GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

HOUSE BILL NO. 428

AS ENACTED

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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to corrections.

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

3 ➔Section 1. KRS 196.037 is amended to read as follows:

4 (1) All personnel of the department, while acting for the department in any capacity
5 entailing the maintenance of custody over any prisoners, shall have all the authority
6 and powers of peace officers.

7 (2) All department personnel who are officially requested by a law enforcement agency
8 in a county of Kentucky or by the Department of Kentucky State Police to assist in
9 the apprehension of a prisoner who has escaped from the legal or physical custody
10 of the Department of Corrections or a detention facility of the Department of
11 Corrections shall possess, while responding to and for the duration of the matter for
12 which the request was made, the same powers of arrest as peace officers.

13 (3) Probation and parole officers, while acting for the department in any capacity
14 entailing the maintenance of custody or supervision of any confined prisoner,
15 paroled prisoner, escaped prisoner, probationer, or other person otherwise placed
16 under their supervision shall have all the authority and powers of peace officers.

17 ***(4) Internal affairs officers and supervisors of the department, while investigating***
18 ***any person in connection with an offense involving personnel of the department,***
19 ***employee of any contractor providing services to the department, confined***
20 ***prisoner, paroled prisoner, escaped prisoner, probationer, or other person***
21 ***otherwise placed under the supervision of the department, shall have all the***
22 ***authority and powers of peace officers.***

23 ➔Section 2. KRS 186.412 is amended to read as follows:

24 (1) (a) A person who was under the age of eighteen (18) years at the time of
25 application for an instruction permit and is eighteen (18) years of age or older
26 may apply for an operator's license to operate a motor vehicle, motorcycle, or
27 moped if the person has possessed the valid instruction permit for at least one

1 hundred eighty (180) days and has completed a driver training program under
2 KRS 186.410(4).
3 (b) A person who has attained the age of eighteen (18) years and is under the age
4 of twenty-one (21) at the time of application for an instruction permit may
5 apply for an operator's license to operate a motor vehicle, motorcycle, or
6 moped if the person has possessed the valid instruction permit for at least one
7 hundred eighty (180) days.
8 (c) A person who is at least twenty-one (21) years of age at the time of
9 application for an instruction permit may apply for an operator's license to
10 operate a motor vehicle, motorcycle, or moped if the person has possessed the
11 valid instruction permit for at least thirty (30) days.
12 (2) Except as provided in subsection (4) of this section, a person shall apply for an
13 operator's license in the office of the circuit clerk of the county where the person
14 lives. Except as provided in subsection (8)(b) and (c) of this section, the application
15 form shall require the person's:
16 (a) Full legal name and signature;
17 (b) Date of birth;
18 (c) Social Security number, federal tax identification number, a letter from the
19 Social Security Administration declining to issue a Social Security number, or
20 a notarized affidavit from the applicant to the Transportation Cabinet swearing
21 that the person either does not have a Social Security number, or refuses to
22 divulge his or her Social Security number, based upon religious convictions;
23 (d) Sex;
24 (e) Present Kentucky resident address, exclusive of a post office box address
25 alone;
26 (f) Other information necessary to permit the application of United States citizens
27 to also serve as an application for voter registration;

1 (g) A brief physical description of the applicant;
2 (h) A statement if the person has previously been licensed as an operator in
3 another state;
4 (i) Proof of the person's Kentucky residency, including but not limited to a deed
5 or property tax bill, utility agreement or utility bill, or rental housing
6 agreement; and
7 (j) Other information the cabinet may require by administrative regulation
8 promulgated under KRS Chapter 13A.
9 (3) A permanent resident shall present one (1) of the following documents issued by the
10 United States Department of Homeland Security, United States Bureau of
11 Citizenship and Immigration Services:
12 (a) An I-551 card with a photograph of the applicant; or
13 (b) A form with the photograph of the applicant or a passport with a photograph
14 of the applicant on which the United States Department of Homeland
15 Security, United States Bureau of Citizenship and Immigration Services has
16 stamped the following: "Processed for I-551. Temporary evidence of lawful
17 admission for permanent residence. Valid until -----. Employment authorized."
18 (4) If the person is not a United States citizen and has not been granted status as a
19 permanent resident of the United States, the person's application for an original
20 operator's license shall be submitted to either the Transportation Cabinet in
21 Frankfort or a Transportation Cabinet field office.
22 (a) The application form shall be accompanied by the person's documentation
23 issued by the United States Department of Homeland Security, United States
24 Bureau of Citizenship and Immigration Services, authorizing the person to be
25 in the United States and, if applicable, the person's international driving
26 permit. The application form of a special status individual with a K-1 status
27 shall be accompanied by an original or certified copy of the person's

1 completed marriage license signed by the official who presided over the
2 marriage ceremony and two (2) witnesses. The application form of a special
3 status individual with a K-1 status shall also include the person's petition to
4 enter the United States for the purpose of marriage that contains the name of
5 the prospective spouse. If the name of the prospective spouse on the petition
6 does not match the name of the spouse on the marriage license, the
7 Transportation Cabinet shall not be required to issue an operator's license.
8 (b) The Transportation Cabinet shall, within fifteen (15) days of receipt of the
9 application, review the person's documentation and determine if the person
10 will be issued a Kentucky operator's license. If the review of an application
11 will take longer than fifteen (15) days, the cabinet shall continue the review,
12 but the cabinet shall be required to make a determination in all cases within
13 thirty (30) days of receipt of the application.
14 (c) If the cabinet determines the person may be issued an operator's license, the
15 cabinet shall issue the person an official form that the person shall take to the
16 office of the circuit clerk of the county where the person resides. The circuit
17 clerk shall review the person's documentation and the official form issued by
18 the Transportation Cabinet. If the documentation is verified as accurate, and if
19 the person successfully completes the examinations required under KRS
20 186.480, the circuit clerk shall issue the person a Kentucky operator's license.
21 (d) Except as provided in paragraphs (e) and (f) of this subsection, a person who
22 is not a United States citizen and who has not been granted status as a
23 permanent resident of the United States shall apply to renew an operator's
24 license, or obtain a duplicate operator's license, in the office of the circuit
25 clerk in the county in which the person resides.
26 (e) If a person is renewing an operator's license or is applying for a duplicate
27 license after July 15, 2002, and the person's documentation issued by the

1 United States Department of Homeland Security, United States Bureau of
2 Citizenship and Immigration Services, has not been reviewed by the either the
3 Transportation Cabinet in Frankfort or a Transportation Cabinet field office
4 under the provisions of this subsection, the person shall be required to apply
5 for the renewal or duplicate with either the Transportation Cabinet in
6 Frankfort or a Transportation Cabinet field office.
7 (f) If a person has any type of change in the person's immigration status, the
8 person shall apply to renew an operator's license with either the Transportation
9 Cabinet in Frankfort or a Transportation Cabinet field office.
10 (5) The circuit clerk shall issue an operator's license bearing a color photograph of the
11 applicant and other information the cabinet may deem appropriate. The photograph
12 shall be taken by the circuit clerk so that one (1) exposure will photograph the
13 applicant and the application simultaneously. When taking the photograph, the
14 applicant shall be prohibited from wearing sunglasses or any other attire that
15 obscures any features of the applicant's face as determined by the clerk. The clerk
16 shall require an applicant to remove sunglasses or other obscuring attire before
17 taking the photograph required by this subsection. Any person who refuses to
18 remove sunglasses or other attire prohibited by this section as directed by the clerk
19 shall be prohibited from receiving an operator's license. The operator's license
20 issued by the cabinet shall not contain the applicant's Social Security number. The
21 cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A
22 that develop a numbering system that uses an identification system other than Social
23 Security numbers. If an applicant does not have a Social Security number, or the
24 applicant has submitted a notarized affidavit refusing to divulge his or her Social
25 Security number based upon religious convictions, the Transportation Cabinet shall
26 assign the applicant a unique identifying number. The license shall also designate
27 by color coding and use the phrase "under 21" if the licensee is under the age of

