 ***committed the offense with the intent to threaten, intimidate, coerce, harass, or***
15 ***terrorize a family member as defined in KRS 403.720 or a person who is in a***
16 ***dating relationship as defined in KRS 456.010 with the convicted person shall not***
17 ***be suspended, probated, conditionally discharged, or subject to any other form of***
18 ***early release.***
- 19 (5) Nothing in this section shall apply to the killing or injuring of a dog or cat:
- 20 (a) In accordance with a license to hunt, fish, or trap;
- 21 (b) For humane purposes;
- 22 (c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;
- 23 (d) For purposes relating to sporting activities including but not limited to training
24 for organized dog or cat shows, or other animal shows in which a dog or a cat,
25 or both, participate;
- 26 (e) For bona fide animal research activities, using dogs or cats, of institutions of
27 higher education; or a business entity registered with the United States

1 Department of Agriculture under the Animal Welfare Act or subject to other
2 federal laws governing animal research;

3 (f) In defense of self or another person against an aggressive or diseased dog or
4 cat;

5 (g) In defense of a domestic animal against an aggressive or diseased dog or cat;

6 (h) For animal or pest control; or

7 (i) For any other purpose authorized by law.

8 ~~(6)~~⁽⁵⁾ Activities of animals engaged in hunting, field trials, dog training other than
9 training a dog to fight for pleasure or profit, and other activities authorized either by
10 a hunting license or by the Department of Fish and Wildlife Resources shall not
11 constitute a violation of this section.

12 ~~(7)~~⁽⁶⁾ The acts specified in this section shall not constitute cruelty to animals under
13 KRS 525.125 or 525.130.