Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1858
Bill #: SB 184
Document ID #: 5090
Bill Subject/Title: An Act relating to firearm storage. Prohibition of unlawul storage of firearms.
Sponsor: Senator Gerald A. Neal
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: Jails and Local Governments
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

This bill creates a new section of KRS Chapter 527 that makes unlawful storage of a firearm a Class B misdemeanor. It also defines unlawful storage of a firearm as recklessly storing or leaving a firearm in a manner which allows an unsupervised minor access to a firearm that:

- has not been placed in a locked box or container, or
- has not been temporarily disabled by a device or mechanism other than the firearm's safety, or
- carried on his or her body.

A Class A misdemeanor results when an unsecured firearm is used by a minor without legal justification, resulting in physical injury, serious physical injury, or death of minor or another person.

Although it is not possible to determine how many convictions this legislation would generate, the overall local impact would likely be minimal. Data from the Administrative Office of the Courts indicates there were six Unlawfully Provide or Permit Minor to Possess Handgun cases in calendar year 2017.

A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 76 full service jails or four life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. While the majority of misdemeanor defendants are granted bail, those who are not, will also cost local jails an average of \$31.34 per day.

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):
 Kentucky Department of Corrections

 Preparer:
 Mark Offerman
 Reviewer:
 KHC
 Date:
 2/23/18