1 twenty-one (21); "CDL" if the license is issued pursuant to KRS Chapter 281A; or
2 "under 21 CDL" if the licensee holds a commercial driver's license issued pursuant
3 to KRS Chapter 281A and is under the age of twenty-one (21).
4 (6) Every applicant shall make oath to the circuit clerk as to the truthfulness of the
5 statements contained in the form.
6 (7) (a) Except as provided in subsection (8) of this section, the circuit clerk shall
7 issue a color photo personal identification card to any person who is a
8 Kentucky resident and who resides in the county who complies with the
9 provisions of this section and who applies in person in the office of the circuit
10 clerk. An application for a personal identification card shall be accompanied
11 by the same information as is required for an operator's license under
12 subsection (2) of this section, except if a person does not have a fixed,
13 permanent address, the person may use as proof of residency a signed letter
14 from a homeless shelter, health care facility, or social service agency currently
15 providing the person treatment or services and attesting that the person is a
16 resident of Kentucky.
17 (b) It shall be permissible for the application form for a personal identification
18 card to include as a person's most current resident address a mailing address,
19 post office box, or an address provided on a voter registration card.
20 (c) Every applicant for a personal identification card shall make an oath to the
21 circuit clerk as to the truthfulness of the statements contained on the
22 application form. If the applicant is not the legal owner or possessor of the
23 address provided on the application form, the applicant shall swear that he or
24 she has permission from the legal owner, authorized agent for the legal owner
25 or possessor to use the address for purposes of obtaining the personal
26 identification card. The personal identification card shall designate by color
27 coding and by use of the phrase "under 21" if the applicant is under the age of

1 twenty-one (21).
2 (d) A personal identification card shall be valid for a period of four (4) years from
3 the date of issuance, except that if the personal identification card is issued to
4 a person who does not have a fixed, permanent address, then the personal
5 identification card shall be valid for one (1) year from the date of issuance.
6 Except as provided in this subsection, an initial or renewal personal
7 identification card issued to a person who is not a United States citizen and
8 who has not been granted status as a permanent resident of the United States
9 and who is not a special status individual, but who is a Kentucky resident,
10 shall be valid for a period equal to the length of time the person's
11 documentation from the United States Department of Homeland Security,
12 United States Bureau of Citizenship and Immigration Services is issued, or
13 four (4) years, whichever time period is shorter. An initial or renewal personal
14 identification card shall be valid for a period of two (2) years if the person is
15 not a special status individual and the person's documentation issued by the
16 United States Department of Justice, Immigration and Naturalization Service,
17 is issued for an indefinite period of time and does not have an expiration date.
18 The fee shall be the same as for a regular personal identification card.
19 (e) A personal identification card may be suspended or revoked if the person who
20 was issued the card presents false or misleading information to the cabinet
21 when applying for the card.
22 (8) (a) A person may be issued a personal identification card if the person currently
23 holds a valid Kentucky instruction permit or operator's license. If a person's
24 instruction permit or operator's license has been suspended or revoked, the
25 person may be issued a temporary personal identification card. A temporary
26 personal identification shall be renewed annually and may be surrendered
27 when the person applies to have his or her instruction permit or operator's

1 license reinstated.

2 (b) Upon receipt of proper documentation provided by the Department of
3 Corrections, the circuit clerk of the county in which a released felony offender
4 resides shall issue to any felony offender, if the felony offender is eligible,
5 released from the Department of Corrections on home incarceration, parole,
6 completed service of sentence, shock probation, or pardon, a personal
7 identification card or, if the felony offender is eligible, an operator's license.
8 Proper documentation under this paragraph shall consist of:

9 1. The offender's certificate of birth***, except for offenders born outside this***
10 ***state***;

11 2. A copy of the offender's resident record card and parole certificate or
12 notice of discharge;

13 3. A photograph of the offender, printed on plastic card or paper; and

14 4. A release letter that shall contain the offender's:

15 a. Full legal name, subject to the information available to the
16 Department of Corrections;

17 b. Discharge/release date;

18 c. Signature;

19 d. Social Security number;

20 e. Date of birth;

21 f. Present Kentucky address where he or she resides; and

22 g. Physical description.

23 The offender shall present this documentation to the circuit clerk within thirty
24 (30) calendar days from the date of the release letter and shall be responsible
25 for paying the fee for the personal identification card or operator's license
26 pursuant to KRS 186.531. The provisions of this paragraph shall apply only to
27 persons released on or after July 15, 2010.

1 (c) Upon receipt of proper documentation provided by the Department of
2 Corrections, the circuit clerk of the county in which a felony offender resides
3 shall issue to any felony offender, if the felony offender is eligible, probated or
4 conditionally discharged by the court and under the supervision of the
5 Division of Probation and Parole, a personal identification card or, if the
6 felony offender is eligible, an operator's license. Proper documentation under
7 this paragraph shall consist of:
8 1. The offender's certificate of birth***, except for offenders born outside this***
9 ***state***;
10 2. The offender's sentencing order;
11 3. A photograph of the offender, printed on plastic card or paper; and
12 4. A notarized release letter, signed by the supervising officer verifying the
13 offender's status on supervision, that shall contain the offender's:
14 a. Full legal name, subject to the information available to the
15 Division of Probation and Parole;
16 b. Signature;
17 c. Social Security number;
18 d. Date of birth;
19 e. Present Kentucky address where he or she resides; and
20 f. Physical description.
21 The offender shall present this documentation to the circuit clerk within thirty
22 (30) calendar days from the date of the notarized release letter. The offender
23 shall be responsible for paying the fee for the personal identification card or
24 operator's license pursuant to KRS 186.531. The provisions of this paragraph
25 shall apply only to persons released on or after July 15, 2010.
26 (9) The Transportation Cabinet shall implement a voluntary statewide child
27 identification program. The program shall issue a color photo personal

