

**502 KAR 13:070. Applicant photograph requirements for certification to carry a concealed deadly weapon pursuant to the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers.**

RELATES TO: KRS 237.110, 237.138, 237.140, 237.142, 18 U.S.C. 926C

STATUTORY AUTHORITY: KRS 237.140

NECESSITY, FUNCTION, AND CONFORMITY: KRS 237.140 provides for the certification of honorably retired elected or appointed peace officers to carry a concealed deadly weapon pursuant to 18 U.S.C. 926C and requires the Kentucky State Police to promulgate administrative regulations to implement the certification provisions. This administrative regulation establishes applicant photograph requirements for LEOSA certification.

Section 1. Definition. (1) "License" means the document indicating the approved certification pursuant to the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. 926C.

Section 2. The photograph of an applicant for a LEOSA license shall not be an image produced by a copier or copy equipment and shall:

(1)(a) Be an original color photograph or a color photographic copy developed from the negative of an original photograph and:

1. Be no less than three and one-half (3 1/2) inches by four (4) inches; and
2. Not exceed four (4) inches by six (6) inches;

(b) Be a color photograph from a digital camera, rated for seven (7) megapixels or greater, printed on photograph quality paper; or

(c) Be an original color passport style photograph that is:

1. 2 x 2 inches in size; and
  2. Between 1 inch and 1 3/8 inches from the bottom of the chin to the top of the head;
- (2) Display the full front of the head and the facial features of the applicant; and

(3) Not be a photograph of the applicant wearing:

- (a) Sunglasses;
- (b) A hat; or
- (c) Attire that obscures a facial feature, hair, or hairline.

Section 3. The department shall:

(1) Consider an application incomplete if an applicant submits a photograph that it determines does not comply with the requirements of Section 1 of this administrative regulation; and

(2) Notify the sheriff who transmitted the application form and the applicant pursuant to the provisions of 502 KAR 13:080. (34 Ky.R. 1319; Am. 1725; eff. 2-1-2008; 38 Ky.R. 690; 913; 12-2-11; Crt eff. 2-26-2020.)