

1 AN ACT relating to firearms.

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

3 ➔Section 1. KRS 527.020 is amended to read as follows:

- 4 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed
5 a firearm or other deadly weapon on or about his or her person.
- 6 (2) ***The criminal provisions of this section shall not apply to a person who carries a***
7 ***concealed deadly weapon on or about his or her person without a license issued***
8 ***pursuant to KRS 237.110 if the person is not prohibited from carrying the***
9 ***weapon by other law applicable to the person, the weapon, or the location in***
10 ***which the weapon is carried.***
- 11 (3) ***Except as otherwise specifically provided in this section, nothing in this section***
12 ***authorizes any person to carry a concealed firearm into:***
- 13 ***(a) Any police station or sheriff's office;***
- 14 ***(b) Any detention facility, prison, or jail;***
- 15 ***(c) Any courthouse, solely occupied by the Court of Justice courtroom, or court***
16 ***proceeding;***
- 17 ***(d) Any meeting of the governing body of a county, municipality, or special***
18 ***district; or any meeting of the General Assembly or a committee of the***
19 ***General Assembly, except that nothing in this section shall preclude a***
20 ***member of the body, holding a concealed deadly weapon license, from***
21 ***carrying a concealed deadly weapon at a meeting of the body of which he or***
22 ***she is a member;***
- 23 ***(e) Any portion of an establishment licensed to dispense beer or alcoholic***
24 ***beverages for consumption on the premises, which portion of the***
25 ***establishment is primarily devoted to that purpose;***
- 26 ***(f) Any elementary or secondary school facility without the consent of school***
27 ***authorities as provided in KRS 527.070, any child-caring facility as defined***

1 in KRS 199.011, any child-care center as defined in KRS 199.894, or any
2 certified family child-care home as defined in KRS 199.894, except however,
3 any owner of a certified family child-care home may carry a concealed
4 firearm into the owner's residence used as a certified family child-care
5 home;

6 (g) An area of an airport to which access is controlled by the inspection of
7 persons and property; or

8 (h) Any place where the carrying of firearms is prohibited by federal law.

9 (4) Peace officers and certified court security officers, when necessary for their
10 protection in the discharge of their official duties; United States mail carriers when
11 actually engaged in their duties; and agents and messengers of express companies,
12 when necessary for their protection in the discharge of their official duties, may
13 carry concealed weapons on or about their person.

14 ~~(5)(3)~~ The director of the Division of Law Enforcement in the Department of Fish
15 and Wildlife Resources, conservation officers of the Department of Fish and
16 Wildlife Resources, and policemen directly employed by state, county, city, or
17 urban-county governments may carry concealed deadly weapons on or about their
18 person at all times within the Commonwealth of Kentucky, when expressly
19 authorized to do so by law or by the government employing the officer.

20 ~~(6)(4)~~ Persons, except those specified in subsection ~~(7)(5)~~ of this section, licensed
21 to carry a concealed deadly weapon pursuant to KRS 237.110 may carry a firearm
22 or other concealed deadly weapon on or about their persons at all times within the
23 Commonwealth of Kentucky, if the firearm or concealed deadly weapon is carried
24 in conformity with the requirements of that section. Unless otherwise specifically
25 provided by the Kentucky Revised Statutes or applicable federal law, no criminal
26 penalty shall attach to carrying a concealed firearm or other deadly weapon with a
27 permit at any location at which an unconcealed firearm or other deadly weapon may

1 be constitutionally carried. No person or organization, public or private, shall
2 prohibit a person licensed to carry a concealed deadly weapon from possessing a
3 firearm, ammunition, or both, or other deadly weapon in his or her vehicle in
4 compliance with the provisions of KRS 237.110 and 237.115. Any attempt by a
5 person or organization, public or private, to violate the provisions of this subsection
6 may be the subject of an action for appropriate relief or for damages in a Circuit
7 Court or District Court of competent jurisdiction.

8 ~~(Z)~~~~(5)~~ (a) The following persons, if they hold a license to carry a concealed deadly
9 weapon pursuant to KRS 237.110 or 237.138 to 237.142, may carry a firearm
10 or other concealed deadly weapon on or about their persons at all times and at
11 all locations within the Commonwealth of Kentucky, without any limitation
12 other than as provided in this subsection:

- 13 1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 14 2. A retired Commonwealth's attorney or retired assistant Commonwealth's
15 attorney;
- 16 3. A county attorney or assistant county attorney;
- 17 4. A retired county attorney or retired assistant county attorney;
- 18 5. A justice or judge of the Court of Justice;
- 19 6. A retired or senior status justice or judge of the Court of Justice; and
- 20 7. A retired peace officer who holds a concealed deadly weapon license
21 issued pursuant to the federal Law Enforcement Officers Safety Act, 18
22 U.S.C. sec. 926C, and KRS 237.138 to 237.142.

