

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

Part I: Measure Information

Bill Request #:	1823	Bill #:	HB 410
Document ID #:	3496	Sponsor:	Rep. Beverly Chester-Burton
Bill Title:	AN ACT relating to risk protection orders		

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 410 adds a new section to KRS Chapter 237. It outlines the procedure for filing a risk protection order petition with the District Court, by either a mental health professional, peace officer, county attorney, Commonwealth’s attorney, spouse, relative, friend, or guardian of the individual for whom the petition is filed. If the person for whom the petition is filed has been determined to be a risk to the public, they must relinquish the custody of all firearms and are prohibited from purchasing, possessing, receiving, or having in their custody. Violations of this section are classified as a Class A misdemeanor.

The fiscal impact of HB 410 is indeterminable, but expected to be negative. There is no way to anticipate the potential violations of this act, but there will be costs associated with the investigation of violations and the incarceration of offenders. Local law enforcement may also require additional training in the determination of filing protective orders and the procedures for doing so.

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.

Data Source(s): LRC Staff; Kentucky Department of Corrections

Preparer: TJ **Reviewer:** JR (MDA) **Date:** 1/21/26