

1 AN ACT relating to concealed deadly weapons.

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

3 ➔Section 1. KRS 527.070 is amended to read as follows:

4 (1) A person is guilty of unlawful possession of a weapon on school property when he

5 ***or she*** knowingly deposits, possesses, or carries, whether openly or concealed, for

6 purposes other than instructional or school-sanctioned ceremonial purposes, or the

7 purposes permitted in subsection (3) of this section, any firearm or other deadly

8 weapon, destructive device, or booby trap device in any public or private school

9 building or bus, on any public or private school campus, grounds, recreation area,

10 athletic field, or any other property owned, used, or operated by any board of

11 education, school, board of trustees, regents, or directors for the ***purpose of***

12 ***educational or related activity where students are present***~~[administration of any~~

13 ~~public or private educational institution]~~. The provisions of this section shall not

14 apply to institutions of postsecondary or higher education.

15 (2) ***Subsection (1) of this section only applies when the entrances to such buildings***

16 ***or property prominently display***~~[Each chief administrator of a public or private~~

17 ~~school shall display about the school in prominent locations, including, but not~~

18 ~~limited to, sports arenas, gymnasiums, stadiums, and cafeterias,]~~ a sign at least six

19 (6) inches high and fourteen (14) inches wide stating:

20 UNLAWFUL POSSESSION OF A WEAPON ON SCHOOL

21 PROPERTY IN KENTUCKY IS A FELONY PUNISHABLE

22 BY A MAXIMUM OF FIVE (5) YEARS IN PRISON AND A

23 TEN THOUSAND DOLLAR (\$10,000) FINE.

24 ~~[Failure to post the sign shall not relieve any person of liability under this section.]~~

25 (3) The provisions of this section prohibiting the unlawful possession of a weapon on

26 school property shall not apply to:

27 (a) An adult who is not a pupil of any secondary school and who possesses a

- 1 firearm, if the firearm is contained within a vehicle operated by the adult and
2 is not removed from the vehicle, except for a purpose permitted herein, or
3 brandished by the adult, or by any other person acting with expressed or
4 implied consent of the adult, while the vehicle is on school property;
- 5 (b) Any pupils who are members of the reserve officers training corps or pupils
6 enrolled in a course of instruction or members of a school club or team, to the
7 extent they are required to carry arms or weapons in the discharge of their
8 official class or team duties;
- 9 (c) Any peace officer or police officer authorized to carry a concealed weapon
10 pursuant to KRS 527.020;
- 11 (d) Persons employed by the Armed Forces of the United States or members of
12 the National Guard or militia when required in the discharge of their official
13 duties to carry arms or weapons;
- 14 (e) Civil officers of the United States in the discharge of their official duties.
15 Nothing in this section shall be construed as to allow any person to carry a
16 concealed weapon into a public or private elementary or secondary school
17 building;
- 18 (f) Any other persons, including, but not limited to, exhibitors of historical
19 displays, who have been authorized to carry a firearm by the board of
20 education or board of trustees of the public or private institution;
- 21 (g) A person hunting during the lawful hunting season on lands owned by any
22 public or private educational institution and designated as open to hunting by
23 the board of education or board of trustees of the educational institution;
- 24 (h) A person possessing unloaded hunting weapons while traversing the grounds
25 of any public or private educational institution for the purpose of gaining
26 access to public or private lands open to hunting with the intent to hunt on the
27 public or private lands, unless the lands of the educational institution are

1 posted prohibiting the entry; or

2 (i) A person possessing guns or knives when conducting or attending a "gun and
3 knife show" when the program has been approved by the board of education
4 or board of trustees of the educational institution.

5 (4) Unlawful possession of a weapon on school property is a Class D felony.

6 ➔Section 2. KRS 150.172 is amended to read as follows:

7 (1) Any person who is not prohibited by state or federal law from possessing a firearm
8 may carry a firearm and ammunition for that firearm for purposes of self-defense
9 and defense of others while hunting, fishing, trapping, or engaging in any other
10 activity not constituting a crime under KRS Chapter 218A or Chapters 500 to 534,
11 and may do so on any public lands under the control of the department and on any
12 private land under the control of the department, unless the owner of the private
13 land has posted notice that concealed deadly weapons are not allowed in a building
14 where they may be prohibited pursuant to KRS 237.110~~[or 237.115]~~.

15 (2) (a) A person may use a firearm, if he or she is not prohibited by state or federal
16 law from possessing a firearm, or may use any other deadly weapon, at any
17 time and during any season to:

18 1. Kill or attempt to kill an animal, whether protected or unprotected, in
19 self-defense or defense of another person; or

20 2. Kill or attempt to kill an injured animal for humane purposes; and
21 in either event, reports the kill or attempted kill to a conservation officer
22 before midnight of the same day as the kill or attempted kill.

23 (b) An investigation by the department shall be authorized to substantiate and
24 provide evidence on whether the kill or attempted kill of the animal is in
25 violation of paragraph (a) of this subsection or if the animal presents a threat
26 to public health and safety. If no violation is shown to exist, and if there is no
27 threat to public health and safety, then the animal or parts thereof shall:

- 1 1. Remain the property and in the possession of the person taking the
2 animal; or
- 3 2. If the animal or parts thereof were surrendered to the department, be
4 immediately returned to the person.
- 5 (c) An arrest shall not be made, except upon a warrant issued by a judge of a
6 court of competent jurisdiction, and a citation shall not be issued by a peace
7 officer if an animal is killed under circumstances described in paragraph (a) of
8 this subsection.
- 9 (d) A citation may be issued by a peace officer who witnesses the killing of an
10 animal in violation of a statute or federal regulation under circumstances
11 different from those described in paragraph (a) of this subsection.
- 12 (e) An arrest warrant or a summons may be issued by a judge of a court of
13 competent jurisdiction, upon application of the appropriate county attorney, if
14 the court believes that there is sufficient cause to doubt the claim that the
15 animal was killed under circumstances described in paragraph (a) of this
16 subsection.
- 17 (3) In cases where an animal is killed and there is a claim that the animal was killed
18 under circumstances described in paragraph (a) of subsection (2) of this section, the
19 department shall provide competent evidence as to how the animal was killed and
20 the circumstances surrounding the event.
- 21 (4) The department shall not promulgate administrative regulations restricting any right
22 provided by this section or the spirit thereof.
- 23 (5) This section shall not apply to the killing, wounding, or other prohibited act relating
24 to specific wildlife which are protected by the federal Endangered Species Act, 16
25 U.S.C. secs. 1531 to 1544; federal Migratory Bird Treaty Act, 16 U.S.C. secs. 703
26 to 712; or federal Bald and Golden Eagle Protection Act, 16 U.S.C. secs. 668 to
27 668d.

