

1 AN ACT relating to public protection.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 237.115 is amended to read as follows:

4 (1) **(a)** Except as provided in KRS 527.020, nothing contained in KRS 237.110 shall
 5 be construed to limit, restrict, or prohibit in any manner the right of a ***private***
 6 college, ***private*** university, or any ***private*** postsecondary education facility~~;~~
 7 ~~including technical schools and community colleges,~~ to control the
 8 possession of deadly weapons on any property owned or controlled by them~~;~~
 9 ~~or the right of a unit of state, city, county, urban county, or charter county~~
 10 ~~government to prohibit the carrying of concealed deadly weapons by licensees~~
 11 ~~in that portion of a building actually owned, leased, or occupied by that unit~~
 12 ~~of government].~~

13 **(b) A publicly funded college, university, or postsecondary education facility**
 14 **shall not restrict the carrying or possession of a deadly weapon on any**
 15 **property owned or controlled by the institution by a person who holds a**
 16 **valid concealed deadly weapon license issued pursuant to Section 3 of this**
 17 **Act or KRS 237.138 to 237.142 or 403.754.**

18 (2) Except as provided in KRS 527.020, the legislative body of a state, city, county, or
 19 urban-county government ***shall not***~~may~~, by statute, administrative regulation, or
 20 ordinance, prohibit or limit the carrying of concealed deadly weapons by licensees
 21 in that portion of a building owned, leased, or controlled by that unit of
 22 government. ~~[That portion of a building in which the carrying of concealed deadly~~
 23 ~~weapons is prohibited or limited shall be clearly identified by signs posted at the~~
 24 ~~entrance to the restricted area. The statute or ordinance shall exempt any building~~
 25 ~~used for public housing by private persons, highway rest areas, firing ranges, and~~
 26 ~~private dwellings owned, leased, or controlled by that unit of government from any~~
 27 ~~restriction on the carrying or possession of deadly weapons. The statute,~~

1 ~~administrative regulation, or ordinance shall not specify any criminal penalty for its~~
 2 ~~violation but may specify that persons violating the statute or ordinance may be~~
 3 ~~denied entrance to the building, ordered to leave the building, and if employees of~~
 4 ~~the unit of government, be subject to employee disciplinary measures for violation~~
 5 ~~of the provisions of the statute or ordinance. The provisions of this section shall not~~
 6 ~~be deemed to be a violation of KRS 65.870 if the requirements of this section are~~
 7 ~~followed.]~~The provisions of this section shall not apply to any *Court of Justice*
 8 *courtroom or court proceeding, or to a detention facility as defined in KRS*
 9 *520.010*~~[other unit of government].~~

10 (3) Unless otherwise specifically provided by the Kentucky Revised Statutes or
 11 applicable federal law, no criminal penalty shall attach to carrying a concealed
 12 firearm or other deadly weapon with a permit at any location at which an
 13 unconcealed firearm or other deadly weapon may be constitutionally carried.

14 ➔Section 2. KRS 237.110 is amended to read as follows:

15 (1) The Department of Kentucky State Police is authorized to issue and renew licenses
 16 to carry concealed firearms or other deadly weapons, or a combination thereof, to
 17 persons qualified as provided in this section.

18 (2) An original or renewal license issued pursuant to this section shall:

19 (a) Be valid throughout the Commonwealth and, except as provided in this
 20 section or other specific section of the Kentucky Revised Statutes or federal
 21 law, permit the holder of the license to carry firearms, ammunition, or other
 22 deadly weapons, or a combination thereof, at any location in the
 23 Commonwealth;

24 (b) Unless revoked or suspended as provided by law, be valid for a period of five
 25 (5) years from the date of issuance;

26 (c) Authorize the holder of the license to carry a concealed firearm or other
 27 deadly weapon, or a combination thereof, on or about his or her person; and

- 1 (d) Authorize the holder of the license to carry ammunition for a firearm on or
2 about his or her person.
- 3 (3) Prior to the issuance of an original or renewal license to carry a concealed deadly
4 weapon, the Department of Kentucky State Police, upon receipt of a completed
5 application, applicable fees, and any documentation required by this section or
6 administrative regulation promulgated by the Department of Kentucky State Police,
7 shall conduct a background check to ascertain whether the applicant is eligible
8 under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law
9 to purchase, receive, or possess a firearm or ammunition, or both. The background
10 check shall include:
- 11 (a) A state records check covering the items specified in this subsection, together
12 with any other requirements of this section;
- 13 (b) A federal records check, which shall include a National Instant Criminal
14 Background Check System (NICS) check;
- 15 (c) A federal Immigration Alien Query if the person is an alien who has been
16 lawfully admitted to the United States by the United States government or an
17 agency thereof; and
- 18 (d) In addition to the Immigration Alien Query, if the applicant has not been
19 lawfully admitted to the United States under permanent resident status, the
20 Department of Kentucky State Police shall, if a doubt exists relating to an
21 alien's eligibility to purchase a firearm, consult with the United States
22 Department of Homeland Security, United States Department of Justice,
23 United States Department of State, or other federal agency to confirm whether
24 the alien is eligible to purchase a firearm in the United States, bring a firearm
25 into the United States, or possess a firearm in the United States under federal
26 law.
- 27 (4) The Department of Kentucky State Police shall issue an original or renewal license

1 if the applicant:

