

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

Part I: Measure Information

Bill Request #:	1185	Bill #:	HB 330
Document ID #:	2721	Sponsor:	Rep. Nima Kulkarni
Bill Title:	AN ACT relating to firearms possession by domestic abusers		

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

Section 1 amends KRS 527.010 by providing definitions for booby trap device, deface, destructive device, domestic abuse offense, domestic violence protective order, firearm, handgun, and physical force.

Section 2 states that a person is guilty of possession of a firearm by a convicted domestic abuser when they possess, purchase, manufacture, or transport a firearm and have been convicted of a domestic abuse offense in state or federal court. A person is guilty of possession of a firearm by the subject of a domestic violence protective order when they possess, purchase, manufacture, or transports a firearm while subject to a domestic violence protective order. Possession of a firearm by a convicted domestic abuser or the subject of a domestic violence protective order is a Class C felony.

Section 3 states that within 24 hours of a conviction of a domestic abuse offense and issuance of a domestic violence protective order, all firearms owned by the offender must be transferred to the local chief law enforcement officer.

The fiscal impact of BR 1185 is indeterminable, but expected to be negative. The number of potential violations cannot be anticipated, but there will be costs associated with the investigation of violations, incarceration of offenders, and the storage of transferred firearms to local law enforcement.

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.

The Kentucky Sheriffs' Association (KSA) and the Kentucky Fraternal Order of Police (FOP) believes the storage requirements of this bill will create a significant fiscal impact to local sheriff offices as well as other local law enforcement, especially smaller police departments. The anticipated impact is a result of the lack of space to store firearms, increased training for personnel, and supplies or equipment necessary to maintain the stored firearms. They expect this bill will increase the overall number of firearms that will need to be stored for an undefinable period. KSA states that impounded firearms must be treated like evidence. This means that any additional storage space must be secure, have controlled and limited access, and the space must be environmentally controlled to prevent damage from heat and humidity, similar to an evidence room. FOP states that with most small sheriff offices and police departments, space is always an issue, especially for evidence rooms. Due to the unknown period firearms may be stored, there may be a need to periodically inspect and maintain firearms to keep them in the same condition as when first impounded.

Data Source(s): Kentucky Department of Corrections; Kentucky Sheriffs' Association

Preparer: TJ **Reviewer:** HT (MDA) **Date:** 2/5/25