1 (6) The principles contained in KRS Chapter 503 relating to the use of force and deadly
2 force against human beings shall apply to acts where wildlife is involved.

3 ➔Section 3. KRS 237.110 is amended to read as follows:

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

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

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

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

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

17 (d) Authorize the holder of the license to carry ammunition for a firearm on or
18 about his or her person.

19 (3) Prior to the issuance of an original or renewal license to carry a concealed deadly
20 weapon, the Department of Kentucky State Police, upon receipt of a completed
21 application, applicable fees, and any documentation required by this section or
22 administrative regulation promulgated by the Department of Kentucky State Police,
23 shall conduct a background check to ascertain whether the applicant is eligible
24 under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law
25 to purchase, receive, or possess a firearm or ammunition, or both. The background
26 check shall include:

27 (a) A state records check covering the items specified in this subsection, together

- 1 with any other requirements of this section;
- 2 (b) A federal records check, which shall include a National Instant Criminal
3 Background Check System (NICS) check;
- 4 (c) A federal Immigration Alien Query if the person is an alien who has been
5 lawfully admitted to the United States by the United States government or an
6 agency thereof; and
- 7 (d) In addition to the Immigration Alien Query, if the applicant has not been
8 lawfully admitted to the United States under permanent resident status, the
9 Department of Kentucky State Police shall, if a doubt exists relating to an
10 alien's eligibility to purchase a firearm, consult with the United States
11 Department of Homeland Security, United States Department of Justice,
12 United States Department of State, or other federal agency to confirm whether
13 the alien is eligible to purchase a firearm in the United States, bring a firearm
14 into the United States, or possess a firearm in the United States under federal
15 law.
- 16 (4) The Department of Kentucky State Police shall issue an original or renewal license
17 if the applicant:
- 18 (a) Is not prohibited from the purchase, receipt, or possession of firearms,
19 ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or
20 applicable federal or state law;
- 21 (b) 1. Is a citizen of the United States who is a resident of this Commonwealth;
22 2. Is a citizen of the United States who is a member of the Armed Forces of
23 the United States who is on active duty, who is at the time of application
24 assigned to a military posting in Kentucky;
- 25 3. Is lawfully admitted to the United States by the United States
26 government or an agency thereof, is permitted by federal law to purchase
27 a firearm, and is a resident of this Commonwealth; or

- 1 4. Is lawfully admitted to the United States by the United States
2 government or an agency thereof, is permitted by federal law to purchase
3 a firearm, is, at the time of the application, assigned to a military posting
4 in Kentucky, and has been assigned to a posting in the Commonwealth;
- 5 (c) Is twenty-one (21) years of age or older;
- 6 (d) Has not been committed to a state or federal facility for the abuse of a
7 controlled substance or been convicted of a misdemeanor violation of KRS
8 Chapter 218A or similar laws of any other state relating to controlled
9 substances, within a three (3) year period immediately preceding the date on
10 which the application is submitted;
- 11 (e) Does not chronically and habitually use alcoholic beverages as evidenced by
12 the applicant having two (2) or more convictions for violating KRS 189A.010
13 within the three (3) years immediately preceding the date on which the
14 application is submitted, or having been committed as an alcoholic pursuant to
15 KRS Chapter 222 or similar laws of another state within the three (3) year
16 period immediately preceding the date on which the application is submitted;
- 17 (f) Does not owe a child support arrearage which equals or exceeds the
18 cumulative amount which would be owed after one (1) year of nonpayment, if
19 the Department of Kentucky State Police has been notified of the arrearage by
20 the Cabinet for Health and Family Services;
- 21 (g) Has complied with any subpoena or warrant relating to child support or
22 paternity proceedings. If the Department of Kentucky State Police has not
23 been notified by the Cabinet for Health and Family Services that the applicant
24 has failed to meet this requirement, the Department of Kentucky State Police
25 shall assume that paternity and child support proceedings are not an issue;
- 26 (h) Has not been convicted of a violation of KRS 508.030 or 508.080 within the
27 three (3) years immediately preceding the date on which the application is

1 submitted. The commissioner of the Department of Kentucky State Police
2 may waive this requirement upon good cause shown and a determination that
3 the applicant is not a danger and that a waiver would not violate federal law;

4 (i) Demonstrates competence with a firearm by successful completion of a
5 firearms safety or training course that is conducted by a firearms instructor
6 who is certified by a national organization with membership open to residents
7 of any state or territory of the United States, which was created to promote
8 firearms education, safety, and the profession of firearms use and training, and
9 to foster professional behavior in its members. The organization shall require
10 members to adhere to its own code of ethics and conduct a program which
11 certifies firearms instructors and includes the use of written tests, in person
12 instruction, and a component of live-fire training. These national
13 organizations shall include but are not limited to the National Rifle
14 Association, the United States Concealed Carry Association, and the National
15 Shooting Sports Foundation. The training requirement may also be fulfilled
16 through any firearms safety course offered or approved by the Department of
17 Criminal Justice Training. The firearms safety course offered or approved by
18 the Department of Criminal Justice Training shall:

- 19 1. Be not more than eight (8) hours in length;
- 20 2. Include instruction on handguns, the safe use of handguns, the care and
21 cleaning of handguns, and handgun marksmanship principles;
- 22 3. Include actual range firing of a handgun in a safe manner, and the firing
23 of not more than twenty (20) rounds at a full-size silhouette target,
24 during which firing, not less than eleven (11) rounds must hit the
25 silhouette portion of the target; and
- 26 4. Include information on and a copy of laws relating to possession and
27 carrying of firearms, as set forth in KRS Chapters 237 and 527, and the