1 identification card to a child two (2) to fifteen (15) years of age. Application for a
2 child identification card shall be accompanied by a Social Security card and a birth
3 certificate for the child or other proof of the child's date of birth as provided under
4 subsection (2) of this section. The card shall contain the child's name and the toll-
5 free number of the Kentucky Missing Persons Clearinghouse, Department of
6 Kentucky State Police. The card shall not contain the child's Social Security
7 number. The cabinet shall set a four dollar ($4) fee for the child identification card.
8 Two dollars ($2) of the fee shall be used to cover the cabinet's cost for equipment
9 and supplies. Two dollars ($2) of the fee shall be an administrative fee of the circuit
10 clerk for issuing the card which shall be deposited by the Administrative Office of
11 the Courts into a trust and agency account for the circuit clerks and used for the
12 purposes of hiring additional deputy clerks and providing salary adjustments to
13 deputy clerks. The card shall expire every four (4) years on the child's birthday.
14 Within the time period that the child identification card is valid, the card may be
15 updated with a new photograph and information. The fee for an updated card shall
16 be four dollars ($4), with two dollars ($2) of the fee going to the cabinet and two
17 dollars ($2) going to the Administrative Office of the Courts in the same manner as
18 the fee for an initial card as described in this subsection. The descriptive data and a
19 photo image of the child shall be stored in the Kentucky Driver's License
20 Information System and may be retrieved and used by public agencies subject to the
21 provisions of the Driver Privacy Protection Act, 18 U.S.C. sec. 2721, and may also
22 be used by the Kentucky Missing Persons Clearinghouse.
23 (10) If a citizen of the Commonwealth currently serving in the United States military is
24 stationed or assigned to a base or other location outside the boundaries of the
25 Commonwealth, the citizen may renew a Class D operator's license issued under
26 this section by mail. If the citizen was issued an "under 21" operator's license, upon
27 the date of his or her twenty-first birthday, the "under 21" operator's license may be

1 renewed for an operator's license that no longer contains the outdated reference to
2 being "under 21."
3 (11) A citizen of the Commonwealth renewing an operator's license by mail under
4 subsection (10) of this section may have a personal designee apply to the circuit
5 clerk on behalf of the citizen to renew the citizen's operator's license. An operator's
6 license being renewed by mail under subsection (10) of this section shall be issued a
7 license without a photograph. The license shall show in the space provided for the
8 photograph the legend "valid without photo and signature."
9 (12) (a) If a citizen of the Commonwealth has been serving in the United States
10 military stationed or assigned to a base or other location outside the
11 boundaries of the Commonwealth and has allowed his or her operator's license
12 to expire, he or she shall, within ninety (90) days of returning to the
13 Commonwealth, be permitted to renew his or her license without having to
14 take a written test or road test.
15 (b) A citizen who meets the criteria in paragraph (a) of this subsection shall not be
16 convicted or cited for driving on an expired license prior to license renewal
17 during the ninety (90) days after the person's return to the Commonwealth if
18 the person can provide proof of his or her out-of-state service and dates of
19 assignment.
20 (c) A citizen who meets the criteria in paragraph (a) of this subsection and who
21 does not renew his or her license within ninety (90) days of returning to the
22 Commonwealth shall be required to comply with the provisions of this chapter
23 governing renewal of a license that has expired.
24 (d) If a citizen of the Commonwealth has been issued an "under 21" or "under 21
25 CDL" operator's license and the person is unable to renew the license on the
26 date of his twenty-first birthday, the "under 21" or "under 21 CDL" operator's
27 license shall be valid for ninety (90) days beyond the date of the person's

1 twenty-first birthday.
2 (13) The cabinet shall provide on each license to operate motor vehicles, motorcycles,
3 and mopeds a space for the licensed driver's:
4 (a) Blood type;
5 (b) Medical insignia if the person provides evidence that a medical identification
6 bracelet noting specific physical ailments or a drug allergy is being worn or
7 other proof as may be required by the cabinet; and
8 (c) A statement whereby the owner of the license may certify in the presence of
9 two (2) witnesses his willingness to make an anatomical gift under KRS
10 311.1917.
11 (14) If the motor vehicle operator denotes a physical ailment or drug allergy on the
12 operator's license, he may apply for and shall receive, for a fee of two dollars ($2)
13 paid to the circuit clerk, two (2) medical insignia decals that may be affixed to the
14 driver's side of the front windshield of a motor vehicle and to the driver's side of the
15 rear window of a motor vehicle.
16 (15) An operator's license pursuant to this section shall be designated a Class D license.
17 (16) A person shall not have more than one (1) license.
18 (17) Upon marriage, a woman applying for an operator's license or a color photo
19 personal identification card shall provide the circuit clerk with her marriage license
20 and complete an affidavit form provided by the circuit court clerk. She shall have
21 the following choices in regard to her full legal name as required in subsections (2)
22 and (7) of this section:
23 (a) Use her husband's last name;
24 (b) Retain her maiden name;
25 (c) Use her maiden name hyphenated with her husband's last name;
26 (d) Use her maiden name as a middle name and her husband's last name as her
27 last name; or

1 (e) In the case of a previous marriage, retain that husband's last name.
2 (18) Upon issuing an operator's license or personal identification card, the clerk shall
3 draw the recipient's attention to the location on the license relating to anatomical
4 gifts under subsection (13)(c) of this section and offer to allow personnel in the
5 clerk's office to serve as the witnesses to the recipient's certification of willingness
6 to make an anatomical gift if the recipient is the person to whom the license is
7 issued.
8 (19) Any person who served in the active Armed Forces of the United States, including
9 the Coast Guard of the United States, and was released, separated, discharged, or
10 retired therefrom under conditions other than dishonorable, may, at the time of
11 initial application or application for renewal or duplicate, request that an operator's
12 license or a personal identification card issued under this section bear the word
13 "veteran" on the face or the back of the license or personal identification card. The
14 designation shall be in a style and format considered appropriate by the
15 Transportation Cabinet. Prior to obtaining a designation requested under this
16 subsection, the applicant shall present the circuit clerk with an original or copy of
17 his or her DD-214 or DD-2 form as proof of veteran status. The circuit clerk shall
18 not be liable for fraudulent or misread DD-214 or DD-2 forms presented.
19 ➔Section 3. KRS 237.110 is amended to read as follows:
20 (1) The Department of Kentucky State Police is authorized to issue and renew licenses
21 to carry concealed firearms or other deadly weapons, or a combination thereof, to
22 persons qualified as provided in this section.
23 (2) An original or renewal license issued pursuant to this section shall:
24 (a) Be valid throughout the Commonwealth and, except as provided in this
25 section or other specific section of the Kentucky Revised Statutes or federal
26 law, permit the holder of the license to carry firearms, ammunition, or other
27 deadly weapons, or a combination thereof, at any location in the

1 Commonwealth;
2 (b) Unless revoked or suspended as provided by law, be valid for a period of five
3 (5) years from the date of issuance;
4 (c) Authorize the holder of the license to carry a concealed firearm or other
5 deadly weapon, or a combination thereof, on or about his or her person; and
6 (d) Authorize the holder of the license to carry ammunition for a firearm on or
7 about his or her person.
8 (3) Prior to the issuance of an original or renewal license to carry a concealed deadly
9 weapon, the Department of Kentucky State Police, upon receipt of a completed
10 application, applicable fees, and any documentation required by this section or
11 administrative regulation promulgated by the Department of Kentucky State Police,
12 shall conduct a background check to ascertain whether the applicant is eligible
13 under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law
14 to purchase, receive, or possess a firearm or ammunition, or both. The background
15 check shall include:
16 (a) A state records check covering the items specified in this subsection, together
17 with any other requirements of this section;
18 (b) A federal records check, which shall include a National Instant Criminal
19 Background Check System (NICS) check;
20 (c) A federal Immigration Alien Query if the person is an alien who has been
21 lawfully admitted to the United States by the United States government or an
22 agency thereof; and
23 (d) In addition to the Immigration Alien Query, if the applicant has not been
24 lawfully admitted to the United States under permanent resident status, the
25 Department of Kentucky State Police shall, if a doubt exists relating to an
26 alien's eligibility to purchase a firearm, consult with the United States
27 Department of Homeland Security, United States Department of Justice,