2 (a) Is not prohibited from the purchase, receipt, or possession of firearms,
3 ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or
4 applicable federal or state law;

5 (b) 1. Is a citizen of the United States who is a resident of this
6 Commonwealth;

7 2. Is a citizen of the United States who is a member of the Armed Forces
8 of the United States who is on active duty, who is at the time of
9 application assigned to a military posting in Kentucky;

10 3. Is lawfully admitted to the United States by the United States
11 government or an agency thereof, is permitted by federal law to
12 purchase a firearm, and is a resident of this Commonwealth; or

13 4. Is lawfully admitted to the United States by the United States
14 government or an agency thereof, is permitted by federal law to
15 purchase a firearm, is, at the time of the application, assigned to a
16 military posting in Kentucky, and has been assigned to a posting in the
17 Commonwealth;

18 (c) Is twenty-one (21) years of age or older;

19 (d) Has not been committed to a state or federal facility for the abuse of a
20 controlled substance or been convicted of a misdemeanor violation of KRS
21 Chapter 218A or similar laws of any other state relating to controlled
22 substances, within a three (3) year period immediately preceding the date on
23 which the application is submitted;

24 (e) Does not chronically and habitually use alcoholic beverages as evidenced by
25 the applicant having two (2) or more convictions for violating KRS 189A.010
26 within the three (3) years immediately preceding the date on which the
27 application is submitted, or having been committed as an alcoholic pursuant

- 1 to KRS Chapter 222 or similar laws of another state within the three (3) year
2 period immediately preceding the date on which the application is submitted;
- 3 (f) Does not owe a child support arrearage which equals or exceeds the
4 cumulative amount which would be owed after one (1) year of nonpayment, if
5 the Department of Kentucky State Police has been notified of the arrearage by
6 the Cabinet for Health and Family Services;
- 7 (g) Has complied with any subpoena or warrant relating to child support or
8 paternity proceedings. If the Department of Kentucky State Police has not
9 been notified by the Cabinet for Health and Family Services that the applicant
10 has failed to meet this requirement, the Department of Kentucky State Police
11 shall assume that paternity and child support proceedings are not an issue;
- 12 (h) Has not been convicted of a violation of KRS 508.030 or 508.080 within the
13 three (3) years immediately preceding the date on which the application is
14 submitted. The commissioner of the Department of Kentucky State Police
15 may waive this requirement upon good cause shown and a determination that
16 the applicant is not a danger and that a waiver would not violate federal law;
- 17 (i) Demonstrates competence with a firearm by successful completion of a
18 firearms safety or training course that is conducted by a firearms instructor
19 who is certified by a national organization with membership open to residents
20 of any state or territory of the United States, which was created to promote
21 firearms education, safety, and the profession of firearms use and training,
22 and to foster professional behavior in its members. The organization shall
23 require members to adhere to its own code of ethics and conduct a program
24 which certifies firearms instructors and includes the use of written tests, in
25 person instruction, and a component of live-fire training. These national
26 organizations shall include but are not limited to the National Rifle
27 Association, the United States Concealed Carry Association, and the National

1 Shooting Sports Foundation. The training requirement may also be fulfilled
2 through any firearms safety course offered or approved by the Department of
3 Criminal Justice Training. The firearms safety course offered or approved by
4 the Department of Criminal Justice Training shall:

- 5 1. Be not more than eight (8) hours in length;
- 6 2. Include instruction on handguns, the safe use of handguns, the care and
7 cleaning of handguns, and handgun marksmanship principles;
- 8 3. Include actual range firing of a handgun in a safe manner, and the firing
9 of not more than twenty (20) rounds at a full-size silhouette target,
10 during which firing, not less than eleven (11) rounds must hit the
11 silhouette portion of the target; and
- 12 4. Include information on and a copy of laws relating to possession and
13 carrying of firearms, as set forth in KRS Chapters 237 and 527, and the
14 laws relating to the use of force, as set forth in KRS Chapter 503; and

15 (j) Demonstrates knowledge of the law regarding the justifiable use of force by
16 including with the application a copy of the concealed carry deadly weapons
17 legal handout made available by the Department of Criminal Justice Training
18 and a signed statement that indicates that applicant has read and understands
19 the handout.

20 (5) (a) A legible photocopy or electronic copy of a certificate of completion issued
21 by a firearms instructor certified by a national organization or the Department
22 of Criminal Justice Training shall constitute evidence of qualification under
23 subsection (4)(i) of this section.

24 (b) Persons qualifying under subsection (6)(d) of this section may submit with
25 their application:

- 26 1. At least one (1) of the following paper or electronic forms or their
27 successor forms showing evidence of handgun training or handgun

1 qualifications:

2 a. Department of Defense Form DD 2586;

3 b. Department of Defense Form DD 214;

4 c. Coast Guard Form CG 3029;

5 d. Department of the Army Form DA 88-R;

6 e. Department of the Army Form DA 5704-R;

7 f. Department of the Navy Form OPNAV 3591-1; or

8 g. Department of the Air Force Form AF 522; or

9 2. a. Documentary evidence of an honorable discharge; and

10 b. A notarized affidavit on a form provided by the Department of
11 Kentucky State Police, signed under penalty of perjury, stating the
12 person has met the training requirements of subsection (6)(d) of
13 this section.

