

**67.082 Declaration of epidemic area -- Animal population reduction program -- Liability of state personnel.**

- (1) Notwithstanding the provisions of KRS 150.370, 525.130, or any other statute that may be in conflict herewith, any county fiscal court may, whenever an epidemic or potential epidemic of a disease transmissible to man and domestic animals exists or is threatened in any species of wildlife, declare all or any portion of that county to be an epidemic area. Following a declaration, the fiscal court may, with approval of the Cabinet for Health and Family Services and the Department of Fish and Wildlife Resources, conduct control programs, including population reduction programs, against any species of wildlife including, but not limited to, red and gray foxes, skunks, and rodents which may be serving as reservoirs and/or vectors of any disease transmissible to human beings and/or domestic animals including but not limited to rabies, leptospirosis, salmonellosis, and Rocky Mountain spotted fever. These control programs may include but shall not be limited to hunting, trapping, vaccination, and use of poisons. Technical and operational assistance for the programs shall be made available by the Cabinet for Health and Family Services, the Department of Fish and Wildlife Resources, and the Department of Agriculture. A control program established under authority of this section may be conducted by the individual or joint action of the referred-to state agencies, the local health department, or individual property owners designated as agents of said cabinets and departments. In the event poisonous baits are used to control an outbreak of rabies in wildlife, those programs shall be under the direction of the Cabinet for Health and Family Services. All pet animals in the area shall be quarantined for the duration of the program by action of the local board of health. These programs shall be regulated to provide specific identification of bait station locations, daily check of each bait station, and positive pickup and destruction of all unconsumed baits at the end of the program.
- (2) No liability shall be imposed upon any state agency or local agency or any employee or agent thereof for any injury occurring to domesticated animals, individuals, or property in carrying out programs in good faith authorized by this section, but all persons and agencies shall be liable to the extent otherwise provided by law for ordinary and gross negligence.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 99, sec. 110, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 92, effective July 15, 1998. -- Amended 1984 Ky. Acts ch. 111, sec. 47, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(1). -- Created 1972 Ky. Acts ch. 98, sec. 1(1).