1 United States Department of State, or other federal agency to confirm whether
2 the alien is eligible to purchase a firearm in the United States, bring a firearm
3 into the United States, or possess a firearm in the United States under federal
4 law.
5 (4) The Department of Kentucky State Police shall issue an original or renewal license
6 if the applicant:
7 (a) Is not prohibited from the purchase, receipt, or possession of firearms,
8 ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or
9 applicable federal or state law;
10 (b) 1. Is a citizen of the United States who is a resident of this Commonwealth;
11 2. Is a citizen of the United States who is a member of the Armed Forces of
12 the United States who is on active duty, who is at the time of application
13 assigned to a military posting in Kentucky;
14 3. Is lawfully admitted to the United States by the United States
15 government or an agency thereof, is permitted by federal law to purchase
16 a firearm, and is a resident of this Commonwealth; or
17 4. Is lawfully admitted to the United States by the United States
18 government or an agency thereof, is permitted by federal law to purchase
19 a firearm, is, at the time of the application, assigned to a military posting
20 in Kentucky, and has been assigned to a posting in the Commonwealth;
21 (c) Is twenty-one (21) years of age or older;
22 (d) Has not been committed to a state or federal facility for the abuse of a
23 controlled substance or been convicted of a misdemeanor violation of KRS
24 Chapter 218A or similar laws of any other state relating to controlled
25 substances, within a three (3) year period immediately preceding the date on
26 which the application is submitted;
27 (e) Does not chronically and habitually use alcoholic beverages as evidenced by

1 the applicant having two (2) or more convictions for violating KRS 189A.010
2 within the three (3) years immediately preceding the date on which the
3 application is submitted, or having been committed as an alcoholic pursuant to
4 KRS Chapter 222 or similar laws of another state within the three (3) year
5 period immediately preceding the date on which the application is submitted;
6 (f) Does not owe a child support arrearage which equals or exceeds the
7 cumulative amount which would be owed after one (1) year of nonpayment, if
8 the Department of Kentucky State Police has been notified of the arrearage by
9 the Cabinet for Health and Family Services;
10 (g) Has complied with any subpoena or warrant relating to child support or
11 paternity proceedings. If the Department of Kentucky State Police has not
12 been notified by the Cabinet for Health and Family Services that the applicant
13 has failed to meet this requirement, the Department of Kentucky State Police
14 shall assume that paternity and child support proceedings are not an issue;
15 (h) Has not been convicted of a violation of KRS 508.030 or 508.080 within the
16 three (3) years immediately preceding the date on which the application is
17 submitted. The commissioner of the Department of Kentucky State Police
18 may waive this requirement upon good cause shown and a determination that
19 the applicant is not a danger and that a waiver would not violate federal law;
20 and
21 (i) Demonstrates competence with a firearm by successful completion of a
22 firearms safety course offered or approved by the Department of Criminal
23 Justice Training. The firearms safety course shall:
24 1. Be not more than eight (8) hours in length;
25 2. Include instruction on handguns, the safe use of handguns, the care and
26 cleaning of handguns, and handgun marksmanship principles;
27 3. Include actual range firing of a handgun in a safe manner, and the firing

1 of not more than twenty (20) rounds at a full-size silhouette target,
2 during which firing, not less than eleven (11) rounds must hit the
3 silhouette portion of the target; and
4 4. Include information on and a copy of laws relating to possession and
5 carrying of firearms, as set forth in KRS Chapters 237 and 527, and the
6 laws relating to the use of force, as set forth in KRS Chapter 503.
7 (5) (a) A legible photocopy or electronic copy of the certificate of completion issued
8 by the Department of Criminal Justice Training shall constitute evidence of
9 qualification under subsection (4)(i) of this section.
10 (b) Persons qualifying under subsection (6)(d) of this section may submit with
11 their application:
12 1. At least one (1) of the following paper or electronic forms or their
13 successor forms showing evidence of handgun training or handgun
14 qualifications:
15 a. Department of Defense Form DD 2586;
16 b. Department of Defense Form DD 214;
17 c. Coast Guard Form CG 3029;
18 d. Department of the Army Form DA 88-R;
19 e. Department of the Army Form DA 5704-R;
20 f. Department of the Navy Form OPNAV 3591-1; or
21 g. Department of the Air Force Form AF 522; or
22 2. a. Documentary evidence of an honorable discharge; and
23 b. A notarized affidavit on a form provided by the Department of
24 Kentucky State Police, signed under penalty of perjury, stating the
25 person has met the training requirements of subsection (6)(d) of
26 this section.
27 (6) (a) Peace officers who are currently certified as peace officers by the Kentucky

1 Law Enforcement Council pursuant to KRS 15.380 to 15.404 and peace
2 officers who are retired and are members of the Kentucky Employees
3 Retirement System, State Police Retirement System, or County Employees
4 Retirement System or other retirement system operated by or for a city,
5 county, or urban-county in Kentucky shall be deemed to have met the training
6 requirement.
7 (b) Current and retired peace officers of the following federal agencies shall be
8 deemed to have met the training requirement:
9 1. Any peace officer employed by a federal agency specified in KRS
10 61.365;
11 2. Any peace officer employed by a federal civilian law enforcement
12 agency not specified above who has successfully completed the basic
13 law enforcement training course required by that agency;
14 3. Any military peace officer of the United States Army, Navy, Marine
15 Corps, or Air Force, or a reserve component thereof, or of the Army
16 National Guard or Air National Guard who has successfully completed
17 the military law enforcement training course required by that branch of
18 the military; and
19 4. Any member of the United States Coast Guard serving in a peace officer
20 role who has successfully completed the law enforcement training
21 course specified by the United States Coast Guard.
22 (c) Corrections officers who are currently employed by ~~[a county containing]~~a
23 consolidated local government,~~[or]~~ an urban-county government, ***or the***
24 ***Department of Corrections*** who have successfully completed a basic firearms
25 training course required for their employment, and corrections officers who
26 were formerly employed by ~~[a county containing]~~a consolidated local
27 government,~~[or]~~ an urban-county government, ***or the Department of***