14 (6) (a) Peace officers who are currently certified as peace officers by the Kentucky
15 Law Enforcement Council pursuant to KRS 15.380 to 15.404 and peace
16 officers who are retired and are members of the Kentucky Employees
17 Retirement System, State Police Retirement System, or County Employees
18 Retirement System or other retirement system operated by or for a city,
19 county, or urban-county in Kentucky shall be deemed to have met the training
20 requirement.

21 (b) Current and retired peace officers of the following federal agencies shall be
22 deemed to have met the training requirement:

23 1. Any peace officer employed by a federal agency specified in KRS
24 61.365;

25 2. Any peace officer employed by a federal civilian law enforcement
26 agency not specified above who has successfully completed the basic
27 law enforcement training course required by that agency;

- 1 3. Any military peace officer of the United States Army, Navy, Marine
2 Corps, or Air Force, or a reserve component thereof, or of the Army
3 National Guard or Air National Guard who has successfully completed
4 the military law enforcement training course required by that branch of
5 the military;
- 6 4. Any member of the United States Coast Guard serving in a peace officer
7 role who has successfully completed the law enforcement training
8 course specified by the United States Coast Guard.
- 9 (c) Corrections officers who are currently employed by a consolidated local
10 government, an urban-county government, or the Department of Corrections
11 who have successfully completed a basic firearms training course required for
12 their employment, and corrections officers who were formerly employed by a
13 consolidated local government, an urban-county government, or the
14 Department of Corrections who are retired, and who successfully completed a
15 basic firearms training course required for their employment, and are
16 members of a state-administered retirement system or other retirement system
17 operated by or for a city, county, or urban-county government in Kentucky
18 shall be deemed to have met the training requirement.
- 19 (d) Active or honorably discharged service members in the United States Army,
20 Navy, Marine Corps, Air Force, or Coast Guard, or a reserve component
21 thereof, or of the Army National Guard or Air National Guard shall be
22 deemed to have met the training requirement if these persons:
- 23 1. Successfully completed handgun training which was conducted by the
24 United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or
25 a reserve component thereof, or of the Army National Guard or Air
26 National Guard; or
- 27 2. Successfully completed handgun qualification within the United States

- 1 Army, Navy, Marine Corps, Air Force, or Coast Guard, or a reserve
2 component thereof, or of the Army Guard or Air Force National Guard.
- 3 (7) (a) 1. A paper application for a license, or renewal of a license, to carry a
4 concealed deadly weapon shall be obtained from and submitted to the
5 office of the sheriff in the county in which the person resides.
- 6 2. An applicant, in lieu of a paper application, may submit an electronic
7 application for a license, or renewal of a license, to carry a concealed
8 deadly weapon to the Department of Kentucky State Police.
- 9 3. Persons qualifying under subsection (6)(d) of this section shall be
10 supplied the information in subsection (4)(i)4. of this section upon
11 obtaining an application.
- 12 (b) 1. The completed paper application and any documentation required by
13 this section plus an application fee or renewal fee, as appropriate, of
14 sixty dollars (\$60) shall be presented to the office of the sheriff of the
15 county in which the applicant resides.
- 16 2. The sheriff shall transmit the paper application and accompanying
17 material to the Department of Kentucky State Police within five (5)
18 working days.
- 19 3. Twenty dollars (\$20) of the paper application fee shall be retained by
20 the office of the sheriff for official expenses of the office. Twenty
21 dollars (\$20) shall be sent to the Department of Kentucky State Police
22 with the application. Ten dollars (\$10) shall be transmitted by the sheriff
23 to the Administrative Office of the Courts to fund background checks
24 for youth leaders, and ten dollars (\$10) shall be transmitted to the
25 Administrative Office of the Courts to fund background checks for
26 applicants for concealed weapons.
- 27 (c) 1. A completed electronic application submitted in lieu of a paper

- 1 application, any documentation required by this section, and an
2 application fee or renewal fee, as appropriate, of seventy dollars (\$70)
3 shall be presented to the Department of Kentucky State Police.
- 4 2. If an electronic application is submitted in lieu of a paper application,
5 thirty dollars (\$30) of the electronic application fee shall be retained by
6 the Department of Kentucky State Police. Twenty dollars (\$20) shall be
7 sent to the office of the sheriff of the applicant's county of residence for
8 official expenses of the office. Ten dollars (\$10) shall be transmitted to
9 the Administrative Office of the Courts to fund background checks for
10 youth leaders, and ten dollars (\$10) shall be transmitted to the
11 Administrative Office of the Courts to fund background checks for
12 applicants for concealed weapon carry permits.
- 13 (d) A full-time or part-time peace officer who is currently certified as a peace
14 officer by the Kentucky Law Enforcement Council and who is authorized by
15 his or her employer or government authority to carry a concealed deadly
16 weapon at all times and all locations within the Commonwealth pursuant to
17 KRS 527.020, or a retired peace officer who is a member of the Kentucky
18 Employees Retirement System, State Police Retirement System, County
19 Employees Retirement System, or other retirement system operated by or for
20 a city, county, or urban-county government in Kentucky, shall be exempt
21 from paying the paper or electronic application or renewal fees.
- 22 (e) The application, whether paper or electronic, shall be completed, under oath,
23 on a form or in a manner promulgated by the Department of Kentucky State
24 Police by administrative regulation which shall include:
- 25 1. a. The name, address, place and date of birth, citizenship, gender,
26 Social Security number of the applicant; and
27 b. If not a citizen of the United States, alien registration number if

