Kentucky

Overall Ranking: Top Tier

**Kentucky Research Facility Protection Law**

*KY. REV. STAT. ANN. § 437.410 (2010). Definitions.*

As used in KRS 437.410 to 437.429, unless the context otherwise requires:

1. “Animal” means any warm or cold blooded animal used in food or fiber production, agriculture, research, testing, or education, including poultry, fish, and insects;

2. “Animal facility” means any vehicle, building, structure, or premises, where an animal or animal records are kept, handled, housed, exhibited, bred, or offered for sale;

3. “Consent” means assent in fact, whether express or apparent;

4. “Deprive” means to withhold an animal or other property from the owner permanently or for so extended a period of time that a major portion of the value or enjoyment of the animal or property is lost to the owner, to restore the animal or other property only upon payment of reward or other compensation, or to dispose of an animal or other property in a manner that makes recovery of the animal or property by the owner unlikely;
(5) “Effective consent” means consent by a person legally authorized to act for the owner. Consent is not effective if induced by force, threat, false pretenses, or fraud, if given by a person the actor knows is not legally authorized to act for the owner, if given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions, or if given solely to detect the commission of an offense;

(6) “Owner” means a person who has title to the property, possession of the property, whether lawful or not, or a greater right to possession of the property than the actor;

(7) “Person” means any individual, corporation, association, nonprofit corporation, joint stock company, firm, trust, partnership, two (2) or more persons having a joint or common interest, or other legal entity;

(8) “Possession” means actual care, custody, control, or management.


The General Assembly finds that the caring, rearing, feeding, breeding, and sale of animals and animal products, and the use of animals in research, testing, and education, represents vital segments of the economy of the state, that producers and others involved in the production and sale of animals and animal products and the use of animals in research and education have a vested interest in protecting the health and welfare of animals and the physical and intellectual property rights which they have in animals, and that there has been an increasing number of illegal acts committed against farm animal and research facilities. The General Assembly further finds that these illegal acts threaten the production of agricultural products, and jeopardize crucial scientific, biomedical, or agricultural research, and finally, the General Assembly finds that these illegal acts threaten the public safety by exposing communities to contagious diseases and damage research.


(1) A person commits an offense if, without the effective consent of the owner, the person acquires or otherwise exercises control over an animal facility, an animal from an animal facility, or other property from an animal facility, with the intent to deprive the owner of the facility, animal, or property and to disrupt or damage the enterprise conducted at the animal facility.

(2) A person commits an offense if, without the effective consent of the owner and with the intent to disrupt or damage the enterprise conducted at the animal facility, the person damages or destroys an animal facility or any animal or property in or on an animal facility.

(3) A person commits an offense if, without the effective consent of the owner and with the intent to disrupt or damage the enterprise conducted at the animal facility, the person enters an animal facility, not then open to the public, with the intent to commit an act prohibited by this section, remains concealed, with the intent to commit an act prohibited by this section, in an animal facility, or enters an animal facility and commits or attempts to commit an act prohibited by this section.
(4) A person commits an offense if, without the effective consent of the owner and with the intent to disrupt or damage the enterprise conducted at the animal facility, the person enters or remains on an animal facility, and the person had notice that the entry was forbidden, or received notice to depart but failed to do so. For purposes of this subsection “notice” shall mean oral or written communication by the owner or someone with apparent authority to act for the owner, fencing or other enclosure obviously designed to exclude intruders or to contain animals, or a sign or signs posted on the property or at the entrance to the building, reasonably likely to come to the attention of intruders, indicating that entry is forbidden.


(1) Any person who violates any provision of KRS 437.410 to 437.420 shall be subject to a fine of not more than five thousand dollars ($5,000) or imprisoned for not less than six (6) months but not more than one (1) year, or both, for each violation.

(2) Any persons convicted of violating any provision of KRS 437.410 to 437.420 shall be ordered jointly and severally to make restitution to the animal facility in the full amount of the reasonable cost of replacing materials, data, equipment or animals, and records that may have been damaged or cannot be returned, and the reasonable cost of repeating any experimentation that may have been interrupted or invalidated as a result of the violation.

(3) Nothing in KRS 437.410 to 437.420 shall be construed to affect any other rights of a person who has been damaged by reason of a violation of KRS 437.410 to 437.420.

Kentucky Animal Cruelty Law

KY. REV. STAT. ANN. § 525.130 (2010). Cruelty to animals in the second degree; exemptions.

(2) Nothing in this section shall apply to the killing of animals:

   (a) Pursuant to a license to hunt, fish, or trap;

   (b) Incident to the processing as food or for other commercial purposes;

   ...

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

   ...

   (f) For bona fide animal research activities 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;
KY. REV. STAT. ANN. § 525.135 (2010). Torture of dog or cat.

(4) Nothing in this section shall apply to the killing or injuring of a dog or cat:

... 

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

... 