23 (b) The provisions of this subsection shall not authorize a person specified in this
24 subsection to carry a concealed deadly weapon in a detention facility as
25 defined in KRS 520.010 or on the premises of a detention facility without the
26 permission of the warden, jailer, or other person in charge of the facility, or
27 the permission of a person authorized by the warden, jailer, or other person in

1 charge of the detention facility to give such permission. As used in this
2 section, "detention facility" does not include courtrooms, facilities, or other
3 premises used by the Court of Justice or administered by the Administrative
4 Office of the Courts.

5 (c) A person specified in this section who is issued a concealed deadly weapon
6 license shall be issued a license which bears on its face the statement that it is
7 valid at all locations within the Commonwealth of Kentucky and may have
8 such other identifying characteristics as determined by the Department of
9 Kentucky State Police.

10 ~~(8)(6)~~ (a) Except provided in this subsection, the following persons may carry
11 concealed deadly weapons on or about their person at all times and at all
12 locations within the Commonwealth of Kentucky:

13 1. An elected sheriff and full-time and part-time deputy sheriffs certified
14 pursuant to KRS 15.380 to 15.404 when expressly authorized to do so
15 by the unit of government employing the officer;

16 2. An elected jailer and a deputy jailer who has successfully completed
17 Department of Corrections basic training and maintains his or her
18 current in-service training when expressly authorized to do so by the
19 jailer; and

20 3. The department head or any employee of a corrections department in any
21 jurisdiction where the office of elected jailer has been merged with the
22 office of sheriff who has successfully completed Department of
23 Corrections basic training and maintains his or her current in-service
24 training when expressly authorized to do so by the unit of government
25 by which he or she is employed.

26 (b) The provisions of this subsection shall not authorize a person specified in this
27 subsection to carry a concealed deadly weapon in a detention facility as

1 defined in KRS 520.010 or on the premises of a detention facility without the
2 permission of the warden, jailer, or other person in charge of the facility, or
3 the permission of a person authorized by the warden, jailer, or other person in
4 charge of the detention facility to give such permission. As used in this
5 section, "detention facility" does not include courtrooms, facilities, or other
6 premises used by the Court of Justice or administered by the Administrative
7 Office of the Courts.

8 ~~(9)~~~~(7)~~ (a) A full-time paid peace officer of a government agency from another
9 state or territory of the United States or an elected sheriff from another
10 territory of the United States may carry a concealed deadly weapon in
11 Kentucky, on or off duty, if the other state or territory accords a Kentucky full-
12 time paid peace officer and a Kentucky elected sheriff the same rights by law.
13 If the other state or territory limits a Kentucky full-time paid peace officer or
14 elected sheriff to carrying a concealed deadly weapon while on duty, then that
15 same restriction shall apply to a full-time paid peace officer or elected sheriff
16 from that state or territory.

17 (b) The provisions of this subsection shall not authorize a person specified in this
18 subsection to carry a concealed deadly weapon in a detention facility as
19 defined in KRS 520.010 or on the premises of a detention facility without the
20 permission of the warden, jailer, or other person in charge of the facility, or
21 the permission of a person authorized by the warden, jailer, or other person in
22 charge of the detention facility to give such permission. As used in this
23 section, "detention facility" does not include courtrooms, facilities, or other
24 premises used by the Court of Justice or administered by the Administrative
25 Office of the Courts.

26 ~~(10)~~~~(8)~~ A loaded or unloaded firearm or other deadly weapon shall not be deemed
27 concealed on or about the person if it is located in any enclosed container,

1 compartment, or storage space installed as original equipment in a motor vehicle by
2 its manufacturer, including but not limited to a glove compartment, center console,
3 or seat pocket, regardless of whether said enclosed container, storage space, or
4 compartment is locked, unlocked, or does not have a locking mechanism. No person
5 or organization, public or private, shall prohibit a person from keeping a loaded or
6 unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in
7 accordance with the provisions of this subsection. Any attempt by a person or
8 organization, public or private, to violate the provisions of this subsection may be
9 the subject of an action for appropriate relief or for damages in a Circuit Court or
10 District Court of competent jurisdiction. This subsection shall not apply to any
11 person prohibited from possessing a firearm pursuant to KRS 527.040.

