

Local Government Mandate Statement

Kentucky Legislative Research Commission

2025 Regular Session

Part I: Measure Information

Bill Request #:	1249	Bill #:	HB 331
Document ID #:	2375	Sponsor:	Nima Kulkarni
Bill Title:	AN ACT relating to background checks on the sale or transfer of firearms.		

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

Office(s) Impacted: Local_____

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 331 creates a new section of KRS 237 that requires that all sales, exchanges, or transfers of firearms shall require a national instant background check by a dealer who consents to conduct the check. Upon completion of the background check, the dealer shall complete a form developed by the Kentucky State Police, which will be available for download through the Kentucky State Police website, that identifies and confirms that the check was performed. Dealers should maintain a record of transactions and background checks, which should be kept on the premises indicated on the dealer’s license. Sales, exchanges, or transfers conducted pursuant to a person’s federal firearms license or between immediate family members are excluded. Failure to comply with HB 331 will result in a Class A misdemeanor.

HB 331 would have a negative but indeterminate fiscal impact on local jails due to the creation of a Class A misdemeanor. The scale of the impact would depend on the number of violations in a given jurisdiction.

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

Data Source(s): Kentucky Department of Corrections

Preparer: JB **Reviewer:** TJ (MDA) **Date:** 2/12/25