

**422.280 Liability for damage to or loss of boarded horses -- Negligence not presumed.**

- (1) As used in this section:
  - (a) The term "boarder" means one who holds out his land, barn or related facilities to others for compensation, by which is meant compensation in any manner, whether money or otherwise, for the custody, care, breeding or selling of horses;
  - (b) The term "owner" means one who has contracted with the boarder for the custody, care, breeding or selling of horses.
- (2) The owner shall be liable for damages to or loss of the horse while in the custody of the boarder except for that damage or loss due to the negligence of the boarder, his agent or employees. Evidence that the owner delivered horses to the boarder and that the horses were damaged or lost while in the care and custody of the boarder shall not be sufficient to create a presumption of negligence on the part of the boarder, or a prima facie case in favor of the owner.

**History:** Created 1972 Ky. Acts ch. 283, sec. 1.