

1 AN ACT relating to the safe ownership of firearms.

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 (1) As used in this section:

6 (a) "Ammunition" means loaded or unloaded ammunition designed for use in
7 any firearm; and

8 (b) "Firearm" means any weapon that will expel a projectile by the action of an
9 explosive.

10 (2) (a) Any owner or other person lawfully in possession of a firearm who suffers
11 the loss or theft of the firearm or any person who sells ammunition who
12 suffers a loss or theft of ammunition shall report the facts and
13 circumstances of the loss or theft to an appropriate law enforcement agency
14 within twenty-four (24) hours of the discovery of the loss or theft.

15 (b) The report required by paragraph (a) of this subsection shall contain, if
16 known, the caliber, make, model, manufacturer's name, and serial number,
17 if any, and any other distinguishing number or identification mark on the
18 firearm, or the make, type, and caliber of the ammunition.

19 (3) A law enforcement agency that receives a report pursuant to subsection (2) of this
20 section shall enter the reported information into the National Crime Information
21 Center database.

22 SECTION 2. A NEW SECTION OF KRS CHAPTER 411 IS CREATED TO
23 READ AS FOLLOWS:

24 (1) As used in this section, "ammunition" and "firearm" have the same meanings as
25 in Section 1 of this Act.

26 (2) Any negligence or willful misconduct of a person shall be imputed to an owner or
27 other person lawfully in possession of a firearm who fails to report the loss or

1 *theft of the firearm as required by Section 1 of this Act for civil damages for any*
2 *injury to the person of another caused by the use of the lost or stolen firearm. The*
3 *owner or other person lawfully in possession of the firearm shall be jointly and*
4 *severally liable with the person for damages caused by the person's negligence or*
5 *willful misconduct.*

6 *(3) Any negligence or willful misconduct of a minor shall be imputed to a person*
7 *who knowingly furnishes a firearm to the minor for civil damages for any injury*
8 *to the person of another caused by the use of the firearm, and the person shall be*
9 *jointly and severally liable with the minor for damages caused by the minor's*
10 *negligence or willful misconduct.*

11 *(4) Civil liability under this section shall not be limited by any other law that limits*
12 *liability of a parent, guardian, or other person legally responsible for a minor.*

13 *(5) This section shall not limit any civil or criminal action otherwise provided by law.*

14 ➔Section 3. KRS 411.155 is amended to read as follows:

15 (1) *Except as provided in Section 2 of this Act,* a person or entity shall not be held
16 liable for damages of any kind resulting from injuries to another person sustained as
17 a result of the criminal use of any firearm by a third person, unless the person or
18 entity conspired with the third person to commit, or willfully aided, abetted, or
19 caused the commission of, the criminal act in which the firearm was used.

20 (2) This section shall not be construed to negate, limit, or modify the doctrine of
21 negligence or strict liability relating to abnormally dangerous products or activities
22 and defective products.