Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2017 Regular Session

Part I: Measure Information

Bill Request #: 1559
Bill #: HB 417 GA
Bill Subject/Title: AN ACT relating to an individual's right to concealed carry.
Sponsor: Representative Robert J. Benvenuti
Unit of Government:XCityXCountyXUrban-CountyXCharter CountyXConsolidated LocalXGovernment
Office(s) Impacted: Law Enforcement
Requirement: <u>X</u> Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX_ Adds New Eliminates Existing

Part II: Purpose and Mechanics

HB 417 GA makes it a violation for any person who prevents or attempts to prevent an authorized individual to carry a concealed firearm from carrying a concealed firearm where an on-duty peace officer^{*} is permitted to carry firearms.

An authorized individual as defined within this section is an off-duty peace officer authorized by the government employing him or her to carry a concealed firearm. The off-duty officer may carry concealed firearms on or about their persons at all times and at any location where an on-duty peace officer is permitted to carry firearms.

*KRS 446.010 defines "peace officer" to include sheriffs, constables, coroners, jailers, metropolitan, and urban-county government correctional officers, marshals, policemen, and other persons with similar authority to make arrests.

A person or establishment may be issued a citation. If found guilty of this violation, the person shall be fined:

- (a) Five hundred (\$500) for a first offense;
- (b) One thousand dollars (\$1,000) for a second offense; and
- (c) Two thousand five hundred dollars (\$2,500) for a third or any subsequent offense.

HB 417 GA expands the list of individuals who may carry a firearm or other concealed deadly weapon on or about their persons at all times and at all locations if they hold a license to include the deputy attorney general and any attorney appointed by the Attorney General as an assistant or special attorney.

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

The fiscal impact of HB 417 GA on local governments is expected to be nil with the few exceptions where negligible cost may result from an individual being cited for this particular violation.

Per KRS 30A.190, all fines in any District or Circuit case shall be collected and accounted for by the Circuit Court Clerk and paid into the State Treasury. No exception is made for the fines provided by HB 417 GA. Local governments will not receive any revenues resulting from HB 417 GA.

Data Source(s): <u>LRC Staff</u>