

**Local Government Mandate Statement
Kentucky Legislative Research Commission
2025 Regular Session**

Part I: Measure Information

Bill Request #:	467	Bill #:	HB 124
Document ID #:	1115	Sponsor:	Rep. George A. Brown Jr.
Bill Title:	AN ACT relating to firearms and declaring an emergency		

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

Office(s) Impacted: Law Enforcement, Jails

Requirement: Mandatory Optional

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

Other Fiscal Statement(s) that may exist: Actuarial Analysis Corrections Impact
 Health Benefit Mandate State Employee Health Plan

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

HB 124 defines different types of assault weapons and assault weapon accessories, weapon accessories that are classified as “large capacity ammunition feeding devices,” and entities considered a seller of ammunition. It adds new requirements in the transfer, sale, or exchange of firearms, requires any owner or person in possession of a firearm to report the loss or theft of the firearm within 24 hours of discovery and requires any owner or person in possession of a firearm to store their firearm in an appropriate safe storage repository.

The bill adds regulations to be administered by the Department of Kentucky State Police regarding the licensure of persons to possess a handgun and registration of firearms. It also allows the Department of Kentucky State Police to establish a fee for applications for a license to cover the costs of administering the program.

Section 6 classifies the criminal purchase or transfer of a weapon as a Class D felony. Knowingly selling unregistered firearms and violating administrative regulations of firearms is classified as a Class A misdemeanor. Owning an assault weapon or large

capacity ammunition feeding device in violation of the administrative regulations in this bill is classified as a Class D felony and any firearms dealer or seller of ammunition who sells assault weapons and ammunition feeding devices in violation of these regulations is classified as a Class B misdemeanor.

The bill amends KRS 504.030 to add that any person deemed not guilty by insanity must be prohibited from owning a firearm. It amends KRS 508.020 regarding assault to include causing physical injury to a minor by intentionally discharging a firearm and classifying it as a Class C felony. Possession of a firearm by a convicted felon is classified as a Class D felony or Class C felony. Unlawful possession of a weapon on school property is classified as a Class D felony.

The fiscal impact of HB 124 is indeterminate but it would be both positive and negative. There is no way of anticipating the number of violations of the regulations set out in this bill, but the addition of new felonies and misdemeanors would incur costs in the investigation and incarceration of offenders. Though there would be costs associated with the regulation of firearm licensing, the bill allows the Kentucky Department of State Police to outline an administrative fee to cover these costs.

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 \$47.43 per day. While most misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$47.43 per day.

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 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 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 \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

When a court denies bail to a Class C felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$47.43, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Class C felons are ineligible for placement in local jails until they are classified at the lowest custody level with 24 months or less to their minimum expiration date or parole eligibility date. The

Department of Corrections pays local jails \$35.34 per day to house these Class C felons.
The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): Kentucky Department of Corrections

Preparer: TJ **Reviewer:** JB **Date:** 1/9/25