

1 AN ACT relating to torture of a dog or cat.

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 **or by a disregard of the**
7 **consequences. Acts of torture may include but are not limited to intentionally**
8 **depriving a dog or cat of food and water, failing to provide shelter from extreme**
9 **weather conditions, or intentionally depriving necessary medical care**
10 **accompanied by physical restraint which denies a domestic dog or cat a means of**
11 **escape or discovery to save its own life.**

12 (2) A person is guilty of torture of a dog or cat when he or she without legal
13 justification intentionally tortures a domestic dog or cat.

14 (3) Torture of a dog or cat is a ~~Class A misdemeanor for the first offense and a~~ Class
15 D felony ~~for each subsequent offense if the dog or cat suffers physical injury as a~~
16 ~~result of the torture, and a Class D felony if the dog or cat suffers serious physical~~
17 ~~injury or death as a result of the torture].~~

18 (4) Nothing in this section shall apply to the killing or injuring of a dog or cat **without**
19 **the intent to increase or prolong the pain or suffering of the dog or cat or a**
20 **disregard of the consequences:**

21 (a) In accordance with a license to hunt, fish, or trap;

22 (b) For humane purposes;

23 (c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;

24 (d) For purposes relating to sporting activities including but not limited to training
25 for organized dog or cat shows, or other animal shows in which a dog or a cat,
26 or both, participate;

27 (e) For bona fide animal research activities, using dogs or cats, of institutions of

1 higher education; or a business entity registered with the United States
2 Department of Agriculture under the Animal Welfare Act or subject to other
3 federal laws governing animal research;

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

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

7 (h) For animal or pest control; or

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

9 (5) **Unless committed with the intent to increase or prolong the pain or suffering of a**
10 **dog or a disregard of the consequences,** activities of animals engaged in hunting,
11 field trials, dog training other than training a dog to fight for pleasure or profit, and
12 other activities authorized either by a hunting license or by the Department of Fish
13 and Wildlife Resources shall not constitute a violation of this section.

14 (6) The acts specified in this section shall not constitute cruelty to animals under KRS
15 525.125 or 525.130.