

1 AN ACT relating to the sale of dogs, cats, and rabbits.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 258 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Animal shelter" has the same meaning as in KRS 258.095;

7 (b) "Breeder" means a person that maintains dogs, cats, or rabbits for the
8 purpose of breeding and selling their offspring;

9 (c) "Broker" means a person that transfers dogs, cats, or rabbits for resale by
10 another person;

11 (d) "Publicly accessible space" means an area owned, leased, or otherwise
12 operated by a private, local, or state entity that is open to the public,
13 including but not limited to parks, recreation areas, rights-of-way,
14 thoroughfares, roadside areas, parking lots, farmers' markets, flea markets,
15 lobbies, public common areas, and other areas where the public may either
16 congregate or incidentally pass by or through; and

17 (e) "Retail pet shop" means a for-profit establishment open to the public that
18 sells, or offers for sale, food, supplies, or animals to be kept as household
19 pets.

20 (2) A retail pet shop shall not sell, offer to sell, barter, auction, or otherwise transfer
21 ownership of any dog, cat, or rabbit. Nothing in this section shall be construed to
22 prohibit a retail pet shop from collaborating with any animal shelter to provide
23 space to showcase dogs, cats, or rabbits owned by the shelters for the purpose of
24 adoption.

25 (3) Retail pet shops shall not collaborate to showcase dogs, cats, or rabbits with any
26 entity which:

27 (a) Is affiliated with, or is housed on the premises of a breeder or a broker;

1 **(b) Obtains dogs, cats, or rabbits from a breeder or broker in exchange for**
2 **payment or compensation; or**

3 **(c) Resells dogs, cats, or rabbits obtained from a breeder or broker and provides**
4 **payment or compensation to such breeder or broker.**

5 **(4) Each retail pet shop shall maintain for at least one (1) year records sufficient to**
6 **document the source of each dog, cat, or rabbit for which the pet shop provides**
7 **space to showcase. Additionally, each retail pet shop shall post, in a conspicuous**
8 **location on the cage or enclosure of each animal, a sign listing the name of the**
9 **animal rescue organization from which each animal was obtained. Animal**
10 **control officers or animal shelters may periodically require pet stores to provide**
11 **access to these records.**

12 **(5) No person shall sell, offer to sell, barter, auction, or otherwise transfer ownership**
13 **of any dog, cat, or rabbit of any age in a publicly accessible space.**

14 **(6) This section does not prohibit a local governing body from adopting requirements**
15 **that are more protective of animal welfare than those set forth in this section.**

16 ➔Section 2. KRS 258.990 is amended to read as follows:

17 (1) Any person who violates KRS 258.015, 258.035, 258.055, 258.065, or 258.085
18 shall be fined not less than ten dollars (\$10) nor more than one hundred dollars
19 (\$100). Each day of violation shall constitute a separate offense.

20 (2) The owner of any dog, cat, or ferret which bites a human being shall be liable to pay
21 all damages for personal injuries resulting from the bite of the dog, cat, or ferret.

22 (3) (a) Any person violating or failing or refusing to comply with KRS 258.095 to
23 258.365, except KRS 258.235(5)(a), shall, upon conviction, be fined not less
24 than five dollars (\$5) nor more than one hundred dollars (\$100), or be
25 imprisoned in the county jail for not less than five (5) nor more than sixty (60)
26 days, or both.

27 (b) Any person violating KRS 258.235(5)(a) shall be punished by a fine of not

1 less than fifty dollars (\$50) nor more than two hundred dollars (\$200), or by
2 imprisonment in the county jail for not less than ten (10) nor more than sixty
3 (60) days, or both.

4 (4) **Any retail pet shop operator who violates subsections (2) or (5) of Section 1 of**
5 **this Act shall be subject to a civil penalty of five hundred dollars (\$500). Each**
6 **animal offered for sale in violation of this section shall constitute a separate**
7 **violation.**

8 **(5)** All fines collected under subsection (3) of this section shall after costs and
9 commissions have been deducted, be paid to the department to be credited to the
10 animal control and care fund.