(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;

... 

Kentucky Open Records Act


(1) All public records shall be open for inspection by any person, except as otherwise provided by KRS 61.870 to 61.884, and suitable facilities shall be made available by each public agency for the exercise of this right. No person shall remove original copies of public records from the offices of any public agency without the written permission of the official custodian of the record.

KY. REV. STAT. ANN. § 61.878 (2010). Certain public records exempted from inspection except on order of court; restriction of state employees to inspect personnel files prohibited.

(1) The following public records are excluded from the application of KRS 61.870 to 61.884 and shall be subject to inspection only upon order of a court of competent jurisdiction, except that no court shall authorize the inspection by any party of any materials pertaining to civil litigation beyond that which is provided by the Rules of Civil Procedure governing pretrial discovery:

(a) Public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy;

(b) Records confidentially disclosed to an agency and compiled and maintained for scientific research. This exemption shall not, however, apply to records the disclosure or publication of which is directed by another
(c) 1. Upon and after July 15, 1992, records confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records;

2. Upon and after July 15, 1992, records confidentially disclosed to an agency or required by an agency to be disclosed to it, generally recognized as confidential or proprietary, which are compiled and maintained:
   a. In conjunction with an application for or the administration of a loan or grant;
   b. In conjunction with an application for or the administration of assessments, incentives, inducements, and tax credits as described in KRS Chapter 154;
   c. In conjunction with the regulation of commercial enterprise, including mineral exploration records, unpatented, secret commercially valuable plans, appliances, formulae, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities obtained from a person; or
   d. For the grant or review of a license to do business.

3. The exemptions provided for in subparagraphs 1. and 2. of this paragraph shall not apply to records the disclosure or publication of which is directed by another statute;

Kentucky Harassment Law


(1) A person is guilty of harassment when, with intent to intimidate, harass, annoy, or alarm another person, he or she:
   (a) Strikes, shoves, kicks, or otherwise subjects him to physical contact;
   (b) Attempts or threatens to strike, shove, kick, or otherwise subject the person to physical contact;
   (c) In a public place, makes an offensively coarse utterance, gesture, or display, or addresses abusive language to any person present;
   (d) Follows a person in or about a public place or places;
   (e) Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person
and which serve no legitimate purpose; or

(f) Being enrolled as a student in a local school district, and while on school premises, on school-sponsored transportation, or at a school-sponsored event:

1. Damages or commits a theft of the property of another student;

2. Substantially disrupts the operation of the school; or

3. Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.

(2) (a) Except as provided in paragraph (b) of this subsection, harassment is a violation.

(b) Harassment, as defined in paragraph (a) of subsection (1) of this section, is a Class B misdemeanor.


(1) A person is guilty of harassing communications when, with intent to intimidate, harass, annoy, or alarm another person, he or she:

(a) Communicates with a person, anonymously or otherwise, by telephone, telegraph, mail, or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication;

(b) Makes a telephone call, whether or not conversation ensues, with no purpose of legitimate communication; or

(c) Communicates, while enrolled as a student in a local school district, with or about another school student, anonymously or otherwise, by telephone, the Internet, telegraph, mail, or any other form of electronic or written communication in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

(2) Harassing communications is a Class B misdemeanor.

KY. REV. STAT. ANN. § 525.055 (2010). Disorderly conduct in the first degree.
(1) A person is guilty of disorderly conduct in the first degree when he or she:

(a) In a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof:

1. Engages in fighting or in violent, tumultuous, or threatening behavior;

2. Makes unreasonable noise; or

3. Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose; and

(b) Acts in a way described in paragraph (a) of this subsection within three hundred (300) feet of a:

1. Cemetery during a funeral or burial;

2. Funeral home during the viewing of a deceased person;

3. Funeral procession;

4. Funeral or memorial service; or

5. Building in which a funeral or memorial service is being conducted; and

(c) Acts in a way described in paragraph (a) of this subsection at any point in time between one (1) hour prior to the commencement of an event specified in paragraph (b) of this subsection and one (1) hour following its conclusion; and

(d) Knows that he or she is within three hundred (300) feet of an occasion described in paragraph (b) of this subsection.

(2) Disorderly conduct in the first degree is a Class A misdemeanor.

KY. REV. STAT. ANN. § 525.060 (2010). Disorderly conduct in the second degree.

(1) A person is guilty of disorderly conduct in the second degree when in a public place and with intent to cause public inconvenience, annoyance, or alarm, or wantonly creating a risk thereof, he:

(a) Engages in fighting or in violent, tumultuous, or threatening behavior;

(b) Makes unreasonable noise;

(c) Refuses to obey an official order to disperse issued to maintain public safety in dangerous proximity to a fire, hazard, or other emergency; or
(d) Creates a hazardous or physically offensive condition by any act that serves no legitimate purpose.

(2) Disorderly conduct in the second degree is a Class B misdemeanor.