- 1 applicable, passport number, visa number, mother's maiden name,
2 and other information necessary to determine the immigration
3 status and eligibility to purchase a firearm under federal law of a
4 person who is not a citizen of the United States;
- 5 2. A statement that, to the best of his or her knowledge, the applicant is in
6 compliance with criteria contained within subsections (3) and (4) of this
7 section;
- 8 3. A statement that the applicant, if qualifying under subsection (6)(c) of
9 this section, has provided:
- 10 a. At least one (1) of the forms listed in subsection (5) of this section;
11 or
- 12 b. i. Documentary evidence of an honorable discharge; and
13 ii. A notarized affidavit on a form provided by the Department
14 of Kentucky State Police stating the person has met the
15 training requirements of subsection (6)(c) of this section;
- 16 4. A statement that the applicant has been furnished a copy of this section
17 and is knowledgeable about its provisions;
- 18 5. A statement that the applicant has been furnished a copy of, has read,
19 and understands KRS Chapter 503 as it pertains to the use of deadly
20 force for self-defense in Kentucky; and
- 21 6. A conspicuous warning that the application is executed under oath and
22 that a materially false answer to any question, or the submission of any
23 materially false document by the applicant, subjects the applicant to
24 criminal prosecution under KRS 523.030.
- 25 (8) The applicant shall submit to the sheriff of the applicant's county of residence or
26 county of military posting if submitting a paper application, or to the Department of
27 Kentucky State Police if submitting an electronic application:

- 1 (a) A completed application as described in subsection (7) of this section;
- 2 (b) A recent color photograph of the applicant, as prescribed by administrative
3 regulation;
- 4 (c) A paper or electronic certificate or an affidavit or document as described in
5 subsection (5) of this section;
- 6 (d) A paper or electronic document establishing the training exemption as
7 described in subsection (6) of this section; and
- 8 (e) For an applicant who is not a citizen of the United States and has been
9 lawfully admitted to the United States by the United States government or an
10 agency thereof, an affidavit as prescribed by administrative regulation
11 concerning his or her immigration status and his or her United States
12 government issued:
- 13 1. Permanent Resident Card I-551 or its equivalent successor
14 identification;
 - 15 2. Other United States government issued evidence of lawful admission to
16 the United States which includes the category of admission, if admission
17 has not been granted as a permanent resident; and
 - 18 3. Evidence of compliance with the provisions of 18 U.S.C. sec. 922(g)(5),
19 18 U.S.C. sec. 922(d)(5), or 18 U.S.C. sec. 922(y)(2), and 27 C.F.R. Part
20 178, including, as appropriate, but not limited to evidence of ninety (90)
21 day residence in the Commonwealth, a valid current Kentucky hunting
22 license if claiming exemption as a hunter, or other evidence of eligibility
23 to purchase a firearm by an alien which is required by federal law or
24 regulation.

25 If an applicant presents identification specified in this paragraph, the sheriff
26 shall examine the identification, may record information from the
27 identification presented, and shall return the identification to the applicant.

- 1 (9) The Department of Kentucky State Police shall, within sixty (60) days after the date
2 of receipt of the items listed in subsection (8) of this section if the applicant
3 submitted a paper application, or within fifteen (15) business days after the date of
4 receipt of the items listed in subsection (8) of this section if the applicant applied
5 electronically, either:
- 6 (a) Issue the license; or
 - 7 (b) Deny the application based solely on the grounds that the applicant fails to
8 qualify under the criteria listed in subsection (3) or (4) of this section. If the
9 Department of Kentucky State Police denies the application, it shall notify the
10 applicant in writing, stating the grounds for denial and informing the applicant
11 of a right to submit, within thirty (30) days, any additional documentation
12 relating to the grounds of denial. Upon receiving any additional
13 documentation, the Department of Kentucky State Police shall reconsider its
14 decision and inform the applicant within twenty (20) days of the result of the
15 reconsideration. The applicant shall further be informed of the right to seek de
16 novo review of the denial in the District Court of his or her place of residence
17 within ninety (90) days from the date of the letter advising the applicant of the
18 denial.
- 19 (10) The Department of Kentucky State Police shall maintain an automated listing of
20 license holders and pertinent information, and this information shall be available
21 upon request, at all times to all Kentucky, federal, and other states' law enforcement
22 agencies. A request for the entire list of licensees, or for all licensees in a
23 geographic area, shall be denied. Only requests relating to a named licensee shall be
24 honored or available to law enforcement agencies. Information on applications for
25 licenses, names and addresses, or other identifying information relating to license
26 holders shall be confidential and shall not be made available except to law
27 enforcement agencies. No request for lists of local or statewide permit holders shall

1 be made to any state or local law enforcement agency, peace officer, or other
2 agency of government other than the Department of Kentucky State Police, and no
3 state or local law enforcement agency, peace officer, or agency of government,
4 other than the Department of Kentucky State Police, shall provide any information
5 to any requester not entitled to it by law.

