

437.410 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.

Effective: July 13, 1990

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