1 ***Corrections*** who are retired, and who successfully completed a basic firearms
2 training course required for their employment, and are members of a state-
3 administered retirement system or other retirement system operated by or for a
4 city, county, or urban-county government in Kentucky shall be deemed to
5 have met the training requirement.
6 (d) Active or honorably discharged service members in the United States Army,
7 Navy, Marine Corps, Air Force, or Coast Guard, or a reserve component
8 thereof, or of the Army National Guard or Air National Guard shall be
9 deemed to have met the training requirement if these persons:
10 1. Successfully completed handgun training which was conducted by the
11 United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or
12 a reserve component thereof, or of the Army National Guard or Air
13 National Guard; or
14 2. Successfully completed handgun qualification within the United States
15 Army, Navy, Marine Corps, Air Force, or Coast Guard, or a reserve
16 component thereof, or of the Army Guard or Air Force National Guard.
17 (7) (a) 1. A paper application for a license, or renewal of a license, to carry a
18 concealed deadly weapon shall be obtained from and submitted to the
19 office of the sheriff in the county in which the person resides.
20 2. An applicant, in lieu of a paper application, may submit an electronic
21 application for a license, or renewal of a license, to carry a concealed
22 deadly weapon to the Department of Kentucky State Police.
23 3. Persons qualifying under subsection (6)(d) of this section shall be
24 supplied the information in subsection (4)(i)4. of this section upon
25 obtaining an application.
26 (b) 1. The completed paper application and any documentation required by this
27 section plus an application fee or renewal fee, as appropriate, of sixty

1 dollars ($60) shall be presented to the office of the sheriff of the county
2 in which the applicant resides.
3 2. The sheriff shall transmit the paper application and accompanying
4 material to the Department of Kentucky State Police within five (5)
5 working days.
6 3. Twenty dollars ($20) of the paper application fee shall be retained by the
7 office of the sheriff for official expenses of the office. Twenty dollars
8 ($20) shall be sent to the Department of Kentucky State Police with the
9 application. Ten dollars ($10) shall be transmitted by the sheriff to the
10 Administrative Office of the Courts to fund background checks for
11 youth leaders, and ten dollars ($10) shall be transmitted to the
12 Administrative Office of the Courts to fund background checks for
13 applicants for concealed weapons.
14 (c) 1. A completed electronic application submitted in lieu of a paper
15 application, any documentation required by this section, and an
16 application fee or renewal fee, as appropriate, of seventy dollars ($70)
17 shall be presented to the Department of Kentucky State Police.
18 2. If an electronic application is submitted in lieu of a paper application,
19 thirty dollars ($30) of the electronic application fee shall be retained by
20 the Department of Kentucky State Police. Twenty dollars ($20) shall be
21 sent to the office of the sheriff of the applicant's county of residence for
22 official expenses of the office. Ten dollars ($10) shall be transmitted to
23 the Administrative Office of the Courts to fund background checks for
24 youth leaders, and ten dollars ($10) shall be transmitted to the
25 Administrative Office of the Courts to fund background checks for
26 applicants for concealed weapon carry permits.
27 (d) A full-time or part-time peace officer who is currently certified as a peace

1 officer by the Kentucky Law Enforcement Council and who is authorized by
2 his or her employer or government authority to carry a concealed deadly
3 weapon at all times and all locations within the Commonwealth pursuant to
4 KRS 527.020, or a retired peace officer who is a member of the Kentucky
5 Employees Retirement System, State Police Retirement System, County
6 Employees Retirement System, or other retirement system operated by or for a
7 city, county, or urban-county government in Kentucky, shall be exempt from
8 paying the paper or electronic application or renewal fees.
9 (e) The application, whether paper or electronic, shall be completed, under oath,
10 on a form or in a manner promulgated by the Department of Kentucky State
11 Police by administrative regulation which shall include:
12 1. a. The name, address, place and date of birth, citizenship, gender,
13 Social Security number of the applicant; and
14 b. If not a citizen of the United States, alien registration number if
15 applicable, passport number, visa number, mother's maiden name,
16 and other information necessary to determine the immigration
17 status and eligibility to purchase a firearm under federal law of a
18 person who is not a citizen of the United States;
19 2. A statement that, to the best of his or her knowledge, the applicant is in
20 compliance with criteria contained within subsections (3) and (4) of this
21 section;
22 3. A statement that the applicant, if qualifying under subsection (6)(c) of
23 this section, has provided:
24 a. At least one (1) of the forms listed in subsection (5) of this section;
25 or
26 b. i. Documentary evidence of an honorable discharge; and
27 ii. A notarized affidavit on a form provided by the Department

1 of Kentucky State Police stating the person has met the
2 training requirements of subsection (6)(c) of this section;
3 4. A statement that the applicant has been furnished a copy of this section
4 and is knowledgeable about its provisions;
5 5. A statement that the applicant has been furnished a copy of, has read,
6 and understands KRS Chapter 503 as it pertains to the use of deadly
7 force for self-defense in Kentucky; and
8 6. A conspicuous warning that the application is executed under oath and
9 that a materially false answer to any question, or the submission of any
10 materially false document by the applicant, subjects the applicant to
11 criminal prosecution under KRS 523.030.
12 (8) The applicant shall submit to the sheriff of the applicant's county of residence or
13 county of military posting if submitting a paper application, or to the Department of
14 Kentucky State Police if submitting an electronic application:
15 (a) A completed application as described in subsection (7) of this section;
16 (b) A recent color photograph of the applicant, as prescribed by administrative
17 regulation;
18 (c) A paper or electronic certificate or an affidavit or document as described in
19 subsection (5) of this section;
20 (d) A paper or electronic document establishing the training exemption as
21 described in subsection (6) of this section; and
22 (e) For an applicant who is not a citizen of the United States and has been
23 lawfully admitted to the United States by the United States government or an
24 agency thereof, an affidavit as prescribed by administrative regulation
25 concerning his or her immigration status and his or her United States
26 government issued:
27 1. Permanent Resident Card I-551 or its equivalent successor

1 identification;
2 2. Other United States government issued evidence of lawful admission to
3 the United States which includes the category of admission, if admission
4 has not been granted as a permanent resident; and
5 3. Evidence of compliance with the provisions of 18 U.S.C. sec. 922(g)(5),
6 18 U.S.C. sec. 922(d)(5), or 18 U.S.C. sec. 922(y)(2), and 27 C.F.R. Part
7 178, including, as appropriate, but not limited to evidence of ninety (90)
8 day residence in the Commonwealth, a valid current Kentucky hunting
9 license if claiming exemption as a hunter, or other evidence of eligibility
10 to purchase a firearm by an alien which is required by federal law or
11 regulation.
12 If an applicant presents identification specified in this paragraph, the sheriff
13 shall examine the identification, may record information from the
14 identification presented, and shall return the identification to the applicant.
15 (9) The Department of Kentucky State Police shall, within sixty (60) days after the date
16 of receipt of the items listed in subsection (8) of this section if the applicant
17 submitted a paper application, or within fifteen (15) business days after the date of
18 receipt of the items listed in subsection (8) of this section if the applicant applied
19 electronically, either:
20 (a) Issue the license; or
21 (b) Deny the application based solely on the grounds that the applicant fails to
22 qualify under the criteria listed in subsection (3) or (4) of this section. If the
23 Department of Kentucky State Police denies the application, it shall notify the
24 applicant in writing, stating the grounds for denial and informing the applicant
25 of a right to submit, within thirty (30) days, any additional documentation
26 relating to the grounds of denial. Upon receiving any additional
27 documentation, the Department of Kentucky State Police shall reconsider its

