AN ACT relating to torture of a dog or cat.

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

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

(1) As used in this section, unless the context otherwise requires,

(a) "Torture" means

1. The intentional infliction of or subjection to extreme physical pain or injury to a dog or cat, motivated by an intent to cause, increase, or prolong the pain or suffering of the dog or cat, including but not limited to:
   a. Crushing, burning, drowning, beating, poisoning, electrocuting, suffocating, hanging, impaling, or skinning alive;
   b. Causing physical disfigurement; or
   c. Causing the loss of function of a limb or bodily organ; or

2. The infliction of or subjection to extreme physical pain or injury through the deprivation of:
   a. Food;
   b. Water;
   c. Adequate shelter; or
   d. Life-saving medical care;
   while restraining the dog or cat with wanton disregard for its pain, suffering, injury, or death; and

(b) "Restrain" means to keep a dog or cat confined to a finite space such that the dog or cat cannot seek escape.

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

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

(4) Each act of torture of a dog or cat may constitute a separate offense.

(5) Nothing in this section shall apply to the killing or injuring of a dog or cat without
the intent to cause, increase, or prolong the pain or suffering of the dog or cat:

(a) In accordance with a license to hunt, fish, or trap;
(b) For humane purposes;
(c) For veterinary, agricultural, spaying or neutering, or cosmetic purposes;
(d) For purposes relating to sporting activities including but not limited to training
for organized dog or cat shows, or other animal shows in which a dog or a cat,
or both, participate;
(e) For bona fide animal research activities, using dogs or cats, of institutions of
higher education; or a business entity registered with the United States
Department of Agriculture under the Animal Welfare Act or subject to other
federal laws governing animal research;
(f) In defense of self or another person against an aggressive or diseased dog or
cat;
(g) In defense of a domestic animal against an aggressive or diseased dog or cat;
(h) For animal or pest control; or
(i) For any other purpose authorized by law.

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

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