12 ~~(11)~~⁽⁹⁾ The provisions of this section shall not apply to a person who carries a
13 concealed deadly weapon on or about his or her person without a license issued
14 pursuant to KRS 237.110:

- 15 (a) If he or she is the owner of the property or has the permission of the owner of
16 the property, on real property which he or she or his or her spouse, parent,
17 grandparent, or child owns;
- 18 (b) If he or she is the lessee of the property or has the permission of the lessee of
19 the property, on real property which he or she or his or her spouse, parent,
20 grandparent, or child occupies pursuant to a lease; or
- 21 (c) If he or she is the sole proprietor of the business, on real property owned or
22 leased by the business.

23 (12) (a) Except for facilities renting or leasing housing, the owner, business or
24 commercial lessee, or manager of:
25 1. A private business enterprise;
26 2. A child-care center as defined in KRS 199.894 or a certified family
27 child-care home as defined in KRS 199.894; or

1 3. A health facility as defined in KRS 216B.015;
2 may prohibit persons from carrying concealed deadly weapons on the
3 premises and may prohibit employees from carrying concealed deadly
4 weapons on the property of the employer.

5 (b) If the building or the premises are open to the public, the employer or
6 business enterprise shall post signs on or about the premises if carrying
7 concealed weapons is prohibited.

8 (c) 1. Possession of weapons, ammunition, or both in a vehicle on the
9 premises shall not be prohibited so long as the weapons, ammunition,
10 or both are not removed from the vehicle or brandished while the
11 vehicle is on the premises.

12 2. A private but not a public employer may prohibit employees or other
13 persons from carrying concealed deadly weapons, ammunition, or
14 both in vehicles owned by the employer, but may not prohibit
15 employees from carrying concealed deadly weapons, ammunition, or
16 both in vehicles owned by the employee, except that the Justice and
17 Public Safety Cabinet may prohibit an employee from carrying any
18 weapons, ammunition, or both other than the weapons, ammunition,
19 or both issued or authorized to be used by the employee of the cabinet,
20 in a vehicle while transporting persons under the employee's
21 supervision or jurisdiction.

22 (d) Carrying of a concealed weapon, ammunition, or both in a location
23 specified in this subsection shall not be a criminal act, but may subject the
24 person to denial from the premises or removal from the premises, and, if an
25 employee of an employer, disciplinary measures by the employer.

26 ~~(13)~~~~(10)~~ Carrying a concealed weapon is a Class A misdemeanor, unless the defendant
27 has been previously convicted of a felony in which a deadly weapon was possessed,

1 used, or displayed, in which case it is a Class D felony.

2 ➔Section 2. KRS 237.115 is amended to read as follows:

3 (1) Except as provided in KRS 527.020, nothing contained in KRS 237.110 **or Section**
4 **1 of this Act** shall be construed to limit, restrict, or prohibit in any manner the right
5 of a college, university, or any postsecondary education facility, including technical
6 schools and community colleges, to control the possession of deadly weapons on
7 any property owned or controlled by them or the right of a unit of state, city, county,
8 urban-county, or charter county government to prohibit the carrying of concealed
9 deadly weapons~~[by licensees]~~ in that portion of a building actually owned, leased,
10 or occupied by that unit of government.

11 (2) Except as provided in KRS 527.020, the legislative body of a state, city, county, or
12 urban-county government may, by statute, administrative regulation, or ordinance,
13 prohibit or limit the carrying of concealed deadly weapons~~[by licensees]~~ in that
14 portion of a building owned, leased, or controlled by that unit of government. That
15 portion of a building in which the carrying of concealed deadly weapons is
16 prohibited or limited shall be clearly identified by signs posted at the entrance to the
17 restricted area. The statute or ordinance shall exempt any building used for public
18 housing by private persons, highway rest areas, firing ranges, and private dwellings
19 owned, leased, or controlled by that unit of government from any restriction on the
20 carrying or possession of deadly weapons. The statute, administrative regulation, or
21 ordinance shall not specify any criminal penalty for its violation but may specify
22 that persons violating the statute or ordinance may be denied entrance to the
23 building, ordered to leave the building, and if employees of the unit of government,
24 be subject to employee disciplinary measures for violation of the provisions of the
25 statute or ordinance. The provisions of this section shall not be deemed to be a
26 violation of KRS 65.870 if the requirements of this section are followed. The
27 provisions of this section shall not apply to any other unit of government.

1 (3) Unless otherwise specifically provided by the Kentucky Revised Statutes or
2 applicable federal law, no criminal penalty shall attach to carrying a concealed
3 firearm or other deadly weapon~~[with a permit]~~ at any location at which an
4 unconcealed firearm or other deadly weapon may be constitutionally carried.

5 ➔Section 3. The following KRS section is repealed:

6 403.754 Petitioner for protective order may apply for temporary permit to carry
7 concealed deadly weapon -- Criteria -- Denial of application final -- Conversion to
8 concealed carry license -- Automated listing of temporary permit holders.