

456.

Section 37 of the bill would amend KRS 237.110. That statute authorizes the Kentucky State Police to issue and renew licenses to carry concealed firearms to qualified persons. Currently, persons against whom a domestic violence or emergency protective order is issued pursuant to KRS Chapter 403 are not qualified and the person's license must be surrendered. A peace officer against whom a domestic violence order or emergency protective order is issued under KRS Chapter 403 may not carry a weapon when not on the job. HB 8 HCS would also make these provisions applicable to persons who have been issued an interpersonal protective order under KRS Chapter 456. Only peace officers who are the subject of an interpersonal protective order on the basis of domestic violence or abuse under KRS Chapter 456 would be the objects of Section 37 of the bill.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of HB 8 HCS on local government is expected to be moderate, as was the original bill.

Section 36 of the bill requires no action by local governments, and imposes no mandate on them. Section 37 of the bill could have minimal impact on local governments. Under KRS 237.110(13)(c), the Commissioner of the Kentucky State Police may order any peace officer to seize a revoked license, or may order the person whose license is revoked to surrender the license to the county sheriff. It is not quantifiable at this time how many additional licenses would be revoked by extending the right to apply for an interpersonal protective order to victims of dating violence or abuse, sexual assault, or stalking but it should be expected that there would be some increase.

Local law enforcement generally respond to all acts of violence, but an expansion of the right to petition for a protective order to additional populations of victims may result in increased calls to law enforcement and some additional time and resources expended. It is not possible to quantify the number of additional IPOs that would be issued as a result of the bill, over the number issued under current law; however, increased issuance could mean increased violations, resulting in an increase in the number of Class A misdemeanor convictions. Such convictions would result in more people in local jails, and so increase their costs of incarceration. However, this potential increase in the number of cases may be offset by law enforcement's ability to direct individuals to resolve their disputes by seeking an IPO rather than resorting to criminal sanctions, and incarceration. So, by increasing options that may be used to defuse a potentially volatile situation, law enforcement may benefit from the additional tools provided in HB 8 HCS. The Kentucky Association of Counties reports that they believe the bill would have a moderate fiscal impact on their members.

Data Source(s): Kentucky Association of Counties, LRC staff

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