

**246.210 Access of department and agents, board and members, and others to premises -- Destruction or slaughter of diseased livestock.**

- (1) The department or its agents or employees shall have free access within reasonable hours to any farm, orchard, garden, elevator, warehouse, building, cellar, freight or express office or car, freight yard, vehicle, vessel, boat, container, or any other place which, for probable cause, it may be necessary or desirable for the agents to enter in order to enforce a quarantine against the European corn borer (*Pyrausta nubilalis*).
- (2) The department or any of its agents or employees may, after reasonable notice, enter any premises for the purpose of inspecting or testing livestock to determine the existence of, or to combat in any way, communicable diseases. The owner of the livestock to be tested or inspected shall, after reasonable notice, confine and present the livestock to the agents or employees of the department. When the department or any of its agents or employees determines through inspection or testing that any livestock is infected with a communicable disease, they may enter any premises, after reasonable notice, and remove the diseased livestock, and have the livestock destroyed or slaughtered and the owner indemnified as provided in KRS 257.120 to 257.150. When necessary the department or any of its agents or employees may call upon peace officers for assistance.
- (3) The state entomologist or his authorized agent shall, upon previous application, have free access within reasonable hours to any premises or containers for purposes of trapping, inspecting for, investigating, or treating the premises for the control of Japanese beetles (*Popillia japonica*).
- (4) The director of the agricultural experiment station and his agents shall have free access at all reasonable hours to any premises, vehicle, elevator, or steamship company, in the discharge of his duties under KRS 250.081.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 88, sec. 9, effective March 28, 2002; and ch. 240, sec. 3, effective July 15, 2002. -- Amended 1994 Ky. Acts ch. 370, sec. 12, effective April 8, 1994. -- Amended 1990 Ky. Acts ch. 97, sec. 5, effective July 13, 1990. -- Amended 1966 Ky. Acts ch. 255, sec. 217. -- Amended 1962 Ky. Acts ch. 248, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 30c-21, 42f-3, 42g-2, 63c-13, 68n-4, 1376b-22.

**Legislative Research Commission Note (7/15/2002).** This section was amended by 2002 Ky. Acts chs. 88 and 240, which do not appear to be in conflict and have been codified together.