

## CHAPTER 20

( SB 89 )

AN ACT relating to firearms sales to current and retired employees.

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

➔Section 1. KRS 45A.600 is amended to read as follows:

- (1) (a) *When an agency of Kentucky state government or a public university safety and security department organized pursuant to KRS 164.950 transitions from the use of one (1) firearm owned by that agency to another, the agency may sell the firearm that is being replaced directly to an employee of the agency if:*
  1. *The firearm was issued to the employee in the course of employment; and*
  2. *The employee is otherwise authorized by law to own or possess the firearm.*
- (b) 1. *The agency shall notify employees of the intended replacement of firearms and that employees may purchase firearms pursuant to paragraph (a) of this subsection.*
2. *The employee desiring to purchase the firearm issued to the employee shall notify the head of the issuing agency of his or her intention not less than ten (10) days after receiving notice of the intended replacement.*
- (2) (a) Upon ~~his~~ retirement from state employment, a state employee to whom a ~~firearm~~~~handgun~~ has been issued during the course of ~~his~~ employment may purchase the ~~firearm~~~~handgun~~ which was issued ~~to him~~ during the course of ~~his~~ employment *if the employee is otherwise authorized to privately own or possess the firearm.*
- ~~(2) The purchase price shall be the fair market value determined by the Finance and Administration Cabinet, Division of Personal Property. The proceeds from the sale of the handgun shall be deposited to the credit of an agency account for the issuing agency and shall be used for the purpose of purchasing replacement firearms.~~
- ~~(b)(3)~~ The employee desiring to purchase the ~~firearm~~~~handgun~~ issued to *the employee*~~him~~ shall notify the head of the issuing agency of such intention not less than thirty (30) days prior to the scheduled date of ~~his~~ retirement.
- (3) *The purchase price shall be the fair market value determined by the Finance and Administration Cabinet, Division of Personal Property. The proceeds from the sale of the firearm shall be deposited to the credit of an agency account for the issuing agency and shall be used for the purpose of purchasing replacement firearms.*
- (4) *Any firearms that are not purchased by employees or retirees shall be disposed of pursuant to Section 2 of this Act.*
- ~~(5)(4)~~ This statute shall supersede other state laws with regard to the disposition of state property for the purpose stated in this section and for no other purpose.

➔Section 2. KRS 45A.047 is amended to read as follows:

- (1) When an agency of Kentucky state government or a public university safety and security department organized pursuant to KRS 164.950 disposes of firearms or ammunition owned by that agency, the disposition shall be by:
  - (a) Public auction to persons who are eligible under federal law to purchase the type of firearm or ammunition;
  - (b) Trade to the federally licensed firearms dealer providing new firearms or ammunition to the agency;
  - (c) Transfer to another government agency or government-operated museum in Kentucky for official use or display; or
  - (d) Sale to a *current or* retiring employee as authorized by law.
- (2) If the firearms or ammunition are sold, the proceeds of the sale shall be utilized solely for the purchase of body armor for officers meeting or exceeding National Institute of Justice standards, firearms, ammunition, or range

facilities, or a combination thereof, by the agency of government. The provisions of this subsection shall not apply to the Department of Fish and Wildlife.

- (3) Body armor purchased for a service animal shall be purchased only for an animal owned by the law enforcement agency specified in subsection (1) of this section.

➔Section 3. KRS 65.041 is amended to read as follows:

KRS 45A.343 and 45A.425 to the contrary notwithstanding:

- (1) When a police department, sheriff's department, or other agency of city, county, urban-county, or charter county government or other unit of local government disposes of firearms or ammunition owned by that unit of local government, the disposition shall be by:
- (a) Public auction to persons eligible under federal law to purchase the type of firearm or ammunition being offered for sale;
  - (b) Trade to the federally licensed firearms dealer providing new firearms or ammunition to the agency;
  - (c) Transfer to another government agency or government-operated museum in Kentucky for official use or display; or
  - (d) Sale to the *employee*~~{officer}~~ to whom the firearm was issued,~~{upon his or her retirement,}~~ if all of the following provisions are satisfied:
    1. The firearm was issued to the *employee*~~{officer}~~ as his or her~~{primary}~~ service weapon;
    2. ***The employee is retiring or an employee's service weapon is being replaced;***
    3. The *employee*~~{officer}~~ is otherwise authorized by law to own or possess the firearm; and
    - 4.~~{3.}~~ The sale price of the firearm is the fair market value of the firearm, not to exceed the actual cost of the firearm to the unit of government; and
- (2) If the firearms or ammunition are sold, the proceeds of the sale shall be utilized solely for the purchase of body armor meeting or exceeding National Institute of Justice standards, firearms, ammunition, or range facilities, or a combination thereof, by the agency of government.

**Signed by Governor March 19, 2015.**