

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2022 Regular Session**

**Part I: Measure Information**

**Bill Request #:** 1219

**Bill #:** HB 292

**Document ID #:** 2087

**Bill Subject/Title:** AN ACT relating to gun safety for children.

**Sponsor:** Representative George Brown, Jr.

Unit of Government:  City  County  Urban-County  
Unified Local  
 Charter County  Consolidated Local  Government

Office(s) Impacted: Jails, Local Government

Requirement:  Mandatory  Optional

Effect on  
Powers & Duties:  Modifies Existing  Adds New  Eliminates Existing

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

The Baby Dre Gun Safety Act is created by this legislation. It creates a new section of KRS Chapter 527 to make it a crime to unlawfully store a firearm. Under this offense, a firearm is recklessly stored by allowing a minor to have unsupervised access to an unsecured firearm and which the minor accesses without permission. The crime of recklessly allowing a minor to access an unsecured firearm is a Class B misdemeanor unless a physical injury or death occurs which would then result in a Class A misdemeanor.

A firearm is considered secured by placing it in a secure lock box or container; or by using a device or mechanism, other than the safety, which renders the firearm temporarily inoperable; or by carrying the firearm on the body.

Although it is not possible to determine how many convictions this legislation would generate, data from the Administrative Office of the Courts (AOC) for fiscal year 2021, indicated a total of 64 cases of possession of handgun by minor (KRS 527.100) including 8 cases of unlawfully provide or permit minor to possess handgun. There were 27

convictions, 23 of which were first offenses-Class A misdemeanors. Under this legislation, the 23 Class A misdemeanors would become Class B misdemeanors.

The proposed statute refers to firearms and not just handguns, however the data available from AOC tracks handguns separately from deadly weapons which includes firearms.

**The overall expected impact of this bill is expected to be minimal.**

**Class B and Class A misdemeanors:**

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 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$35.43 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$35.43 per day. .

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

Part II, above, pertains to the bill as introduced.

**Data Source(s):** LRC Staff, Administrative Office of the Courts; KY Department of Corrections

**Preparer:** MJO (wfb)      **Reviewer:** KHC      **Date:** 1/19/22