

1 AN ACT relating to a firearms offense registry.

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

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

5 *As used in Sections 1 to 7 of this Act:*

6 *(1) "Deadly weapons offense" or "offense" means a conviction or guilty plea under*
7 *state or federal law for the unlawful sale, purchase, transfer, receipt, acquisition,*
8 *possession, use, manufacture, carrying, or transportation of a deadly weapon as*
9 *deadly weapon is defined in KRS 500.080;*

10 *(2) "Deadly weapons offender" or "offender" means any person who is convicted of*
11 *or has entered a guilty plea to a deadly weapons offense; and*

12 *(3) "Deadly weapons offense registry" or "registry" means a centralized database of*
13 *deadly weapons offenders, with information on the offender and the offense*
14 *which shall be made accessible to the public via mail or the Internet, to be*
15 *updated at least annually each year for five (5) years after initial registration.*

16 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
17 READ AS FOLLOWS:

18 *(1) The Justice and Public Safety Cabinet shall establish, maintain, and update a*
19 *centralized computer deadly weapons offense registry of all deadly weapons*
20 *offenders required to register pursuant to Sections 1 to 7 of this Act, and shall*
21 *promulgate administrative regulations in accordance with KRS Chapter 13A to*
22 *implement Sections 1 to 7 of this Act.*

23 *(2) The cabinet shall develop standardized registration and verification forms which*
24 *shall incorporate the data required under Section 4 of this Act. The forms shall*
25 *be made available to all agencies having custody or supervision of offenders, to*
26 *all local law enforcement agencies, and to offenders via mail or the Internet.*

27 *(3) The cabinet shall develop a statewide information campaign to educate the*

1 general public, offenders, and law enforcement regarding the registry.

2 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
3 READ AS FOLLOWS:

4 (1) A deadly weapons offender shall initially register by mail or via the Internet with
5 the Justice and Public Safety Cabinet:

6 (a) Within seventy-two (72) hours of:

7 1. The date that the sentence for the deadly weapons offense is imposed,
8 if the offender receives a sentence that does not include imprisonment;

9 or

10 2. The date of the offender's release from a detention facility, if the
11 offender receives a sentence that includes imprisonment; or

12 (b) Within seven (7) days of moving to this state if the offender was convicted of
13 a deadly weapons offense under federal law or the laws of another state
14 within the previous five (5) years.

15 (2) If the offender is in the custody of or under the supervision of any state or county
16 agency or program within ten (10) days of the time when initial registration by
17 the offender is required:

18 (a) The state or county agency or program shall transmit the offender's
19 registration data, including a photograph of the offender, to the Justice and
20 Public Safety Cabinet in a manner to be established in administrative
21 regulation; and

22 (b) The state or county agency or program shall inform the offender of the duty
23 to initially register, and of the duty to verify the registration information
24 under Section 5 of this Act, and shall record the offender's written
25 acknowledgement of this notification.

26 (3) Any court which accepts a plea for a deadly weapons offense shall, prior to
27 acceptance of the plea, inform the offender of the provisions of Sections 1 to 7 of

1 *this Act and require written acknowledgement of this notification.*

2 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
3 READ AS FOLLOWS:

4 *(1) Registration data shared on the registry shall include:*

5 *(a) The name of the offender and any known aliases;*

6 *(b) The offender's home address and any secondary addresses;*

7 *(c) The offender's work address;*

8 *(d) The offense for which the offender was convicted, and the date of the*
9 *conviction;*

10 *(e) The offender's age, gender, race, height, weight, eye color, and hair color;*

11 *(f) For initial registration, a photograph of the offender; and*

12 *(g) Whether the offender is in compliance with the provisions of Sections 1 to 7*
13 *of this Act.*

14 *(2) The Justice and Public Safety Cabinet may collect additional information from*
15 *offenders to assist in the management of the registry, including Social Security*
16 *numbers, which shall not be publicly shared on the registry.*

17 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
18 READ AS FOLLOWS:

19 *An offender shall submit new information or verify existing registration information:*

20 *(1) Whenever there is a change in the offender's name, home address, secondary*
21 *address, or work address;*

22 *(2) Whenever there is a new deadly weapons offense; and*

23 *(3) Within seventy-two (72) hours of the anniversary date of initial registration. The*
24 *Justice and Public Safety Cabinet shall send written notification of the annual*
25 *verification date to the last known address for the offender.*

26 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
27 READ AS FOLLOWS:

1 (1) Except as provided in subsection (2) of this section, the duty of a deadly weapons
 2 offender to register or to comply with requirements pursuant to Sections 1 to 7 of
 3 this Act shall end five (5) years after the offender has been convicted, or released
 4 from all custody or supervision, whichever occurs last.

5 (2) If a person's conviction for a deadly weapons offense has been vacated, reversed
 6 on appeal, or otherwise set aside under law, or if the person has been granted a
 7 full pardon by the Governor or by the President of the United States for the
 8 deadly weapons offense, the person is no longer required to register under
 9 Sections 1 to 7 of this Act.

10 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO
 11 READ AS FOLLOWS:

12 An offender required to register under Sections 1 to 7 of this Act who knowingly:

13 (1) Fails to initially register;

14 (2) Fails to update information under Section 5 of this Act; or

15 (3) Provides false information;

16 shall be guilty of a Class B misdemeanor.