

1 AN ACT relating to firearms.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 527.010 is amended to read as follows:

4 The following definitions apply in this chapter unless the context otherwise requires:

5 (1) "Booby trap device" shall have the same meaning as set forth in KRS 237.030.

6 **(2) "Courthouse" means any facility, courtroom, or other premises used by the**  
7 **Court of Justice or administered by the Administrative Office of the Courts where**  
8 **sessions of the District or Circuit Court are regularly held.**

9 ~~(3)(2)~~ "Deface" means to remove, deface, cover, alter, or destroy the manufacturer's  
10 serial number or any other distinguishing number or identification mark.

11 ~~(4)(3)~~ "Destructive device" shall have the same meaning as set forth in KRS  
12 237.030.

13 ~~(5)(4)~~ "Firearm" means any weapon which will expel a projectile by the action of an  
14 explosive.

15 ~~(6)(5)~~ "Handgun" means any pistol or revolver originally designed to be fired by the  
16 use of a single hand, or any other firearm originally designed to be fired by the use  
17 of a single hand.

18 ➔Section 2. KRS 527.020 is amended to read as follows:

19 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed  
20 a firearm or other deadly weapon on or about his or her person in violation of this  
21 section.

22 (2) Peace officers and certified court security officers, when necessary for their  
23 protection in the discharge of their official duties; United States mail carriers when  
24 actually engaged in their duties; and agents and messengers of express companies,  
25 when necessary for their protection in the discharge of their official duties, may  
26 carry concealed weapons on or about their person.

27 (3) The director of the Division of Law Enforcement in the Department of Fish and

1 Wildlife Resources, conservation officers of the Department of Fish and Wildlife  
2 Resources, and peace officers~~[policemen]~~ directly employed by state, county, city,  
3 or urban-county governments may carry concealed deadly weapons on or about their  
4 person at all times within the Commonwealth of Kentucky, when expressly  
5 authorized to do so by law or by the government employing the officer.

6 (4) Persons carrying concealed weapons in accordance with KRS 237.109 or licensed to  
7 carry a concealed deadly weapon pursuant to KRS 237.110 may carry a concealed  
8 firearm or other concealed deadly weapon on or about their persons at all times  
9 within the Commonwealth of Kentucky, if the firearm or concealed deadly weapon  
10 is carried in conformity with the requirements of KRS 237.109 or 237.110. Unless  
11 otherwise specifically provided by the Kentucky Revised Statutes or applicable  
12 federal law, no criminal penalty shall attach to carrying a concealed firearm or other  
13 deadly weapon at any location at which an unconcealed firearm or other deadly  
14 weapon may be constitutionally carried. No person or organization, public or  
15 private, shall prohibit a person from possessing a firearm, ammunition, or both, or  
16 other deadly weapon in his or her vehicle in compliance with the provisions of KRS  
17 237.109, 237.110, and 237.115. Any attempt by a person or organization, public or  
18 private, to violate the provisions of this subsection may be the subject of an action  
19 for appropriate relief or for damages in a Circuit Court or District Court of  
20 competent jurisdiction.

21 (5) (a) The following persons, if they hold a license to carry a concealed deadly  
22 weapon pursuant to KRS 237.110 or 237.138 to 237.142, may carry a firearm  
23 or other concealed deadly weapon on or about their persons at all times and at  
24 all locations within the Commonwealth of Kentucky, without any limitation  
25 other than as provided in this subsection:

- 26 1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 27 2. A retired Commonwealth's attorney or retired assistant Commonwealth's

- 1 attorney;
- 2 3. A county attorney or assistant county attorney;
- 3 4. A retired county attorney or retired assistant county attorney;
- 4 5. A justice or judge of the Court of Justice;
- 5 6. A retired or senior status justice or judge of the Court of Justice; and
- 6 7. A retired peace officer who holds a concealed deadly weapon license
- 7 issued pursuant to the federal Law Enforcement Officers Safety Act, 18
- 8 U.S.C. sec. 926C, and KRS 237.138 to 237.142.

9 (b) ~~[The provisions of this subsection shall not authorize a person specified in this~~  
 10 ~~subsection to carry a concealed deadly weapon in a detention facility as~~  
 11 ~~defined in KRS 520.010 or on the premises of a detention facility without the~~  
 12 ~~permission of the warden, jailer, or other person in charge of the facility, or~~  
 13 ~~the permission of a person authorized by the warden, jailer, or other person in~~  
 14 ~~charge of the detention facility to give such permission. As used in this~~  
 15 ~~section, "detention facility" does not include courtrooms, facilities, or other~~  
 16 ~~premises used by the Court of Justice or administered by the Administrative~~  
 17 ~~Office of the Courts.~~

18 (e) ~~]~~A person specified in paragraph (a) of this subsection~~[section]~~ who is issued  
 19 a concealed deadly weapon license shall be issued a license which bears on its  
 20 face the statement that it is valid at all locations within the Commonwealth of  
 21 Kentucky and may have such other identifying characteristics as determined  
 22 by the Department of Kentucky State Police.

23 (c) An attorney licensed to practice law in the Commonwealth of Kentucky and  
 24 in good standing with the Kentucky Bar Association, who holds a license to  
 25 carry a concealed deadly weapon pursuant to KRS 237.110 or 237.138 to  
 26 237.142, may carry a firearm or other concealed deadly weapon on or about  
 27 his or her person into any courthouse.

1 (d) A person specified in paragraph (a) or (c) of this subsection who carries a  
2 concealed deadly weapon into any courthouse, shall file notice with the  
3 sheriff of the county in which the courthouse is located that the person  
4 intends to carry a concealed deadly weapon into the courthouse. Filing one  
5 (1) notice shall be sufficient and the person shall not be required to file a  
6 subsequent notice upon every entry into the courthouse.