- 1 laws relating to the use of force, as set forth in KRS Chapter 503; and
- 2 (j) Demonstrates knowledge of the law regarding the justifiable use of force by
- 3 including with the application a copy of the concealed carry deadly weapons
- 4 legal handout made available by the Department of Criminal Justice Training
- 5 and a signed statement that indicates that applicant has read and understands
- 6 the handout.
- 7 (5) (a) A legible photocopy or electronic copy of a certificate of completion issued by
- 8 a firearms instructor certified by a national organization or the Department of
- 9 Criminal Justice Training shall constitute evidence of qualification under
- 10 subsection (4)(i) of this section.
- 11 (b) Persons qualifying under subsection (6)(d) of this section may submit with
- 12 their application:
- 13 1. At least one (1) of the following paper or electronic forms or their
- 14 successor forms showing evidence of handgun training or handgun
- 15 qualifications:
- 16 a. Department of Defense Form DD 2586;
- 17 b. Department of Defense Form DD 214;
- 18 c. Coast Guard Form CG 3029;
- 19 d. Department of the Army Form DA 88-R;
- 20 e. Department of the Army Form DA 5704-R;
- 21 f. Department of the Navy Form OPNAV 3591-1; or
- 22 g. Department of the Air Force Form AF 522; or
- 23 2. a. Documentary evidence of an honorable discharge; and
- 24 b. A notarized affidavit on a form provided by the Department of
- 25 Kentucky State Police, signed under penalty of perjury, stating the
- 26 person has met the training requirements of subsection (6)(d) of
- 27 this section.

- 1 (6) (a) Peace officers who are currently certified as peace officers by the Kentucky
2 Law Enforcement Council pursuant to KRS 15.380 to 15.404 and peace
3 officers who are retired and are members of the Kentucky Employees
4 Retirement System, State Police Retirement System, or County Employees
5 Retirement System or other retirement system operated by or for a city,
6 county, or urban-county in Kentucky shall be deemed to have met the training
7 requirement.
- 8 (b) Current and retired peace officers of the following federal agencies shall be
9 deemed to have met the training requirement:
- 10 1. Any peace officer employed by a federal agency specified in KRS
11 61.365;
 - 12 2. Any peace officer employed by a federal civilian law enforcement
13 agency not specified above who has successfully completed the basic
14 law enforcement training course required by that agency;
 - 15 3. Any military peace officer of the United States Army, Navy, Marine
16 Corps, or Air Force, or a reserve component thereof, or of the Army
17 National Guard or Air National Guard who has successfully completed
18 the military law enforcement training course required by that branch of
19 the military;
 - 20 4. Any member of the United States Coast Guard serving in a peace officer
21 role who has successfully completed the law enforcement training
22 course specified by the United States Coast Guard.
- 23 (c) Corrections officers who are currently employed by a consolidated local
24 government, an urban-county government, or the Department of Corrections
25 who have successfully completed a basic firearms training course required for
26 their employment, and corrections officers who were formerly employed by a
27 consolidated local government, an urban-county government, or the

1 Department of Corrections who are retired, and who successfully completed a
2 basic firearms training course required for their employment, and are members
3 of a state-administered retirement system or other retirement system operated
4 by or for a city, county, or urban-county government in Kentucky shall be
5 deemed to have met the training requirement.

6 (d) Active or honorably discharged service members in the United States Army,
7 Navy, Marine Corps, Air Force, or Coast Guard, or a reserve component
8 thereof, or of the Army National Guard or Air National Guard shall be
9 deemed to have met the training requirement if these persons:

10 1. Successfully completed handgun training which was conducted by the
11 United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or
12 a reserve component thereof, or of the Army National Guard or Air
13 National Guard; or

14 2. Successfully completed handgun qualification within the United States
15 Army, Navy, Marine Corps, Air Force, or Coast Guard, or a reserve
16 component thereof, or of the Army Guard or Air Force National Guard.

17 (7) (a) 1. A paper application for a license, or renewal of a license, to carry a
18 concealed deadly weapon shall be obtained from and submitted to the
19 office of the sheriff in the county in which the person resides.

20 2. An applicant, in lieu of a paper application, may submit an electronic
21 application for a license, or renewal of a license, to carry a concealed
22 deadly weapon to the Department of Kentucky State Police.

23 3. Persons qualifying under subsection (6)(d) of this section shall be
24 supplied the information in subsection (4)(i)4. of this section upon
25 obtaining an application.

26 (b) 1. The completed paper application and any documentation required by this
27 section plus an application fee or renewal fee, as appropriate, of sixty

- 1 dollars (\$60) shall be presented to the office of the sheriff of the county
2 in which the applicant resides.
- 3 2. The sheriff shall transmit the paper application and accompanying
4 material to the Department of Kentucky State Police within five (5)
5 working days.
- 6 3. Twenty dollars (\$20) of the paper application fee shall be retained by the
7 office of the sheriff for official expenses of the office. Twenty dollars
8 (\$20) shall be sent to the Department of Kentucky State Police with the
9 application. Ten dollars (\$10) shall be transmitted by the sheriff to the
10 Administrative Office of the Courts to fund background checks for
11 youth leaders, and ten dollars (\$10) shall be transmitted to the
12 Administrative Office of the Courts to fund background checks for
13 applicants for concealed weapons.
- 14 (c) 1. A completed electronic application submitted in lieu of a paper
15 application, any documentation required by this section, and an
16 application fee or renewal fee, as appropriate, of seventy dollars (\$70)
17 shall be presented to the Department of Kentucky State Police.
- 18 2. If an electronic application is submitted in lieu of a paper application,
19 thirty dollars (\$30) of the electronic application fee shall be retained by
20 the Department of Kentucky State Police. Twenty dollars (\$20) shall be
21 sent to the office of the sheriff of the applicant's county of residence for
22 official expenses of the office. Ten dollars (\$10) shall be transmitted to
23 the Administrative Office of the Courts to fund background checks for
24 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 weapon carry permits.
- 27 (d) A full-time or part-time peace officer who is currently certified as a peace

1 officer by the Kentucky Law Enforcement Council and who is authorized by
2 his or her employer or government authority to carry a concealed deadly
3 weapon at all times and all locations within the Commonwealth pursuant to
4 KRS 527.020, or a retired peace officer who is a member of the Kentucky
5 Employees Retirement System, State Police Retirement System, County
6 Employees Retirement System, or other retirement system operated by or for a
7 city, county, or urban-county government in Kentucky, shall be exempt from
8 paying the paper or electronic application or renewal fees.

