

1 AN ACT relating to firearms.

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

3 ➔Section 1. KRS 527.010 is amended to read as follows:

4 The following definitions apply in this chapter unless the context otherwise requires:

5 (1) **(a) "Assault weapon" means:**

6 **1. A semiautomatic rifle that has an ability to accept a detachable**
7 **magazine and has at least one (1) of the following characteristics:**

8 **a. A folding or telescoping stock;**

9 **b. A pistol grip that protrudes conspicuously beneath the action of**
10 **the weapon;**

11 **c. A second handgrip or protruding grip that can be held by the**
12 **nontrigger hand;**

13 **d. A bayonet mount;**

14 **e. A flash suppressor, muzzle break, muzzle compensator, or**
15 **threaded barrel designed to accommodate a flash suppressor,**
16 **muzzle break, or muzzle compensator; or**

17 **f. A grenade launcher;**

18 **2. A semiautomatic shotgun that has at least one (1) of the following**
19 **characteristics:**

20 **a. A folding or telescoping stock;**

21 **b. A second handgrip or a protruding grip that can be held by the**
22 **nontrigger hand;**

23 **c. A fixed magazine capacity in excess of seven (7) rounds; or**

24 **d. An ability to accept a detachable magazine;**

25 **3. A semiautomatic pistol that has an ability to accept a detachable**
26 **magazine and has at least one (1) of the following characteristics:**

27 **a. A folding or telescoping stock;**

- 1 **b. A second handgrip or a protruding grip that can be held by the**
 2 **nontrigger hand;**
- 3 **c. Capacity to accept an ammunition magazine that attaches to the**
 4 **pistol outside of the pistol grip;**
- 5 **d. A threaded barrel capable of accepting a barrel extender, flash**
 6 **suppressor, forward handgrip, or silencer;**
- 7 **e. A shroud that is attached to, or partially or completely encircles,**
 8 **the barrel and that permits the shooter to hold the firearm with**
 9 **the nontrigger hand without being burned;**
- 10 **f. A manufactured weight of fifty (50) ounces or more when the**
 11 **pistol is unloaded; or**
- 12 **g. A semiautomatic version of an automatic rifle, shotgun, or**
 13 **firearm; or**

14 **4. A revolving cylinder shotgun.**

15 **(b) "Assault weapon" does not include:**

- 16 **1. Any rifle, shotgun, or pistol that is manually operated by bolt, pump,**
 17 **lever, or slide action, which has been rendered permanently**
 18 **inoperable, or which is an antique firearm as defined in 18 U.S.C. sec.**
 19 **921(a)(16);**
- 20 **2. A semiautomatic rifle that cannot accept a detachable magazine that**
 21 **holds more than five (5) rounds of ammunition; or**
- 22 **3. A semiautomatic shotgun that cannot hold more than five (5) rounds**
 23 **of ammunition in a fixed or detachable magazine.**

24 **(2)** "Booby trap device" shall have the same meaning as set forth in KRS 237.030.

25 ~~**(3)**~~ "Deface" means to remove, deface, cover, alter, or destroy the manufacturer's
 26 serial number or any other distinguishing number or identification mark.

27 ~~**(4)**~~ "Destructive device" shall have the same meaning as set forth in KRS

1 237.030.

2 ~~(5)~~~~(4)~~ "Firearm" means any weapon which will expel a projectile by the action of an
3 explosive.

4 ~~(6)~~~~(5)~~ "Handgun" means any pistol or revolver originally designed to be fired by the
5 use of a single hand, or any other firearm originally designed to be fired by the use
6 of a single hand.

7 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 527 IS CREATED TO
8 READ AS FOLLOWS:

9 *(1) A person is guilty of possession of an assault weapon when, being under the age*
10 *of twenty-one (21) years, he or she possesses, manufactures, or transports an*
11 *assault weapon as defined by Section 1 of this Act, except when the person is:*

12 *(a) A member of the Armed Forces of the United States; or*

13 *(b) A law enforcement officer as defined in KRS 15.310.*

14 *(2) Possession of an assault weapon by a person under twenty-one (21) years of age*
15 *is a Class A misdemeanor.*

16 *(3) No person shall knowingly sell or transfer an assault weapon to any person*
17 *under twenty-one (21) years of age.*

18 *(4) Any person who violates the provisions of subsection (3) of this section is guilty of*
19 *a Class D felony.*