7 (e) The sheriff of each county shall compile and maintain a list of all persons  
8 who have filed notice of intent to carry a concealed deadly weapon into a  
9 courthouse, and shall provide the list to the bailiffs and other security  
10 personnel of each courthouse.

11 (f) A person specified in paragraph (a) or (c) of this subsection shall display his  
12 or her license to carry a concealed deadly weapon to the bailiff or other  
13 security personnel conducting security checks upon entering the  
14 courthouse.

15 (g) Failure to file the notice required under this section with the sheriff because  
16 of mistake or lack of knowledge of the requirement shall not constitute a  
17 violation of this section, but shall be grounds for a bailiff or other security  
18 personnel to deny entry of the person while the firearm is in the possession  
19 of the person.

20 (h) This subsection shall not authorize a person specified in this subsection to  
21 carry a concealed deadly weapon in a detention facility or on the premises  
22 of a detention facility without the permission of the warden, jailer, or other  
23 person in charge of the facility, or the permission of a person authorized by  
24 the warden, jailer, or other person in charge of the detention facility to give  
25 such permission. As used in this paragraph, "detention facility" has the  
26 same meaning as in KRS 520.010, but does not include courtrooms,  
27 facilities, or other premises used by the Court of Justice or administered by

1 *the Administrative Office of the Courts.*

2 (6) (a) Except as provided in this subsection, the following persons may carry  
3 concealed deadly weapons on or about their person at all times and at all  
4 locations within the Commonwealth of Kentucky:

5 1. An elected sheriff and full-time and part-time deputy sheriffs certified  
6 pursuant to KRS 15.380 to 15.404 when expressly authorized to do so  
7 by the unit of government employing the officer;

8 2. An elected jailer and a deputy jailer who has successfully completed  
9 Department of Corrections basic training and maintains his or her  
10 current in-service training when expressly authorized to do so by the  
11 jailer; and

12 3. The department head or any employee of a corrections department in any  
13 jurisdiction where the office of elected jailer has been merged with the  
14 office of sheriff who has successfully completed Department of  
15 Corrections basic training and maintains his or her current in-service  
16 training when expressly authorized to do so by the unit of government  
17 by which he or she is employed.

18 (b) The provisions of this subsection shall not authorize a person specified in this  
19 subsection to carry a concealed deadly weapon in a detention facility as  
20 defined in KRS 520.010 or on the premises of a detention facility without the  
21 permission of the warden, jailer, or other person in charge of the facility, or  
22 the permission of a person authorized by the warden, jailer, or other person in  
23 charge of the detention facility to give such permission. As used in this  
24 section, "detention facility" does not include courtrooms, facilities, or other  
25 premises used by the Court of Justice or administered by the Administrative  
26 Office of the Courts.

27 (7) (a) A full-time paid peace officer of a government agency from another state or

1           territory of the United States or an elected sheriff from another territory of the  
2           United States may carry a concealed deadly weapon in Kentucky, on or off  
3           duty, if the other state or territory accords a Kentucky full-time paid peace  
4           officer and a Kentucky elected sheriff the same rights by law. If the other state  
5           or territory limits a Kentucky full-time paid peace officer or elected sheriff to  
6           carrying a concealed deadly weapon while on duty, then that same restriction  
7           shall apply to a full-time paid peace officer or elected sheriff from that state or  
8           territory.

9           (b) The provisions of this subsection shall not authorize a person specified in this  
10          subsection to carry a concealed deadly weapon in a detention facility as  
11          defined in KRS 520.010 or on the premises of a detention facility without the  
12          permission of the warden, jailer, or other person in charge of the facility, or  
13          the permission of a person authorized by the warden, jailer, or other person in  
14          charge of the detention facility to give such permission. As used in this  
15          section, "detention facility" does not include courtrooms, facilities, or other  
16          premises used by the Court of Justice or administered by the Administrative  
17          Office of the Courts.

18         (8) A loaded or unloaded firearm or other deadly weapon shall not be deemed  
19          concealed on or about the person if it is located in any enclosed container,  
20          compartment, or storage space installed as original equipment in a motor vehicle by  
21          its manufacturer, including but not limited to a glove compartment, center console,  
22          or seat pocket, regardless of whether said enclosed container, storage space, or  
23          compartment is locked, unlocked, or does not have a locking mechanism. No person  
24          or organization, public or private, shall prohibit a person from keeping a loaded or  
25          unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in  
26          accordance with the provisions of this subsection. Any attempt by a person or  
27          organization, public or private, to violate the provisions of this subsection may be

1 the subject of an action for appropriate relief or for damages in a Circuit Court or  
2 District Court of competent jurisdiction. This subsection shall not apply to any  
3 person prohibited from possessing a firearm pursuant to KRS 527.040.

4 (9) The provisions of this section shall not apply to a person who carries a concealed  
5 deadly weapon on or about his or her person:

6 (a) If he or she is the owner of the property or has the permission of the owner of  
7 the property, on real property which he or she or his or her spouse, parent,  
8 grandparent, or child owns;

9 (b) If he or she is the lessee of the property or has the permission of the lessee of  
10 the property, on real property which he or she or his or her spouse, parent,  
11 grandparent, or child occupies pursuant to a lease; or

12 (c) If he or she is the sole proprietor of the business, on real property owned or  
13 leased by the business.

14 (10) Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has  
15 been previously convicted of a felony in which a deadly weapon was possessed,  
16 used, or displayed, in which case it is a Class D felony.