9 (e) The application, whether paper or electronic, shall be completed, under oath,
10 on a form or in a manner promulgated by the Department of Kentucky State
11 Police by administrative regulation which shall include:

- 12 1. a. The name, address, place and date of birth, citizenship, gender,
13 Social Security number of the applicant; and
- 14 b. If not a citizen of the United States, alien registration number if
15 applicable, passport number, visa number, mother's maiden name,
16 and other information necessary to determine the immigration
17 status and eligibility to purchase a firearm under federal law of a
18 person who is not a citizen of the United States;
- 19 2. A statement that, to the best of his or her knowledge, the applicant is in
20 compliance with criteria contained within subsections (3) and (4) of this
21 section;
- 22 3. A statement that the applicant, if qualifying under subsection (6)(c) of
23 this section, has provided:
 - 24 a. At least one (1) of the forms listed in subsection (5) of this section;
25 or
 - 26 b. i. Documentary evidence of an honorable discharge; and
27 ii. A notarized affidavit on a form provided by the Department

- 1 of Kentucky State Police stating the person has met the
2 training requirements of subsection (6)(c) of this section;
- 3 4. A statement that the applicant has been furnished a copy of this section
4 and is knowledgeable about its provisions;
- 5 5. A statement that the applicant has been furnished a copy of, has read,
6 and understands KRS Chapter 503 as it pertains to the use of deadly
7 force for self-defense in Kentucky; and
- 8 6. A conspicuous warning that the application is executed under oath and
9 that a materially false answer to any question, or the submission of any
10 materially false document by the applicant, subjects the applicant to
11 criminal prosecution under KRS 523.030.
- 12 (8) The applicant shall submit to the sheriff of the applicant's county of residence or
13 county of military posting if submitting a paper application, or to the Department of
14 Kentucky State Police if submitting an electronic application:
- 15 (a) A completed application as described in subsection (7) of this section;
- 16 (b) A recent color photograph of the applicant, as prescribed by administrative
17 regulation;
- 18 (c) A paper or electronic certificate or an affidavit or document as described in
19 subsection (5) of this section;
- 20 (d) A paper or electronic document establishing the training exemption as
21 described in subsection (6) of this section; and
- 22 (e) For an applicant who is not a citizen of the United States and has been
23 lawfully admitted to the United States by the United States government or an
24 agency thereof, an affidavit as prescribed by administrative regulation
25 concerning his or her immigration status and his or her United States
26 government issued:
- 27 1. Permanent Resident Card I-551 or its equivalent successor

- 1 identification;
- 2 2. Other United States government issued evidence of lawful admission to
- 3 the United States which includes the category of admission, if admission
- 4 has not been granted as a permanent resident; and
- 5 3. Evidence of compliance with the provisions of 18 U.S.C. sec. 922(g)(5),
- 6 18 U.S.C. sec. 922(d)(5), or 18 U.S.C. sec. 922(y)(2), and 27 C.F.R. Part
- 7 178, including, as appropriate, but not limited to evidence of ninety (90)
- 8 day residence in the Commonwealth, a valid current Kentucky hunting
- 9 license if claiming exemption as a hunter, or other evidence of eligibility
- 10 to purchase a firearm by an alien which is required by federal law or
- 11 regulation.

12 If an applicant presents identification specified in this paragraph, the sheriff

13 shall examine the identification, may record information from the

14 identification presented, and shall return the identification to the applicant.

15 (9) The Department of Kentucky State Police shall, within sixty (60) days after the date

16 of receipt of the items listed in subsection (8) of this section if the applicant

17 submitted a paper application, or within fifteen (15) business days after the date of

18 receipt of the items listed in subsection (8) of this section if the applicant applied

19 electronically, either:

- 20 (a) Issue the license; or
- 21 (b) Deny the application based solely on the grounds that the applicant fails to
- 22 qualify under the criteria listed in subsection (3) or (4) of this section. If the
- 23 Department of Kentucky State Police denies the application, it shall notify the
- 24 applicant in writing, stating the grounds for denial and informing the applicant
- 25 of a right to submit, within thirty (30) days, any additional documentation
- 26 relating to the grounds of denial. Upon receiving any additional
- 27 documentation, the Department of Kentucky State Police shall reconsider its

1 decision and inform the applicant within twenty (20) days of the result of the
2 reconsideration. The applicant shall further be informed of the right to seek de
3 novo review of the denial in the District Court of his or her place of residence
4 within ninety (90) days from the date of the letter advising the applicant of the
5 denial.

6 (10) The Department of Kentucky State Police shall maintain an automated listing of
7 license holders and pertinent information, and this information shall be available
8 upon request, at all times to all Kentucky, federal, and other states' law enforcement
9 agencies. A request for the entire list of licensees, or for all licensees in a
10 geographic area, shall be denied. Only requests relating to a named licensee shall be
11 honored or available to law enforcement agencies. Information on applications for
12 licenses, names and addresses, or other identifying information relating to license
13 holders shall be confidential and shall not be made available except to law
14 enforcement agencies. No request for lists of local or statewide permit holders shall
15 be made to any state or local law enforcement agency, peace officer, or other agency
16 of government other than the Department of Kentucky State Police, and no state or
17 local law enforcement agency, peace officer, or agency of government, other than
18 the Department of Kentucky State Police, shall provide any information to any
19 requester not entitled to it by law.

20 (11) Within thirty (30) days after the changing of a permanent address, or within thirty
21 (30) days after the loss, theft, or destruction of a license, the licensee shall notify the
22 Department of Kentucky State Police of the loss, theft, or destruction. Failure to
23 notify the Department of Kentucky State Police shall constitute a noncriminal
24 violation with a penalty of twenty-five dollars (\$25) payable to the clerk of the
25 District Court. No court costs shall be assessed for a violation of this subsection.
26 When a licensee makes application to change his or her residence address or other
27 information on the license, neither the sheriff nor the Department of Kentucky State

1 Police shall require a surrender of the license until a new license is in the office of
2 the applicable sheriff and available for issuance. Upon the issuance of a new
3 license, the old license shall be destroyed by the sheriff.

