# Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

#### **Part I: Measure Information**

Bill Request #: 2001	
Bill #: HB 532	
Bill Subject/Title:	AN ACT relating concealed deadly weapons licensing.
Sponsor: Representa	tive Tom Riner
Unit of Government:	X City X County Y Urban-County Unified Local
	X Charter County X Consolidated Local X Government
Office(s) Impacted:	Local Law Enforcement
Requirement: X	Mandatory Optional
Effect on Powers & Duties:	Modifies Existing X Adds New Eliminates Existing

## Part II: Purpose and Mechanics

HB 532 requires law enforcement to contact the Department of State Police (KSP) when contacted regarding the possibility of violent behavior by a Kentucky resident by:

- a licensed psychologist who practices neuropsychology; or
- a psychiatrist licensed in Kentucky to practice medicine or osteopathy; or
- a medical officer of the United States government while engaged in the practice of official duties, and who is certified or eligible to apply for certification by the American Board of Psychiatry and Neurology, Inc.

If the patient applies for a license to carry a concealed deadly weapon, the application shall be denied.

If the patient holds a license to carry a concealed deadly weapon, the license shall be suspended by the Commissioner of the KSP (or designee) who shall order any peace officer to seize the license, or direct the person whose license is suspended to surrender it to the sheriff of the person's county of residence.

HB 532 provides that the KSP shall issue an original or renewal license if the applicant has NOT been reported to the KSP by:

- a licensed psychologist who practices neuropsychology; or
- a psychiatrist licensed in Kentucky to practice medicine or osteopathy; or
- a medical officer of the United States government while engaged in the practice of official duties, and who is certified or eligible to apply for certification by the American Board of Psychiatry and Neurology, Inc.

No other mental health care profession outside of neuropsychology, psychology, or psychiatry is considered in this proposal.

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

#### The impact of HB 532 on local governments is expected to be nil to minimal.

According to the National Association of State Legislatures, 45 states including the District of Columbia have enacted legislation regarding possession of a firearm by individuals with mental illnesses. Kentucky is one of six states that has not.

If an applicant is denied, the application fee is not refunded, and the Sheriff retains his \$20 portion of the license application fee.

If local law enforcement is ordered by the KSP Commissioner to seize the license, then costs related to finding the individual and seizing the license would be realized, but still minimal.

Most, if not all, of the effect HB 532 would have on local law enforcement would be classified as routine agency duties.

**Data Source(s):** <u>LRC Staff, Franklin County Sheriff Office, Nation Conference of State</u>

Legislatures

**Preparer:** Wendell F. Butler **Reviewer:** JWN **Date:** 3/15/16