

Upon conviction and at the conclusion of any appeal, the court shall order the destruction of the prohibited items.

Confiscated firearms are received by Kentucky State Police (KSP) from all local law enforcement agencies and sold at public auction to federally licensed firearms dealers holding a license appropriate for the type of firearm being sold.

Prior to the sale of any firearm, KSP shall make an attempt to determine if the firearm has been stolen or otherwise unlawfully obtained from an innocent owner and to return the firearm to its lawful innocent owner unless that person is ineligible to purchase a firearm under federal law.

Firearms are not modified or repaired by KSP. Illegal firearms are destroyed instead of being sold. If this measure passes, firearms with these devices may become illegal and likely destroyed. If a device can be readily removed without harming the integrity of the weapon, it is possible that only the illegal device would be destroyed at the local level or by KSP.

Franklin County Sherriff's office and Louisville Metro Police Department (LMPD) indicated they rarely take firearms with these devices into evidence. LMPD stated that with all the firearms they take in, they cannot remember the last time a firearm had a bump stock or trigger crank.

Overall financial impact of this measure is expected to be negligible. Further, the expectation of charges stemming from the sale or transfer of these devices is low as potential exchanges would be unknown unless occurring in conjunction with another crime.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 76 full-service jails or four life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders.

Upon sentencing, a Class D felon is housed in one of Kentucky's full-service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.34 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s): LRC Staff, Department of Corrections, Kentucky State Police, Franklin County Sherriff's Department, Louisville Metro Police Department

Preparer: Mark Offerman **Reviewer:** KHC **Date:** 3/1/18