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

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

14 (b) The commissioner of the Department of Kentucky State Police, or his or her
15 designee in writing, shall suspend the license of any person who becomes
16 temporarily ineligible to be issued a license or have a license renewed under
17 the criteria set forth in this section. The license shall remain suspended until
18 the person is again eligible for the issuance or renewal of a license.

19 (c) Upon the suspension or revocation of a license, the commissioner of the
20 Department of Kentucky State Police, or his or her designee in writing, shall:

21 1. Order any peace officer to seize the license from the person whose
22 license was suspended or revoked; or

23 2. Direct the person whose license was suspended or revoked to surrender
24 the license to the sheriff of the person's county of residence within two
25 (2) business days of the receipt of the notice.

26 (d) If the person whose license was suspended or revoked desires a hearing on the
27 matter, the person shall surrender the license as provided in paragraph (c)2. of

- 1 this subsection and petition the commissioner of the Department of Kentucky
2 State Police to hold a hearing on the issue of suspension or revocation of the
3 license.
- 4 (e) Upon receipt of the petition, the commissioner of the Department of Kentucky
5 State Police shall cause a hearing to be held in accordance with KRS Chapter
6 13B on the suspension or revocation of the license. If the license has not been
7 surrendered, no hearing shall be scheduled or held.
- 8 (f) If the hearing officer determines that the licensee's license was wrongly
9 suspended or revoked, the hearing officer shall order the commissioner of the
10 Department of Kentucky State Police to return the license and abrogate the
11 suspension or revocation of the license.
- 12 (g) Any party may appeal a decision pursuant to this subsection to the District
13 Court in the licensee's county of residence in the same manner as for the
14 denial of a license.
- 15 (h) If the license is not surrendered as ordered, the commissioner of the
16 Department of Kentucky State Police shall order a peace officer to seize the
17 license and deliver it to the commissioner.
- 18 (i) Failure to surrender a suspended or revoked license as ordered is a Class A
19 misdemeanor.
- 20 (j) The provisions of this subsection relating to surrender of a license shall not
21 apply if a court of competent jurisdiction has enjoined its surrender.
- 22 (k) When a domestic violence order or emergency protective order is issued
23 pursuant to the provisions of KRS Chapter 403 against a person holding a
24 license issued under this section, the holder of the permit shall surrender the
25 license to the court or to the officer serving the order. The officer to whom the
26 license is surrendered shall forthwith transmit the license to the court issuing
27 the order. The license shall be suspended until the order is terminated, or until

1 the judge who issued the order terminates the suspension prior to the
2 termination of the underlying domestic violence order or emergency protective
3 order, in writing and by return of the license, upon proper motion by the
4 license holder. Subject to the same conditions as above, a peace officer against
5 whom an emergency protective order or domestic violence order has been
6 issued shall not be permitted to carry a concealed deadly weapon when not on
7 duty, the provisions of KRS 527.020 to the contrary notwithstanding.

8 (14) (a) Not less than one hundred twenty (120) days prior to the expiration date of the
9 license, the Department of Kentucky State Police shall mail to each licensee a
10 written notice of the expiration and a renewal form prescribed by the
11 Department of Kentucky State Police. The outside of the envelope containing
12 the license renewal notice shall bear only the name and address of the
13 applicant. No other information relating to the applicant shall appear on the
14 outside of the envelope sent to the applicant. The licensee may renew his or
15 her license on or before the expiration date by filing with the sheriff of his or
16 her county of residence the paper renewal form, or by filing with the
17 Department of Kentucky State Police an electronic renewal form in lieu of a
18 paper renewal form, stating that the licensee remains qualified pursuant to the
19 criteria specified in subsections (3) and (4) of this section, and the required
20 renewal fee set forth in subsection (7) of this section. The sheriff shall issue to
21 the applicant a receipt for the paper application for renewal of the license and
22 shall date the receipt. The Department of Kentucky State Police shall issue to
23 the applicant a receipt for an electronic application for renewal of the license
24 submitted in lieu of a paper application for renewal and shall date the receipt.

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

27 (c) The license shall be renewed to a qualified applicant upon receipt of the

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

12 (15) The licensee shall carry the license at all times the licensee is carrying a concealed
13 firearm or other deadly weapon and shall display the license upon request of a law
14 enforcement officer. Violation of the provisions of this subsection shall constitute a
15 noncriminal violation with a penalty of twenty-five dollars (\$25), payable to the
16 clerk of the District Court, but no court costs shall be assessed.

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

- 19 (a) Any police station or sheriff's office;
- 20 (b) Any detention facility, prison, or jail;
- 21 (c) Any courthouse, solely occupied by the Court of Justice courtroom, or court
22 proceeding;
- 23 (d) Any meeting of the governing body of a county, municipality, or special
24 district; or any meeting of the General Assembly or a committee of the
25 General Assembly, except that nothing in this section shall preclude a member
26 of the body, holding a concealed deadly weapon license, from carrying a
27 concealed deadly weapon at a meeting of the body of which he or she is a

- 1 member;
- 2 (e) Any portion of an establishment licensed to dispense beer or alcoholic
3 beverages for consumption on the premises, which portion of the
4 establishment is primarily devoted to that purpose;
- 5 (f) Any elementary or secondary school facility without the consent of school
6 authorities as provided in KRS 527.070, any child-caring facility as defined in
7 KRS 199.011, any day-care center as defined in KRS 199.894, or any certified
8 family child-care home as defined in KRS 199.8982, except however, any
9 owner of a certified child-care home may carry a concealed firearm into the
10 owner's residence used as a certified child-care home;
- 11 (g) An area of an airport to which access is controlled by the inspection of
12 persons and property; or
- 13 (h) Any place where the carrying of firearms is prohibited by federal law.
- 14 (17) The owner, business or commercial lessee, or manager of a private business
15 enterprise, day-care center as defined in KRS 199.894 or certified or licensed family
16 child-care home as defined in KRS 199.8982, or a health-care facility licensed
17 under KRS Chapter 216B, except facilities renting or leasing housing, may prohibit
18 persons holding concealed deadly weapon licenses from carrying concealed deadly
19 weapons on the premises and may prohibit employees, not authorized by the
20 employer, holding concealed deadly weapons licenses from carrying concealed
21 deadly weapons on the property of the employer. If the building or the premises are
22 open to the public, the employer or business enterprise shall post signs on or about
23 the premises if carrying concealed weapons is prohibited. Possession of weapons, or
24 ammunition, or both in a vehicle on the premises shall not be a criminal offense so
25 long as the weapons, or ammunition, or both are not removed from the vehicle or
26 brandished while the vehicle is on the premises. A private but not a public employer
27 may prohibit employees or other persons holding a concealed deadly weapons