6 (11) Within thirty (30) days after the changing of a permanent address, or within thirty
7 (30) days after the loss, theft, or destruction of a license, the licensee shall notify
8 the Department of Kentucky State Police of the loss, theft, or destruction. Failure to
9 notify the Department of Kentucky State Police shall constitute a noncriminal
10 violation with a penalty of twenty-five dollars (\$25) payable to the clerk of the
11 District Court. No court costs shall be assessed for a violation of this subsection.
12 When a licensee makes application to change his or her residence address or other
13 information on the license, neither the sheriff nor the Department of Kentucky State
14 Police shall require a surrender of the license until a new license is in the office of
15 the applicable sheriff and available for issuance. Upon the issuance of a new
16 license, the old license shall be destroyed by the sheriff.

17 (12) If a license is lost, stolen, or destroyed, the license shall be automatically invalid,
18 and the person to whom the same was issued may, upon payment of fifteen dollars
19 (\$15) for a paper request, or twenty-five dollars (\$25) for an electronic request
20 submitted in lieu of a paper request, to the Department of Kentucky State Police,
21 obtain a duplicate, upon furnishing a notarized statement to the Department of
22 Kentucky State Police that the license has been lost, stolen, or destroyed.

23 (13) (a) The commissioner of the Department of Kentucky State Police, or his or her
24 designee in writing, shall revoke the license of any person who becomes
25 permanently ineligible to be issued a license or have a license renewed under
26 the criteria set forth in this section.

27 (b) The commissioner of the Department of Kentucky State Police, or his or her

- 1 designee in writing, shall suspend the license of any person who becomes
2 temporarily ineligible to be issued a license or have a license renewed under
3 the criteria set forth in this section. The license shall remain suspended until
4 the person is again eligible for the issuance or renewal of a license.
- 5 (c) Upon the suspension or revocation of a license, the commissioner of the
6 Department of Kentucky State Police, or his or her designee in writing, shall:
- 7 1. Order any peace officer to seize the license from the person whose
8 license was suspended or revoked; or
- 9 2. Direct the person whose license was suspended or revoked to surrender
10 the license to the sheriff of the person's county of residence within two
11 (2) business days of the receipt of the notice.
- 12 (d) If the person whose license was suspended or revoked desires a hearing on the
13 matter, the person shall surrender the license as provided in paragraph (c)2. of
14 this subsection and petition the commissioner of the Department of Kentucky
15 State Police to hold a hearing on the issue of suspension or revocation of the
16 license.
- 17 (e) Upon receipt of the petition, the commissioner of the Department of Kentucky
18 State Police shall cause a hearing to be held in accordance with KRS Chapter
19 13B on the suspension or revocation of the license. If the license has not been
20 surrendered, no hearing shall be scheduled or held.
- 21 (f) If the hearing officer determines that the licensee's license was wrongly
22 suspended or revoked, the hearing officer shall order the commissioner of the
23 Department of Kentucky State Police to return the license and abrogate the
24 suspension or revocation of the license.
- 25 (g) Any party may appeal a decision pursuant to this subsection to the District
26 Court in the licensee's county of residence in the same manner as for the
27 denial of a license.

- 1 (h) If the license is not surrendered as ordered, the commissioner of the
2 Department of Kentucky State Police shall order a peace officer to seize the
3 license and deliver it to the commissioner.
- 4 (i) Failure to surrender a suspended or revoked license as ordered is a Class A
5 misdemeanor.
- 6 (j) The provisions of this subsection relating to surrender of a license shall not
7 apply if a court of competent jurisdiction has enjoined its surrender.
- 8 (k) When a domestic violence order or emergency protective order is issued
9 pursuant to the provisions of KRS Chapter 403 against a person holding a
10 license issued under this section, the holder of the permit shall surrender the
11 license to the court or to the officer serving the order. The officer to whom the
12 license is surrendered shall forthwith transmit the license to the court issuing
13 the order. The license shall be suspended until the order is terminated, or until
14 the judge who issued the order terminates the suspension prior to the
15 termination of the underlying domestic violence order or emergency
16 protective order, in writing and by return of the license, upon proper motion
17 by the license holder. Subject to the same conditions as above, a peace officer
18 against whom an emergency protective order or domestic violence order has
19 been issued shall not be permitted to carry a concealed deadly weapon when
20 not on duty, the provisions of KRS 527.020 to the contrary notwithstanding.
- 21 (14) (a) Not less than one hundred twenty (120) days prior to the expiration date of the
22 license, the Department of Kentucky State Police shall mail to each licensee a
23 written notice of the expiration and a renewal form prescribed by the
24 Department of Kentucky State Police. The outside of the envelope containing
25 the license renewal notice shall bear only the name and address of the
26 applicant. No other information relating to the applicant shall appear on the
27 outside of the envelope sent to the applicant. The licensee may renew his or

1 her license on or before the expiration date by filing with the sheriff of his or
2 her county of residence the paper renewal form, or by filing with the
3 Department of Kentucky State Police an electronic renewal form in lieu of a
4 paper renewal form, stating that the licensee remains qualified pursuant to the
5 criteria specified in subsections (3) and (4) of this section, and the required
6 renewal fee set forth in subsection (7) of this section. The sheriff shall issue to
7 the applicant a receipt for the paper application for renewal of the license and
8 shall date the receipt. The Department of Kentucky State Police shall issue to
9 the applicant a receipt for an electronic application for renewal of the license
10 submitted in lieu of a paper application for renewal and shall date the receipt.

11 (b) A license which has expired shall be void and shall not be valid for any
12 purpose other than surrender to the sheriff in exchange for a renewal license.

