

258.119 Animal control and care fund -- Distribution of moneys -- Eligibility requirements.

- (1) The "Animal Control and Care Fund" is hereby created as a special fund in the State Treasury. The fund may also receive gifts, grants from public and private sources, state appropriations, and federal funds. Any unallotted or unencumbered balances in this fund shall be invested as provided for in KRS 42.500(9). Income earned from the investments shall be credited to the fund. Any fund balance at the close of the fiscal year shall not lapse but shall be carried forward to the next fiscal year, and moneys in this fund shall be continuously appropriated only for the purposes specified in this section.
- (2) Moneys from the fund shall be used by the Animal Control Advisory Board for board expenses, for the creation and support of statewide programs related to animal control and care, and for training animal control officers. "Statewide programs" includes, but is not limited to, the reimbursement of costs for preexposure rabies vaccinations for all animal control and care workers. When determining the distribution of the moneys relating to training, the need of the applicant shall be one (1) of the criteria considered by the board. Based on recommendations of the Animal Control Advisory Board, any moneys not expended under this subsection may be distributed annually as grants to counties with an established animal control and care program meeting the requirements of subsection (3) of this section or approved plan to establish an animal control and care program under subsection (4) of this section.
- (3) As used in this section, "animal control and care program" means a program in which the county:
 - (a) Employs, appoints, or contracts with an animal control officer, or contracts with an entity that employs, appoints, or contracts with an animal control officer, as required by KRS 258.195, who is a high school graduate and has completed the training requirements set forth by the Animal Control Advisory Board; and
 - (b) Maintains an animal shelter, enters into an intergovernmental agreement for the establishment of a regional animal shelter, or contracts with an entity authorized to maintain sheltering and animal control services, to provide services that:
 1. Segregate male and female animals by species in runs and holding areas;
 2. Provide separate runs or holding areas for ill or injured animals. An ill or injured animal shall be treated with proper veterinary care or euthanized;
 3. Provide quarantine for dogs and cats presented to the shelter when quarantine by the owner is not feasible or desirable, the cost of quarantine to be borne by the animal owner at the shelter's regular housing costs and fees. Quarantined dogs and cats shall be held in isolation for observation of symptoms of rabies for a period of ten (10) days from the date the dog or cat bit a person. If the dog or cat dies or is

euthanized while in quarantine, it shall be submitted to the local health department for testing for the presence of the rabies virus. The cost of the testing shall be borne by the animal owner or the local health department may bear the cost at its discretion;

4. Provide holding areas with protection from the weather, including heated quarters during cold weather. Holding areas shall be free of debris or standing water; shall provide adequate lighting, ventilation, and sanitary conditions to promote a safe, healthy environment; and shall provide adequate space to allow for normal movement, including standing to full height, sitting, turning, and lying down in a natural position without coming in contact with the top or sides of the enclosure or another animal;
 5. Provide runs and cages built of materials which can be readily cleaned and disinfected, including floors made of an impervious material;
 6. Provide access to the public for no less than twenty-four (24) hours in one (1) week, with the hours that the facility is open to the public posted in a visible location;
 7. Employ euthanasia methods specified as acceptable for that species by the most recent report of the American Veterinary Medical Association Panel on Euthanasia;
 8. Provide potable, uncontaminated water to every animal at all times, and palatable, uncontaminated food daily; and
 9. Maintain a record on each animal impounded. Records shall be maintained for a period of two (2) years and shall include:
 - a. Date impounded;
 - b. Location found or picked up;
 - c. Sex of animal and spay or neuter status, if known;
 - d. Breed or description, and color; and
 - e. Date reclaimed, adopted, or euthanized.
- (4) Counties submitting plans proposing to establish an animal control and care program for approval by the Animal Control Advisory Board shall comply with the requirements of:
- (a) Paragraph (a) of subsection (3) of this section within twelve (12) months of the date the documentation is submitted; and
 - (b) Paragraph (b) of subsection (3) of this section within twenty-four (24) months of the date the documentation is submitted.
- (5) To be eligible for any moneys distributed as grants to counties under subsection (2) of this section, counties shall submit an application to the commissioner, on a form prescribed by the Department of Agriculture, by July 15 of each year. Moneys shall be used for construction, equipment, educational supplies, and other uses or programs approved by the advisory board, but shall not be used to increase wages of animal control officers or other personnel. Counties receiving money from the

Department of Agriculture shall comply with the terms of the plan or program. If the terms of the plan or program are not complied with, the county shall refund the money to the Department of Agriculture.

Effective: July 13, 2004

History: Amended 2004 Ky. Acts ch. 189, sec. 13, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 179, sec. 2, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 608, sec. 2, effective July 15, 1998.