1 license from carrying concealed deadly weapons, or ammunition, or both in vehicles
2 owned by the employer, but may not prohibit employees or other persons holding a
3 concealed deadly weapons license from carrying concealed deadly weapons, or
4 ammunition, or both in vehicles owned by the employee, except that the Justice and
5 Public Safety Cabinet may prohibit an employee from carrying any weapons, or
6 ammunition, or both other than the weapons, or ammunition, or both issued or
7 authorized to be used by the employee of the cabinet, in a vehicle while transporting
8 persons under the employee's supervision or jurisdiction. Carrying of a concealed
9 weapon, or ammunition, or both in a location specified in this subsection by a
10 license holder shall not be a criminal act but may subject the person to denial from
11 the premises or removal from the premises, and, if an employee of an employer,
12 disciplinary measures by the employer.

13 (18) All moneys collected by the Department of Kentucky State Police pursuant to this
14 section shall be used to administer the provisions of this section and KRS 237.138
15 to 237.142. By March 1 of each year, the Department of Kentucky State Police and
16 the Administrative Office of the Courts shall submit reports to the Governor, the
17 President of the Senate, and the Speaker of the House of Representatives, indicating
18 the amounts of money collected and the expenditures related to this section, KRS
19 237.138 to 237.142, ~~and KRS 237.115,~~ 244.125, 527.020, and 527.070, and the
20 administration of the provisions of this section, KRS 237.138 to 237.142, ~~and KRS~~
21 ~~237.115,~~ 244.125, 527.020, and 527.070.

22 (19) The General Assembly finds as a matter of public policy that it is necessary to
23 provide statewide uniform standards for issuing licenses to carry concealed firearms
24 and to occupy the field of regulation of the bearing of concealed firearms to ensure
25 that no person who qualifies under the provisions of this section is denied his rights.
26 The General Assembly does not delegate to the Department of Kentucky State
27 Police the authority to regulate or restrict the issuing of licenses provided for in this

1 section beyond those provisions contained in this section. This section shall be
2 liberally construed to carry out the constitutional right to bear arms for self-defense.

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

8 (b) If a person with a valid license to carry a concealed deadly weapon issued
9 from another state that has entered into a reciprocity agreement with the
10 Department of Kentucky State Police becomes a resident of Kentucky, the
11 license issued by the other state shall be considered as valid for the first one
12 hundred twenty (120) days of the person's residence in Kentucky, if within
13 sixty (60) days of moving to Kentucky, the person completes a form
14 promulgated by the Department of Kentucky State Police which shall include:

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

20 2. The person's name, date of birth, citizenship, gender, Social Security
21 number if applicable, proof that he or she is a citizen of the United
22 States, a permanent resident of the United States, or otherwise lawfully
23 present in the United States, former out-of-state address, current address
24 within the state of Kentucky, date on which Kentucky residence began,
25 state which issued the concealed carry license, the issuing state's
26 concealed carry license number, and the state of issuance of license; and

27 3. A photocopy of the person's out-of-state license to carry a concealed

1 deadly weapon.

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

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

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

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

12 (e) The Department of Kentucky State Police shall, not later than thirty (30) days
13 after July 15, 1998, and not less than once every twelve (12) months
14 thereafter, make written inquiry of the concealed deadly weapon carrying
15 licensing authorities in each other state as to whether a Kentucky resident may
16 carry a concealed deadly weapon in their state based upon having a valid
17 Kentucky concealed deadly weapon license, or whether a Kentucky resident
18 may apply for a concealed deadly weapon carrying license in that state based
19 upon having a valid Kentucky concealed deadly weapon license. The
20 Department of Kentucky State Police shall attempt to secure from each other
21 state permission for Kentucky residents who hold a valid Kentucky concealed
22 deadly weapon license to carry concealed deadly weapons in that state, either
23 on the basis of the Kentucky license or on the basis that the Kentucky license
24 is sufficient to permit the issuance of a similar license by the other state. The
25 Department of Kentucky State Police shall enter into a written reciprocity
26 agreement with the appropriate agency in each state that agrees to permit
27 Kentucky residents to carry concealed deadly weapons in the other state on the

1 basis of a Kentucky-issued concealed deadly weapon license or that will issue
2 a license to carry concealed deadly weapons in the other state based upon a
3 Kentucky concealed deadly weapon license. If a reciprocity agreement is
4 reached, the requirement to recontact the other state each twelve (12) months
5 shall be eliminated as long as the reciprocity agreement is in force. The
6 information shall be a public record and shall be available to individual
7 requesters free of charge for the first copy and at the normal rate for open
8 records requests for additional copies.

9 (21) By March 1 of each year, the Department of Kentucky State Police shall submit a
10 statistical report to the Governor, the President of the Senate, and the Speaker of the
11 House of Representatives, indicating the number of licenses issued, revoked,
12 suspended, and denied since the previous report and in total and also the number of
13 licenses currently valid. The report shall also include the number of arrests,
14 convictions, and types of crimes committed since the previous report by individuals
15 licensed to carry concealed weapons.