13 (c) The license shall be renewed to a qualified applicant upon receipt of the
14 completed renewal application, records check as specified in subsection (3) of
15 this section, determination that the renewal applicant is not ineligible for a
16 license as specified in subsection (4), and appropriate payment of fees. Upon
17 the issuance of a new license, the old license shall be destroyed by the sheriff.
18 A licensee who fails to file a renewal application on or before its expiration
19 date may renew his or her license by paying, in addition to the license fees, a
20 late fee of fifteen dollars (\$15). No license shall be renewed six (6) months or
21 more after its expiration date, and the license shall be deemed to be
22 permanently expired six (6) months after its expiration date. A person whose
23 license has permanently expired may reapply for licensure pursuant to
24 subsections (7), (8), and (9) of this section.

25 (15) The licensee shall carry the license at all times the licensee is carrying a concealed
26 firearm or other deadly weapon and shall display the license upon request of a law
27 enforcement officer. Violation of the provisions of this subsection shall constitute a

1 noncriminal violation with a penalty of twenty-five dollars (\$25), payable to the
 2 clerk of the District Court, but no court costs shall be assessed.

3 (16) Except as provided in KRS 527.020, no license issued pursuant to this section shall
 4 authorize any person to carry a concealed firearm into:

5 (a) Any police station or sheriff's office;

6 (b) Any detention facility, prison, or jail;

7 (c) Any ~~courthouse, solely occupied by the~~ Court of Justice courtroom~~,]~~ or
 8 court proceeding;

9 (d) ~~[Any meeting of the governing body of a county, municipality, or special
 10 district; or any meeting of the General Assembly or a committee of the
 11 General Assembly, except that nothing in this section shall preclude a
 12 member of the body, holding a concealed deadly weapon license, from
 13 carrying a concealed deadly weapon at a meeting of the body of which he or
 14 she is a member;~~

15 (e)~~—~~Any portion of an establishment licensed to dispense beer or alcoholic
 16 beverages for consumption on the premises, which portion of the
 17 establishment is primarily devoted to that purpose;

18 ~~(e)~~~~(f)~~ ~~[Any elementary or secondary school facility without the consent of
 19 school authorities as provided in KRS 527.070,]Any child-caring facility as
 20 defined in KRS 199.011, any child~~[day]~~ care center as defined in KRS
 21 199.894, or any certified family child-care home as defined in KRS
 22 199.894~~[199.8982]~~, except however, any owner of a certified child-care home
 23 may carry a concealed firearm into the owner's residence used as a certified
 24 child-care home;~~

25 ~~(f)~~~~(g)~~ An area of an airport to which access is controlled by the inspection of
 26 persons and property; or

27 ~~(g)~~~~(h)~~ Any place where the carrying of weapons~~[firearms]~~ is prohibited by

1 federal law.

2 (17) The owner, business or commercial lessee, or manager of a private business
3 enterprise~~[, day care center as defined in KRS 199.894 or certified or licensed~~
4 ~~family child care home as defined in KRS 199.8982,]~~ or a health-care facility
5 licensed under KRS Chapter 216B, except facilities renting or leasing housing, may
6 prohibit persons holding concealed deadly weapon licenses from carrying
7 concealed deadly weapons on the premises and may prohibit employees, not
8 authorized by the employer, holding concealed deadly weapons licenses from
9 carrying concealed deadly weapons on the property of the employer. If the building
10 or the premises are open to the public, the employer or business enterprise shall
11 post ***conspicuous*** signs ***at each public entrance to***~~[on or about]~~ the premises if
12 carrying concealed weapons is prohibited. Possession of weapons, or ammunition,
13 or both in a vehicle on the premises shall not be a criminal offense so long as the
14 weapons, or ammunition, or both are not removed from the vehicle or brandished
15 while the vehicle is on the premises. A private but not a public employer may
16 prohibit employees or other persons holding a concealed deadly weapons license
17 from carrying concealed deadly weapons, or ammunition, or both in vehicles owned
18 by the employer, but may not prohibit employees or other persons holding a
19 concealed deadly weapons license from carrying concealed deadly weapons, or
20 ammunition, or both in vehicles owned by the employee, except that the Justice and
21 Public Safety Cabinet may prohibit an employee from carrying any weapons, or
22 ammunition, or both other than the weapons, or ammunition, or both issued or
23 authorized to be used by the employee of the cabinet, in a vehicle while
24 transporting persons under the employee's supervision or jurisdiction. Carrying of a
25 concealed weapon, or ammunition, or both in a location specified in this subsection
26 by a license holder shall not be a criminal act but may subject the person to denial
27 from the premises or removal from the premises, and, if an employee of an

1 employer, disciplinary measures by the employer.

2 (18) All moneys collected by the Department of Kentucky State Police pursuant to this
3 section shall be used to administer the provisions of this section and KRS 237.138
4 to 237.142. By March 1 of each year, the Department of Kentucky State Police and
5 the Administrative Office of the Courts shall submit reports to the Governor, the
6 President of the Senate, and the Speaker of the House of Representatives, indicating
7 the amounts of money collected and the expenditures related to this section, KRS
8 237.138 to 237.142, and KRS 237.115, 244.125, 527.020, and 527.070, and the
9 administration of the provisions of this section, KRS 237.138 to 237.142, and KRS
10 237.115, 244.125, 527.020, and 527.070.

