

AN ACT relating to firearms.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO READ AS FOLLOWS:

- (1) A seller shall not sell or transfer a firearm, rifle, or shotgun to any person at a flea market or gun show, as defined in 27 C.F.R. sec. 178.100, unless the purchaser is licensed to carry a concealed weapon:

 - (a) Within the state of Kentucky pursuant to KRS 237.110; or
 - (b) In another state that has entered into a reciprocity agreement with the Department of Kentucky State Police.
- (2) A seller shall not conduct business with a purchaser who is unable or refuses to meet the requirements of subsection (1) of this section.
- (3) Upon completion of the requirements conducted pursuant to subsection (1) of this section, the seller shall complete a form, which shall be created by the Department of Kentucky State Police, that identifies and confirms that such a check was performed.
- (4) Any information recorded under this section shall be made available upon request for inspection by any law enforcement officer of the Commonwealth when in the discharge of his or her official duty.
- (5) Information provided under this section shall be confidential and shall be used solely for the purpose of criminal investigation.
- (6) The requirements of this section shall not apply to:

 - (a) Sellers who engage in the sale or transfer of less than five (5) firearms, rifles, and shotguns in total, in any calendar year at flea markets and gun shows occurring within the state of Kentucky; or
 - (b) The sale or transfer of a firearm, rifle, or shotgun between spouses, children, or stepchildren within the same immediate family.

- (7) It shall be a violation of this section for any person engaged in the sale or transfer of a firearm, rifle, or shotgun at a flea market or gun show occurring within the state of Kentucky to leave the premises of the event in question solely to avoid compliance with the provisions of this section.
- (8) A violation of this section shall be a Class B misdemeanor.