

150.172 Possession and use of firearm for self-defense and defense of others while hunting or trapping -- Exceptions -- Administrative regulations.

- (1) Any person who is not prohibited by state or federal law from possessing a firearm may carry a firearm and ammunition for that firearm for purposes of self-defense and defense of others while hunting, fishing, trapping, or engaging in any other activity not constituting a crime under KRS Chapter 218A or Chapters 500 to 534, and may do so on any public lands under the control of the department and on any private land under the control of the department, unless the owner of the private land has posted notice that concealed deadly weapons are not allowed in a building where they may be prohibited pursuant to KRS 237.110 or 237.115.
- (2)
 - (a) A person may use a firearm, if he or she is not prohibited by state or federal law from possessing a firearm, or may use any other deadly weapon, at any time and during any season to:
 1. Kill or attempt to kill an animal, whether protected or unprotected, in self-defense or defense of another person; or
 2. Kill or attempt to kill an injured animal for humane purposes; andin either event, reports the kill or attempted kill to a conservation officer before midnight of the same day as the kill or attempted kill.
 - (b) An investigation by the department shall be authorized to substantiate and provide evidence on whether the kill or attempted kill of the animal is in violation of paragraph (a) of this subsection or if the animal presents a threat to public health and safety. If no violation is shown to exist, and if there is no threat to public health and safety, then the animal or parts thereof shall:
 1. Remain the property and in the possession of the person taking the animal; or
 2. If the animal or parts thereof were surrendered to the department, be immediately returned to the person.
 - (c) An arrest shall not be made, except upon a warrant issued by a judge of a court of competent jurisdiction, and a citation shall not be issued by a peace officer if an animal is killed under circumstances described in paragraph (a) of this subsection.
 - (d) A citation may be issued by a peace officer who witnesses the killing of an animal in violation of a statute or federal regulation under circumstances different from those described in paragraph (a) of this subsection.
 - (e) An arrest warrant or a summons may be issued by a judge of a court of competent jurisdiction, upon application of the appropriate county attorney, if the court believes that there is sufficient cause to doubt the claim that the animal was killed under circumstances described in paragraph (a) of this subsection.
- (3) In cases where an animal is killed and there is a claim that the animal was killed under circumstances described in paragraph (a) of subsection (2) of this section, the department shall provide competent evidence as to how the animal was killed and the circumstances surrounding the event.

- (4) The department shall not promulgate administrative regulations restricting any right provided by this section or the spirit thereof.
- (5) This section shall not apply to the killing, wounding, or other prohibited act relating to specific wildlife which are protected by the federal Endangered Species Act, 16 U.S.C. secs. 1531 to 1544; federal Migratory Bird Treaty Act, 16 U.S.C. secs. 703 to 712; or federal Bald and Golden Eagle Protection Act, 16 U.S.C. secs. 668 to 668d.
- (6) The principles contained in KRS Chapter 503 relating to the use of force and deadly force against human beings shall apply to acts where wildlife is involved.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 115, sec. 4, effective June 27, 2019. -- Created 2010 Ky. Acts ch. 158, sec. 3, effective July 15, 2010.