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

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

24 (b) No concealed deadly weapon instructor shall have his or her certification as a
25 concealed deadly weapon instructor license suspended or revoked except after
26 a hearing conducted pursuant to KRS Chapter 13B in which the instructor is
27 found to have committed an act in violation of the applicable statutes or

- 1 administrative regulations;
- 2 (c) The department shall not require prior notification that an applicant class or
3 instructor class will be conducted by a certified instructor or instructor trainer;
- 4 (d) Each concealed deadly weapon instructor or instructor trainer who teaches a
5 concealed deadly weapon applicant or concealed deadly weapon instructor
6 class shall supply the Department of Criminal Justice Training with a class
7 roster indicating which students enrolled and successfully completed the class,
8 and which contains the name and address of each student, within five (5)
9 working days of the completion of the class. The information may be sent by
10 mail, facsimile, e-mail, or other method which will result in the receipt of or
11 production of a hard copy of the information. The postmark, facsimile date, or
12 e-mail date shall be considered as the date on which the notice was sent.
13 Concealed deadly weapon class applicant, instructor, and instructor trainer
14 information and records shall be confidential. The department may release to
15 any person or organization the name, address, and telephone number of a
16 concealed deadly weapon instructor or instructor trainer if that instructor or
17 instructor trainer authorizes the release of the information in writing. The
18 department shall include on any application for an instructor or instructor
19 trainer certification a statement that the applicant either does or does not
20 desire the applicant's name, address, and telephone number to be made public;
- 21 (e) An instructor trainer who assists in the conduct of a concealed deadly weapon
22 instructor class or concealed deadly weapon applicant class for more than two
23 (2) hours shall be considered as to have taught a class for the purpose of
24 maintaining his or her certification. All class record forms shall include spaces
25 for assistant instructors to sign and certify that they have assisted in the
26 conduct of a concealed deadly weapon instructor or concealed deadly weapon
27 class;

- 1 (f) An instructor who assists in the conduct of a concealed deadly weapon
2 applicant class for more than two (2) hours shall be considered as to have
3 taught a class for the purpose of maintaining his or her license. All class
4 record forms shall include spaces for assistant instructors to sign and certify
5 that they have assisted in the conduct of a concealed deadly weapon class;
- 6 (g) If the Department of Criminal Justice Training believes that a firearms
7 instructor trainer or certified firearms instructor has not in fact complied with
8 the requirements for teaching a certified firearms instructor or applicant class
9 by not teaching the class as specified in KRS 237.126, or who has taught an
10 insufficient class as specified in KRS 237.128, the department shall send to
11 each person who has been listed as successfully completing the concealed
12 deadly weapon applicant class or concealed deadly weapon instructor class a
13 verification form on which the time, date, date of range firing if different from
14 the date on which the class was conducted, location, and instructor of the class
15 is listed by the department and which requires the person to answer "yes" or
16 "no" to specific questions regarding the conduct of the training class. The
17 form shall be completed under oath and shall be returned to the Department of
18 Criminal Justice Training not later than forty-five (45) days after its receipt. A
19 person who fails to complete the form, to sign the form, or to return the form
20 to the Department of Criminal Justice Training within the time frame
21 specified in this section or who, as a result of information on the returned
22 form, is determined by the Department of Criminal Justice Training, following
23 a hearing pursuant to KRS Chapter 13B, to not have received the training
24 required by law shall have his or her concealed deadly weapon license
25 revoked by the Department of Kentucky State Police, following a hearing
26 conducted by the Department of Criminal Justice Training pursuant to KRS
27 Chapter 13B, at which hearing the person is found to have violated the

- 1 provisions of this section or who has been found not to have received the
2 training required by law;
- 3 (h) The department shall annually, not later than December 31 of each year, report
4 to the Legislative Research Commission:
- 5 1. The number of firearms instructor trainers and certified firearms
6 instructors whose certifications were suspended, revoked, denied, or
7 who were otherwise disciplined;
- 8 2. The reasons for the imposition of suspensions, revocations, denials, or
9 other discipline; and
- 10 3. Suggestions for improvement of the concealed deadly weapon applicant
11 training program and instructor process;
- 12 (i) If a concealed deadly weapon license holder is convicted of, pleads guilty to,
13 or enters an Alford plea to a felony offense, then his or her concealed deadly
14 weapon license shall be forthwith revoked by the Department of Kentucky
15 State Police as a matter of law;
- 16 (j) If a concealed deadly weapon instructor or instructor trainer is convicted of,
17 pleads guilty to, or enters an Alford plea to a felony offense, then his or her
18 concealed deadly weapon instructor certification or concealed deadly weapon
19 instructor trainer certification shall be revoked by the Department of Criminal
20 Justice Training as a matter of law; and
- 21 (k) The following shall be in effect:
- 22 1. Action to eliminate the firearms instructor trainer program is prohibited.
23 The program shall remain in effect, and no firearms instructor trainer
24 shall have his or her certification reduced to that of certified firearms
25 instructor;
- 26 2. The Department of Kentucky State Police shall revoke the concealed
27 deadly weapon license of any person who received no firearms training

1 as required by KRS 237.126 and administrative regulations, or who
2 received insufficient training as required by KRS 237.128 and
3 administrative regulations, if the person voluntarily admits nonreceipt of
4 training or admits receipt of insufficient training, or if either nonreceipt
5 of training or receipt of insufficient training is proven following a
6 hearing conducted by the Department of Criminal Justice Training
7 pursuant to KRS Chapter 13B.

8 ➔Section 4. KRS 527.020 is amended to read as follows:

- 9 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed
10 a firearm or other deadly weapon on or about his or her person in violation of this
11 section.
- 12 (2) Peace officers and certified court security officers, when necessary for their
13 protection in the discharge of their official duties; United States mail carriers when
14 actually engaged in their duties; and agents and messengers of express companies,
15 when necessary for their protection in the discharge of their official duties, may
16 carry concealed weapons on or about their person.
- 17 (3) The director of the Division of Law Enforcement in the Department of Fish and
18 Wildlife Resources, conservation officers of the Department of Fish and Wildlife
19 Resources, and policemen directly employed by state, county, city, or urban-county
20 governments may carry concealed deadly weapons on or about their person at all
21 times within the Commonwealth of Kentucky, when expressly authorized to do so
22 by law or by the government employing the officer.
- 23 (4) Persons carrying concealed weapons in accordance with KRS 237.109 or licensed to
24 carry a concealed deadly weapon pursuant to KRS 237.110 may carry a concealed
25 firearm or other concealed deadly weapon on or about their persons at all times
26 within the Commonwealth of Kentucky, if the firearm or concealed deadly weapon
27 is carried in conformity with the requirements of KRS 237.109 or 237.110. Unless

1 otherwise specifically provided by the Kentucky Revised Statutes or applicable
2 federal law, no criminal penalty shall attach to carrying a concealed firearm or other
3 deadly weapon at any location at which an unconcealed firearm or other deadly
4 weapon may be constitutionally carried. No person or organization, public or
5 private, shall prohibit a person from possessing a firearm, ammunition, or both, or
6 other deadly weapon in his or her vehicle in compliance with the provisions of KRS
7 237.109 and, ~~237.110, and 237.115~~. Any attempt by a person or organization,
8 public or private, to violate the provisions of this subsection may be the subject of
9 an action for appropriate relief or for damages in a Circuit Court or District Court of
10 competent jurisdiction.