1 decision and inform the applicant within twenty (20) days of the result of the
2 reconsideration. The applicant shall further be informed of the right to seek de
3 novo review of the denial in the District Court of his or her place of residence
4 within ninety (90) days from the date of the letter advising the applicant of the
5 denial.
6 (10) The Department of Kentucky State Police shall maintain an automated listing of
7 license holders and pertinent information, and this information shall be available
8 upon request, at all times to all Kentucky, federal, and other states' law enforcement
9 agencies. A request for the entire list of licensees, or for all licensees in a
10 geographic area, shall be denied. Only requests relating to a named licensee shall be
11 honored or available to law enforcement agencies. Information on applications for
12 licenses, names and addresses, or other identifying information relating to license
13 holders shall be confidential and shall not be made available except to law
14 enforcement agencies. No request for lists of local or statewide permit holders shall
15 be made to any state or local law enforcement agency, peace officer, or other agency
16 of government other than the Department of Kentucky State Police, and no state or
17 local law enforcement agency, peace officer, or agency of government, other than
18 the Department of Kentucky State Police, shall provide any information to any
19 requester not entitled to it by law.
20 (11) Within thirty (30) days after the changing of a permanent address, or within thirty
21 (30) days after the loss, theft, or destruction of a license, the licensee shall notify the
22 Department of Kentucky State Police of the loss, theft, or destruction. Failure to
23 notify the Department of Kentucky State Police shall constitute a noncriminal
24 violation with a penalty of twenty-five dollars ($25) payable to the clerk of the
25 District Court. No court costs shall be assessed for a violation of this subsection.
26 When a licensee makes application to change his or her residence address or other
27 information on the license, neither the sheriff nor the Department of Kentucky State

1 Police shall require a surrender of the license until a new license is in the office of
2 the applicable sheriff and available for issuance. Upon the issuance of a new
3 license, the old license shall be destroyed by the sheriff.
4 (12) If a license is lost, stolen, or destroyed, the license shall be automatically invalid,
5 and the person to whom the same was issued may, upon payment of fifteen dollars
6 ($15) for a paper request, or twenty-five dollars ($25) for an electronic request
7 submitted in lieu of a paper request, to the Department of Kentucky State Police,
8 obtain a duplicate, upon furnishing a notarized statement to the Department of
9 Kentucky State Police that the license has been lost, stolen, or destroyed.
10 (13) (a) The commissioner of the Department of Kentucky State Police, or his or her
11 designee in writing, shall revoke the license of any person who becomes
12 permanently ineligible to be issued a license or have a license renewed under
13 the criteria set forth in this section.
14 (b) The commissioner of the Department of Kentucky State Police, or his or her
15 designee in writing, shall suspend the license of any person who becomes
16 temporarily ineligible to be issued a license or have a license renewed under
17 the criteria set forth in this section. The license shall remain suspended until
18 the person is again eligible for the issuance or renewal of a license.
19 (c) Upon the suspension or revocation of a license, the commissioner of the
20 Department of Kentucky State Police, or his or her designee in writing, shall:
21 1. Order any peace officer to seize the license from the person whose
22 license was suspended or revoked; or
23 2. Direct the person whose license was suspended or revoked to surrender
24 the license to the sheriff of the person's county of residence within two
25 (2) business days of the receipt of the notice.
26 (d) If the person whose license was suspended or revoked desires a hearing on the
27 matter, the person shall surrender the license as provided in paragraph (c)2. of

1 this subsection and petition the commissioner of the Department of Kentucky
2 State Police to hold a hearing on the issue of suspension or revocation of the
3 license.
4 (e) Upon receipt of the petition, the commissioner of the Department of Kentucky
5 State Police shall cause a hearing to be held in accordance with KRS Chapter
6 13B on the suspension or revocation of the license. If the license has not been
7 surrendered, no hearing shall be scheduled or held.
8 (f) If the hearing officer determines that the licensee's license was wrongly
9 suspended or revoked, the hearing officer shall order the commissioner of the
10 Department of Kentucky State Police to return the license and abrogate the
11 suspension or revocation of the license.
12 (g) Any party may appeal a decision pursuant to this subsection to the District
13 Court in the licensee's county of residence in the same manner as for the
14 denial of a license.
15 (h) If the license is not surrendered as ordered, the commissioner of the
16 Department of Kentucky State Police shall order a peace officer to seize the
17 license and deliver it to the commissioner.
18 (i) Failure to surrender a suspended or revoked license as ordered is a Class A
19 misdemeanor.
20 (j) The provisions of this subsection relating to surrender of a license shall not
21 apply if a court of competent jurisdiction has enjoined its surrender.
22 (k) When a domestic violence order or emergency protective order is issued
23 pursuant to the provisions of KRS Chapter 403 against a person holding a
24 license issued under this section, the holder of the permit shall surrender the
25 license to the court or to the officer serving the order. The officer to whom the
26 license is surrendered shall forthwith transmit the license to the court issuing
27 the order. The license shall be suspended until the order is terminated, or until

1 the judge who issued the order terminates the suspension prior to the
2 termination of the underlying domestic violence order or emergency protective
3 order, in writing and by return of the license, upon proper motion by the
4 license holder. Subject to the same conditions as above, a peace officer against
5 whom an emergency protective order or domestic violence order has been
6 issued shall not be permitted to carry a concealed deadly weapon when not on
7 duty, the provisions of KRS 527.020 to the contrary notwithstanding.
8 (14) (a) Not less than one hundred twenty (120) days prior to the expiration date of the
9 license, the Department of Kentucky State Police shall mail to each licensee a
10 written notice of the expiration and a renewal form prescribed by the
11 Department of Kentucky State Police. The outside of the envelope containing
12 the license renewal notice shall bear only the name and address of the
13 applicant. No other information relating to the applicant shall appear on the
14 outside of the envelope sent to the applicant. The licensee may renew his or
15 her license on or before the expiration date by filing with the sheriff of his or
16 her county of residence the paper renewal form, or by filing with the
17 Department of Kentucky State Police an electronic renewal form in lieu of a
18 paper renewal form, stating that the licensee remains qualified pursuant to the
19 criteria specified in subsections (3) and (4) of this section, and the required
20 renewal fee set forth in subsection (7) of this section. The sheriff shall issue to
21 the applicant a receipt for the paper application for renewal of the license and
22 shall date the receipt. The Department of Kentucky State Police shall issue to
23 the applicant a receipt for an electronic application for renewal of the license
24 submitted in lieu of a paper application for renewal and shall date the receipt.
25 (b) A license which has expired shall be void and shall not be valid for any
26 purpose other than surrender to the sheriff in exchange for a renewal license.
27 (c) The license shall be renewed to a qualified applicant upon receipt of the