11 (19) The General Assembly finds as a matter of public policy that it is necessary to
12 provide statewide uniform standards for issuing licenses to carry concealed firearms
13 and to occupy the field of regulation of the bearing of concealed firearms to ensure
14 that no person who qualifies under the provisions of this section is denied his rights.
15 The General Assembly does not delegate to the Department of Kentucky State
16 Police the authority to regulate or restrict the issuing of licenses provided for in this
17 section beyond those provisions contained in this section. This section shall be
18 liberally construed to carry out the constitutional right to bear arms for self-defense.

19 (20) (a) A person who is not a resident of Kentucky and who has a valid license issued
20 by another state of the United States to carry a concealed deadly weapon in
21 that state may, subject to provisions of Kentucky law, carry a concealed
22 deadly weapon in Kentucky, and his or her license shall be considered as
23 valid in Kentucky.

24 (b) If a person with a valid license to carry a concealed deadly weapon issued
25 from another state that has entered into a reciprocity agreement with the
26 Department of Kentucky State Police becomes a resident of Kentucky, the
27 license issued by the other state shall be considered as valid for the first one

1 hundred twenty (120) days of the person's residence in Kentucky, if within
2 sixty (60) days of moving to Kentucky, the person completes a form
3 promulgated by the Department of Kentucky State Police which shall include:

4 1. A signed and notarized statement averring that to the best of his or her
5 knowledge the person's license to carry a concealed deadly weapon is
6 valid and in compliance with applicable out-of-state law, and has not
7 been revoked or suspended for any reason except for valid forfeiture due
8 to departure from the issuing state;

9 2. The person's name, date of birth, citizenship, gender, Social Security
10 number if applicable, proof that he or she is a citizen of the United
11 States, a permanent resident of the United States, or otherwise lawfully
12 present in the United States, former out-of-state address, current address
13 within the state of Kentucky, date on which Kentucky residence began,
14 state which issued the concealed carry license, the issuing state's
15 concealed carry license number, and the state of issuance of license; and

16 3. A photocopy of the person's out-of-state license to carry a concealed
17 deadly weapon.

18 (c) Within sixty (60) days of moving to Kentucky, the person shall deliver the
19 form and accompanying documents by registered or certified mail, return
20 receipt requested, to the address indicated on the form provided by the
21 Department of Kentucky State Police pursuant to this subsection.

22 (d) The out-of-state concealed carry license shall become invalid in Kentucky
23 upon the earlier of:

24 1. The out-of-state person having resided in Kentucky for more than one
25 hundred twenty (120) days; or

26 2. The person being issued a Kentucky concealed deadly weapon license
27 pursuant to this section.

1 (e) The Department of Kentucky State Police shall, not later than thirty (30) days
2 after July 15, 1998, and not less than once every twelve (12) months
3 thereafter, make written inquiry of the concealed deadly weapon carrying
4 licensing authorities in each other state as to whether a Kentucky resident may
5 carry a concealed deadly weapon in their state based upon having a valid
6 Kentucky concealed deadly weapon license, or whether a Kentucky resident
7 may apply for a concealed deadly weapon carrying license in that state based
8 upon having a valid Kentucky concealed deadly weapon license. The
9 Department of Kentucky State Police shall attempt to secure from each other
10 state permission for Kentucky residents who hold a valid Kentucky concealed
11 deadly weapon license to carry concealed deadly weapons in that state, either
12 on the basis of the Kentucky license or on the basis that the Kentucky license
13 is sufficient to permit the issuance of a similar license by the other state. The
14 Department of Kentucky State Police shall enter into a written reciprocity
15 agreement with the appropriate agency in each state that agrees to permit
16 Kentucky residents to carry concealed deadly weapons in the other state on
17 the basis of a Kentucky-issued concealed deadly weapon license or that will
18 issue a license to carry concealed deadly weapons in the other state based
19 upon a Kentucky concealed deadly weapon license. If a reciprocity agreement
20 is reached, the requirement to recontact the other state each twelve (12)
21 months shall be eliminated as long as the reciprocity agreement is in force.
22 The information shall be a public record and shall be available to individual
23 requesters free of charge for the first copy and at the normal rate for open
24 records requests for additional copies.

25 (21) By March 1 of each year, the Department of Kentucky State Police shall submit a
26 statistical report to the Governor, the President of the Senate, and the Speaker of the
27 House of Representatives, indicating the number of licenses issued, revoked,

1 suspended, and denied since the previous report and in total and also the number of
2 licenses currently valid. The report shall also include the number of arrests,
3 convictions, and types of crimes committed since the previous report by individuals
4 licensed to carry concealed weapons.