11 (5) (a) The following persons, if they hold a license to carry a concealed deadly
12 weapon pursuant to KRS 237.110 or 237.138 to 237.142, may carry a firearm
13 or other concealed deadly weapon on or about their persons at all times and at
14 all locations within the Commonwealth of Kentucky, without any limitation
15 other than as provided in this subsection:

- 16 1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 17 2. A retired Commonwealth's attorney or retired assistant Commonwealth's
18 attorney;
- 19 3. A county attorney or assistant county attorney;
- 20 4. A retired county attorney or retired assistant county attorney;
- 21 5. A justice or judge of the Court of Justice;
- 22 6. A retired or senior status justice or judge of the Court of Justice; and
- 23 7. A retired peace officer who holds a concealed deadly weapon license
24 issued pursuant to the federal Law Enforcement Officers Safety Act, 18
25 U.S.C. sec. 926C, and KRS 237.138 to 237.142.

26 (b) The provisions of this subsection shall not authorize a person specified in this
27 subsection to carry a concealed deadly weapon in a detention facility as

1 defined in KRS 520.010 or on the premises of a detention facility without the
2 permission of the warden, jailer, or other person in charge of the facility, or
3 the permission of a person authorized by the warden, jailer, or other person in
4 charge of the detention facility to give such permission. As used in this
5 section, "detention facility" does not include courtrooms, facilities, or other
6 premises used by the Court of Justice or administered by the Administrative
7 Office of the Courts.

8 (c) A person specified in this section who is issued a concealed deadly weapon
9 license shall be issued a license which bears on its face the statement that it is
10 valid at all locations within the Commonwealth of Kentucky and may have
11 such other identifying characteristics as determined by the Department of
12 Kentucky State Police.

13 (6) (a) Except as provided in this subsection, the following persons may carry
14 concealed deadly weapons on or about their person at all times and at all
15 locations within the Commonwealth of Kentucky:

16 1. An elected sheriff and full-time and part-time deputy sheriffs certified
17 pursuant to KRS 15.380 to 15.404 when expressly authorized to do so
18 by the unit of government employing the officer;

19 2. An elected jailer and a deputy jailer who has successfully completed
20 Department of Corrections basic training and maintains his or her
21 current in-service training when expressly authorized to do so by the
22 jailer; and

23 3. The department head or any employee of a corrections department in any
24 jurisdiction where the office of elected jailer has been merged with the
25 office of sheriff who has successfully completed Department of
26 Corrections basic training and maintains his or her current in-service
27 training when expressly authorized to do so by the unit of government

1 by which he or she is employed.

2 (b) The provisions of this subsection shall not authorize a person specified in this
3 subsection to carry a concealed deadly weapon in a detention facility as
4 defined in KRS 520.010 or on the premises of a detention facility without the
5 permission of the warden, jailer, or other person in charge of the facility, or
6 the permission of a person authorized by the warden, jailer, or other person in
7 charge of the detention facility to give such permission. As used in this
8 section, "detention facility" does not include courtrooms, facilities, or other
9 premises used by the Court of Justice or administered by the Administrative
10 Office of the Courts.

11 (7) (a) A full-time paid peace officer of a government agency from another state or
12 territory of the United States or an elected sheriff from another territory of the
13 United States may carry a concealed deadly weapon in Kentucky, on or off
14 duty, if the other state or territory accords a Kentucky full-time paid peace
15 officer and a Kentucky elected sheriff the same rights by law. If the other state
16 or territory limits a Kentucky full-time paid peace officer or elected sheriff to
17 carrying a concealed deadly weapon while on duty, then that same restriction
18 shall apply to a full-time paid peace officer or elected sheriff from that state or
19 territory.

20 (b) The provisions of this subsection shall not authorize a person specified in this
21 subsection to carry a concealed deadly weapon in a detention facility as
22 defined in KRS 520.010 or on the premises of a detention facility without the
23 permission of the warden, jailer, or other person in charge of the facility, or
24 the permission of a person authorized by the warden, jailer, or other person in
25 charge of the detention facility to give such permission. As used in this
26 section, "detention facility" does not include courtrooms, facilities, or other
27 premises used by the Court of Justice or administered by the Administrative

1 Office of the Courts.

2 (8) A loaded or unloaded firearm or other deadly weapon shall not be deemed
3 concealed on or about the person if it is located in any enclosed container,
4 compartment, or storage space installed as original equipment in a motor vehicle by
5 its manufacturer, including but not limited to a glove compartment, center console,
6 or seat pocket, regardless of whether said enclosed container, storage space, or
7 compartment is locked, unlocked, or does not have a locking mechanism. No person
8 or organization, public or private, shall prohibit a person from keeping a loaded or
9 unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in
10 accordance with the provisions of this subsection. Any attempt by a person or
11 organization, public or private, to violate the provisions of this subsection may be
12 the subject of an action for appropriate relief or for damages in a Circuit Court or
13 District Court of competent jurisdiction. This subsection shall not apply to any
14 person prohibited from possessing a firearm pursuant to KRS 527.040.

15 (9) The provisions of this section shall not apply to a person who carries a concealed
16 deadly weapon on or about his or her person:

17 (a) If he or she is the owner of the property or has the permission of the owner of
18 the property, on real property which he or she or his or her spouse, parent,
19 grandparent, or child owns;

20 (b) If he or she is the lessee of the property or has the permission of the lessee of
21 the property, on real property which he or she or his or her spouse, parent,
22 grandparent, or child occupies pursuant to a lease; or

23 (c) If he or she is the sole proprietor of the business, on real property owned or
24 leased by the business.

25 (10) Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has
26 been previously convicted of a felony in which a deadly weapon was possessed,
27 used, or displayed, in which case it is a Class D felony.

- 1 ➔Section 5. The following KRS section is repealed:
- 2 237.115 Construction of KRS 237.110 -- Prohibition by local government units of
- 3 carrying concealed deadly weapons in governmental buildings -- Restriction on
- 4 criminal penalties.