1 completed renewal application, records check as specified in subsection (3) of
2 this section, determination that the renewal applicant is not ineligible for a
3 license as specified in subsection (4), and appropriate payment of fees. Upon
4 the issuance of a new license, the old license shall be destroyed by the sheriff.
5 A licensee who fails to file a renewal application on or before its expiration
6 date may renew his or her license by paying, in addition to the license fees, a
7 late fee of fifteen dollars ($15). No license shall be renewed six (6) months or
8 more after its expiration date, and the license shall be deemed to be
9 permanently expired six (6) months after its expiration date. A person whose
10 license has permanently expired may reapply for licensure pursuant to
11 subsections (7), (8), and (9) of this section.
12 (15) The licensee shall carry the license at all times the licensee is carrying a concealed
13 firearm or other deadly weapon and shall display the license upon request of a law
14 enforcement officer. Violation of the provisions of this subsection shall constitute a
15 noncriminal violation with a penalty of twenty-five dollars ($25), payable to the
16 clerk of the District Court, but no court costs shall be assessed.
17 (16) Except as provided in KRS 527.020, no license issued pursuant to this section shall
18 authorize any person to carry a concealed firearm into:
19 (a) Any police station or sheriff's office;
20 (b) Any detention facility, prison, or jail;
21 (c) Any courthouse, solely occupied by the Court of Justice courtroom, or court
22 proceeding;
23 (d) Any meeting of the governing body of a county, municipality, or special
24 district; or any meeting of the General Assembly or a committee of the
25 General Assembly, except that nothing in this section shall preclude a member
26 of the body, holding a concealed deadly weapon license, from carrying a
27 concealed deadly weapon at a meeting of the body of which he or she is a

1 member;
2 (e) Any portion of an establishment licensed to dispense beer or alcoholic
3 beverages for consumption on the premises, which portion of the
4 establishment is primarily devoted to that purpose;
5 (f) Any elementary or secondary school facility without the consent of school
6 authorities as provided in KRS 527.070, any child-caring facility as defined in
7 KRS 199.011, any day-care center as defined in KRS 199.894, or any certified
8 family child-care home as defined in KRS 199.8982, except however, any
9 owner of a certified child-care home may carry a concealed firearm into the
10 owner's residence used as a certified child-care home;
11 (g) An area of an airport to which access is controlled by the inspection of
12 persons and property; or
13 (h) Any place where the carrying of firearms is prohibited by federal law.
14 (17) The owner, business or commercial lessee, or manager of a private business
15 enterprise, day-care center as defined in KRS 199.894 or certified or licensed family
16 child-care home as defined in KRS 199.8982, or a health-care facility licensed
17 under KRS Chapter 216B, except facilities renting or leasing housing, may prohibit
18 persons holding concealed deadly weapon licenses from carrying concealed deadly
19 weapons on the premises and may prohibit employees, not authorized by the
20 employer, holding concealed deadly weapons licenses from carrying concealed
21 deadly weapons on the property of the employer. If the building or the premises are
22 open to the public, the employer or business enterprise shall post signs on or about
23 the premises if carrying concealed weapons is prohibited. Possession of weapons, or
24 ammunition, or both in a vehicle on the premises shall not be a criminal offense so
25 long as the weapons, or ammunition, or both are not removed from the vehicle or
26 brandished while the vehicle is on the premises. A private but not a public employer
27 may prohibit employees or other persons holding a concealed deadly weapons

1 license from carrying concealed deadly weapons, or ammunition, or both in vehicles
2 owned by the employer, but may not prohibit employees or other persons holding a
3 concealed deadly weapons license from carrying concealed deadly weapons, or
4 ammunition, or both in vehicles owned by the employee, except that the Justice and
5 Public Safety Cabinet may prohibit an employee from carrying any weapons, or
6 ammunition, or both other than the weapons, or ammunition, or both issued or
7 authorized to be used by the employee of the cabinet, in a vehicle while transporting
8 persons under the employee's supervision or jurisdiction. Carrying of a concealed
9 weapon, or ammunition, or both in a location specified in this subsection by a
10 license holder shall not be a criminal act but may subject the person to denial from
11 the premises or removal from the premises, and, if an employee of an employer,
12 disciplinary measures by the employer.
13 (18) All moneys collected by the Department of Kentucky State Police pursuant to this
14 section shall be used to administer the provisions of this section and KRS 237.138
15 to 237.142. By March 1 of each year, the Department of Kentucky State Police and
16 the Administrative Office of the Courts shall submit reports to the Governor, the
17 President of the Senate, and the Speaker of the House of Representatives, indicating
18 the amounts of money collected and the expenditures related to this section, KRS
19 237.138 to 237.142, and KRS 237.115, 244.125, 527.020, and 527.070, and the
20 administration of the provisions of this section, KRS 237.138 to 237.142, and KRS
21 237.115, 244.125, 527.020, and 527.070.
22 (19) The General Assembly finds as a matter of public policy that it is necessary to
23 provide statewide uniform standards for issuing licenses to carry concealed firearms
24 and to occupy the field of regulation of the bearing of concealed firearms to ensure
25 that no person who qualifies under the provisions of this section is denied his rights.
26 The General Assembly does not delegate to the Department of Kentucky State
27 Police the authority to regulate or restrict the issuing of licenses provided for in this

1 section beyond those provisions contained in this section. This section shall be
2 liberally construed to carry out the constitutional right to bear arms for self-defense.
3 (20) (a) A person who is not a resident of Kentucky and who has a valid license issued
4 by another state of the United States to carry a concealed deadly weapon in
5 that state may, subject to provisions of Kentucky law, carry a concealed
6 deadly weapon in Kentucky, and his or her license shall be considered as valid
7 in Kentucky.
8 (b) If a person with a valid license to carry a concealed deadly weapon issued
9 from another state that has entered into a reciprocity agreement with the
10 Department of Kentucky State Police becomes a resident of Kentucky, the
11 license issued by the other state shall be considered as valid for the first one
12 hundred twenty (120) days of the person's residence in Kentucky, if within
13 sixty (60) days of moving to Kentucky, the person completes a form
14 promulgated by the Department of Kentucky State Police which shall include:
15 1. A signed and notarized statement averring that to the best of his or her
16 knowledge the person's license to carry a concealed deadly weapon is
17 valid and in compliance with applicable out-of-state law, and has not
18 been revoked or suspended for any reason except for valid forfeiture due
19 to departure from the issuing state;
20 2. The person's name, date of birth, citizenship, gender, Social Security
21 number if applicable, proof that he or she is a citizen of the United
22 States, a permanent resident of the United States, or otherwise lawfully
23 present in the United States, former out-of-state address, current address
24 within the state of Kentucky, date on which Kentucky residence began,
25 state which issued the concealed carry license, the issuing state's
26 concealed carry license number, and the state of issuance of license; and
27 3. A photocopy of the person's out-of-state license to carry a concealed

1 deadly weapon.
2 (c) Within sixty (60) days of moving to Kentucky, the person shall deliver the
3 form and accompanying documents by registered or certified mail, return
4 receipt requested, to the address indicated on the form provided by the
5 Department of Kentucky State Police pursuant to this subsection.
6 (d) The out-of-state concealed carry license shall become invalid in Kentucky
7 upon the earlier of:
8 1. The out-of-state person having resided in Kentucky for more than one
9 hundred twenty (120) days; or
10 2. The person being issued a Kentucky concealed deadly weapon license
11 pursuant to this section.
12 (e) The Department of Kentucky State Police shall, not later than thirty (30) days
13 after July 15, 1998, and not less than once every twelve (12) months
14 thereafter, make written inquiry of the concealed deadly weapon carrying
15 licensing authorities in each other state as to whether a Kentucky resident may
16 carry a concealed deadly weapon in their state based upon having a valid
17 Kentucky concealed deadly weapon license, or whether a Kentucky resident
18 may apply for a concealed deadly weapon carrying license in that state based
19 upon having a valid Kentucky concealed deadly weapon license. The
20 Department of Kentucky State Police shall attempt to secure from each other
21 state permission for Kentucky residents who hold a valid Kentucky concealed
22 deadly weapon license to carry concealed deadly weapons in that state, either
23 on the basis of the Kentucky license or on the basis that the Kentucky license
24 is sufficient to permit the issuance of a similar license by the other state. The
25 Department of Kentucky State Police shall enter into a written reciprocity
26 agreement with the appropriate agency in each state that agrees to permit
27 Kentucky residents to carry concealed deadly weapons in the other state on the