5 (22) The following provisions shall apply to concealed deadly weapon training classes
6 conducted by the Department of Criminal Justice Training or any other agency
7 pursuant to this section:

8 (a) No concealed deadly weapon instructor trainer shall have his or her
9 certification as a concealed deadly weapon instructor trainer reduced to that of
10 instructor or revoked except after a hearing conducted pursuant to KRS
11 Chapter 13B in which the instructor is found to have committed an act in
12 violation of the applicable statutes or administrative regulations;

13 (b) No concealed deadly weapon instructor shall have his or her certification as a
14 concealed deadly weapon instructor license suspended or revoked except after
15 a hearing conducted pursuant to KRS Chapter 13B in which the instructor is
16 found to have committed an act in violation of the applicable statutes or
17 administrative regulations;

18 (c) The department shall not require prior notification that an applicant class or
19 instructor class will be conducted by a certified instructor or instructor trainer;

20 (d) Each concealed deadly weapon instructor or instructor trainer who teaches a
21 concealed deadly weapon applicant or concealed deadly weapon instructor
22 class shall supply the Department of Criminal Justice Training with a class
23 roster indicating which students enrolled and successfully completed the
24 class, and which contains the name and address of each student, within five
25 (5) working days of the completion of the class. The information may be sent
26 by mail, facsimile, e-mail, or other method which will result in the receipt of
27 or production of a hard copy of the information. The postmark, facsimile date,

- 1 or e-mail date shall be considered as the date on which the notice was sent.
2 Concealed deadly weapon class applicant, instructor, and instructor trainer
3 information and records shall be confidential. The department may release to
4 any person or organization the name, address, and telephone number of a
5 concealed deadly weapon instructor or instructor trainer if that instructor or
6 instructor trainer authorizes the release of the information in writing. The
7 department shall include on any application for an instructor or instructor
8 trainer certification a statement that the applicant either does or does not
9 desire the applicant's name, address, and telephone number to be made public;
- 10 (e) An instructor trainer who assists in the conduct of a concealed deadly weapon
11 instructor class or concealed deadly weapon applicant class for more than two
12 (2) hours shall be considered as to have taught a class for the purpose of
13 maintaining his or her certification. All class record forms shall include
14 spaces for assistant instructors to sign and certify that they have assisted in the
15 conduct of a concealed deadly weapon instructor or concealed deadly weapon
16 class;
- 17 (f) An instructor who assists in the conduct of a concealed deadly weapon
18 applicant class for more than two (2) hours shall be considered as to have
19 taught a class for the purpose of maintaining his or her license. All class
20 record forms shall include spaces for assistant instructors to sign and certify
21 that they have assisted in the conduct of a concealed deadly weapon class;
- 22 (g) If the Department of Criminal Justice Training believes that a firearms
23 instructor trainer or certified firearms instructor has not in fact complied with
24 the requirements for teaching a certified firearms instructor or applicant class
25 by not teaching the class as specified in KRS 237.126, or who has taught an
26 insufficient class as specified in KRS 237.128, the department shall send to
27 each person who has been listed as successfully completing the concealed

1 deadly weapon applicant class or concealed deadly weapon instructor class a
2 verification form on which the time, date, date of range firing if different from
3 the date on which the class was conducted, location, and instructor of the
4 class is listed by the department and which requires the person to answer
5 "yes" or "no" to specific questions regarding the conduct of the training class.
6 The form shall be completed under oath and shall be returned to the
7 Department of Criminal Justice Training not later than forty-five (45) days
8 after its receipt. A person who fails to complete the form, to sign the form, or
9 to return the form to the Department of Criminal Justice Training within the
10 time frame specified in this section or who, as a result of information on the
11 returned form, is determined by the Department of Criminal Justice Training,
12 following a hearing pursuant to KRS Chapter 13B, to not have received the
13 training required by law shall have his or her concealed deadly weapon
14 license revoked by the Department of Kentucky State Police, following a
15 hearing conducted by the Department of Criminal Justice Training pursuant to
16 KRS Chapter 13B, at which hearing the person is found to have violated the
17 provisions of this section or who has been found not to have received the
18 training required by law;

19 (h) The department shall annually, not later than December 31 of each year,
20 report to the Legislative Research Commission:

- 21 1. The number of firearms instructor trainers and certified firearms
22 instructors whose certifications were suspended, revoked, denied, or
23 who were otherwise disciplined;
- 24 2. The reasons for the imposition of suspensions, revocations, denials, or
25 other discipline; and
- 26 3. Suggestions for improvement of the concealed deadly weapon applicant
27 training program and instructor process;

- 1 (i) If a concealed deadly weapon license holder is convicted of, pleads guilty to,
2 or enters an Alford plea to a felony offense, then his or her concealed deadly
3 weapon license shall be forthwith revoked by the Department of Kentucky
4 State Police as a matter of law;
- 5 (j) If a concealed deadly weapon instructor or instructor trainer is convicted of,
6 pleads guilty to, or enters an Alford plea to a felony offense, then his or her
7 concealed deadly weapon instructor certification or concealed deadly weapon
8 instructor trainer certification shall be revoked by the Department of Criminal
9 Justice Training as a matter of law; and
- 10 (k) The following shall be in effect:
- 11 1. Action to eliminate the firearms instructor trainer program is prohibited.
12 The program shall remain in effect, and no firearms instructor trainer
13 shall have his or her certification reduced to that of certified firearms
14 instructor;
- 15 2. The Department of Kentucky State Police shall revoke the concealed
16 deadly weapon license of any person who received no firearms training
17 as required by KRS 237.126 and administrative regulations, or who
18 received insufficient training as required by KRS 237.128 and
19 administrative regulations, if the person voluntarily admits nonreceipt of
20 training or admits receipt of insufficient training, or if either nonreceipt
21 of training or receipt of insufficient training is proven following a
22 hearing conducted by the Department of Criminal Justice Training
23 pursuant to KRS Chapter 13B.