

## CHAPTER 12

## (HB 19)

AN ACT relating to military affairs.

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

➔Section 1. KRS 36.450 is amended to read as follows:

- (1) Except as provided for in ~~subsections~~ ~~subsection~~ (5), (6), and (7) of this section, notwithstanding any other provision of law, a license, permit, or certification held by a member of the United States Armed Forces, including a member of the Kentucky National Guard or Reserve on federal active duty, that expires while that member is deployed overseas shall be extended until ninety (90) days after the end of the deployment.
- (2) The hiring, licensing, permitting, or certifying authority shall renew a license, permit, or certification extended under subsection (1) of this section until the next date that the license, permit, or certification expires or for the period that the license, permit, or certification is normally issued, at no cost to the member, if that member:
  - (a) Requests renewal of the license, permit, or certification within ninety (90) days after the end of overseas deployment;
  - (b) Provides the hiring, licensing, permitting, or certifying authority with a copy of the member's official orders ending the overseas deployment; and
  - (c) Meets all the requirements necessary for the renewal of the license, permit, or certification, except that the member need not meet the requirements, if any, that relate to continuing education or training.
- (3)
  - (a) The possession by a member specified in subsection (1) of this section of a license, permit, or certification, together with orders for overseas deployment, shall constitute a de facto extension of the license, permit, or certification until its expiration pursuant to subsection (1) of this section or until the license, permit, or certificate is renewed by the hiring, licensing, permitting, or certifying authority, whichever occurs later.
  - (b) The possession of a license, permit, or certification, together with orders for overseas deployment, shall constitute, during the period specified in paragraph (a) of this subsection, a defense to any charge for possession of an expired license, permit, or certification by the member specified in subsection (1) of this section.
- (4) In order to avoid confusion regarding the status of a license, permit, or certification, a service member specified in subsection (1) of this section may provide the hiring, licensing, permitting, or certifying authority a copy of the service member's overseas deployment orders. Upon receipt of the service member's overseas deployment orders, the receiving agency shall indicate the license as extended as provided in this section in the agency's records. Failure of a service member to provide overseas deployment information to the hiring, licensing, permitting, or certifying authority shall have no effect on the automatic extension of the license, permit, or certification or its renewal as provided in this section. No hiring, licensing, permitting, or certifying agency shall take any adverse action with regard to the renewal of the license, permit, or certification of a service member who has been the subject of an overseas deployment and who has not notified the agency of the overseas deployment.
- (5) This section shall not apply to a motor vehicle or motorcycle operator's license issued under KRS Chapter 186, a motor vehicle registration issued under KRS Chapter 186, or a commercial driver's license issued under KRS Chapter 281A.
- (6) *A license to carry a concealed deadly weapon issued pursuant to KRS 237.110 shall not be extended beyond its expiration date. However, a service member specified in subsection (1) of this section may:*
  - (a) *Renew a license issued pursuant to KRS 237.110 by requesting an application form from the Department of Kentucky State Police by mail or facsimile, and returning the completed application, photograph, and license fee to the sheriff prior to the expiration date of the license. The request for the application may be submitted not more than six (6) months prior to the expiration date of the license. The Department of Kentucky State Police shall, if the applicants meet the requirements of KRS 237.110, mail the new license directly to the applicant at the active duty military address*

*specified by the applicant and shall send notification to the sheriff who sent in the application that the license has been sent directly to the applicant. No extra charges shall be made for this service; or*

- (b) Permit the license to expire and upon return to the county of residence, apply for renewal of the license in the same manner as if the license had been renewed in a timely manner prior to its expiration without any extra fees or penalty charges if the renewal is accomplished within one (1) year after the end of the deployment.*
- (7) The Department of Kentucky State Police shall promulgate administrative regulations to implement the provisions of subsection (6) of this section.*

**Signed by Governor March 11, 2010**