1 basis of a Kentucky-issued concealed deadly weapon license or that will issue
2 a license to carry concealed deadly weapons in the other state based upon a
3 Kentucky concealed deadly weapon license. If a reciprocity agreement is
4 reached, the requirement to recontact the other state each twelve (12) months
5 shall be eliminated as long as the reciprocity agreement is in force. The
6 information shall be a public record and shall be available to individual
7 requesters free of charge for the first copy and at the normal rate for open
8 records requests for additional copies.
9 (21) By March 1 of each year, the Department of Kentucky State Police shall submit a
10 statistical report to the Governor, the President of the Senate, and the Speaker of the
11 House of Representatives, indicating the number of licenses issued, revoked,
12 suspended, and denied since the previous report and in total and also the number of
13 licenses currently valid. The report shall also include the number of arrests,
14 convictions, and types of crimes committed since the previous report by individuals
15 licensed to carry concealed weapons.
16 (22) The following provisions shall apply to concealed deadly weapon training classes
17 conducted by the Department of Criminal Justice Training or any other agency
18 pursuant to this section:
19 (a) No concealed deadly weapon instructor trainer shall have his or her
20 certification as a concealed deadly weapon instructor trainer reduced to that of
21 instructor or revoked except after a hearing conducted pursuant to KRS
22 Chapter 13B in which the instructor is found to have committed an act in
23 violation of the applicable statutes or administrative regulations;
24 (b) No concealed deadly weapon instructor shall have his or her certification as a
25 concealed deadly weapon instructor license suspended or revoked except after
26 a hearing conducted pursuant to KRS Chapter 13B in which the instructor is
27 found to have committed an act in violation of the applicable statutes or

1 administrative regulations;
2 (c) The department shall not require prior notification that an applicant class or
3 instructor class will be conducted by a certified instructor or instructor trainer;
4 (d) Each concealed deadly weapon instructor or instructor trainer who teaches a
5 concealed deadly weapon applicant or concealed deadly weapon instructor
6 class shall supply the Department of Criminal Justice Training with a class
7 roster indicating which students enrolled and successfully completed the class,
8 and which contains the name and address of each student, within five (5)
9 working days of the completion of the class. The information may be sent by
10 mail, facsimile, e-mail, or other method which will result in the receipt of or
11 production of a hard copy of the information. The postmark, facsimile date, or
12 e-mail date shall be considered as the date on which the notice was sent.
13 Concealed deadly weapon class applicant, instructor, and instructor trainer
14 information and records shall be confidential. The department may release to
15 any person or organization the name, address, and telephone number of a
16 concealed deadly weapon instructor or instructor trainer if that instructor or
17 instructor trainer authorizes the release of the information in writing. The
18 department shall include on any application for an instructor or instructor
19 trainer certification a statement that the applicant either does or does not
20 desire the applicant's name, address, and telephone number to be made public;
21 (e) An instructor trainer who assists in the conduct of a concealed deadly weapon
22 instructor class or concealed deadly weapon applicant class for more than two
23 (2) hours shall be considered as to have taught a class for the purpose of
24 maintaining his or her certification. All class record forms shall include spaces
25 for assistant instructors to sign and certify that they have assisted in the
26 conduct of a concealed deadly weapon instructor or concealed deadly weapon
27 class;

1 (f) An instructor who assists in the conduct of a concealed deadly weapon
2 applicant class for more than two (2) hours shall be considered as to have
3 taught a class for the purpose of maintaining his or her license. All class
4 record forms shall include spaces for assistant instructors to sign and certify
5 that they have assisted in the conduct of a concealed deadly weapon class;
6 (g) If the Department of Criminal Justice Training believes that a firearms
7 instructor trainer or certified firearms instructor has not in fact complied with
8 the requirements for teaching a certified firearms instructor or applicant class
9 by not teaching the class as specified in KRS 237.126, or who has taught an
10 insufficient class as specified in KRS 237.128, the department shall send to
11 each person who has been listed as successfully completing the concealed
12 deadly weapon applicant class or concealed deadly weapon instructor class a
13 verification form on which the time, date, date of range firing if different from
14 the date on which the class was conducted, location, and instructor of the class
15 is listed by the department and which requires the person to answer "yes" or
16 "no" to specific questions regarding the conduct of the training class. The
17 form shall be completed under oath and shall be returned to the Department of
18 Criminal Justice Training not later than forty-five (45) days after its receipt. A
19 person who fails to complete the form, to sign the form, or to return the form
20 to the Department of Criminal Justice Training within the time frame
21 specified in this section or who, as a result of information on the returned
22 form, is determined by the Department of Criminal Justice Training, following
23 a hearing pursuant to KRS Chapter 13B, to not have received the training
24 required by law shall have his or her concealed deadly weapon license
25 revoked by the Department of Kentucky State Police, following a hearing
26 conducted by the Department of Criminal Justice Training pursuant to KRS
27 Chapter 13B, at which hearing the person is found to have violated the

1 provisions of this section or who has been found not to have received the
2 training required by law;
3 (h) The department shall annually, not later than December 31 of each year, report
4 to the Legislative Research Commission:
5 1. The number of firearms instructor trainers and certified firearms
6 instructors whose certifications were suspended, revoked, denied, or
7 who were otherwise disciplined;
8 2. The reasons for the imposition of suspensions, revocations, denials, or
9 other discipline; and
10 3. Suggestions for improvement of the concealed deadly weapon applicant
11 training program and instructor process;
12 (i) If a concealed deadly weapon license holder is convicted of, pleads guilty to,
13 or enters an Alford plea to a felony offense, then his or her concealed deadly
14 weapon license shall be forthwith revoked by the Department of Kentucky
15 State Police as a matter of law;
16 (j) If a concealed deadly weapon instructor or instructor trainer is convicted of,
17 pleads guilty to, or enters an Alford plea to a felony offense, then his or her
18 concealed deadly weapon instructor certification or concealed deadly weapon
19 instructor trainer certification shall be revoked by the Department of Criminal
20 Justice Training as a matter of law; and
21 (k) The following shall be in effect:
22 1. Action to eliminate the firearms instructor trainer program is prohibited.
23 The program shall remain in effect, and no firearms instructor trainer
24 shall have his or her certification reduced to that of certified firearms
25 instructor;
26 2. The Department of Kentucky State Police shall revoke the concealed
27 deadly weapon license of any person who received no firearms training

1 as required by KRS 237.126 and administrative regulations, or who
2 received insufficient training as required by KRS 237.128 and
3 administrative regulations, if the person voluntarily admits nonreceipt of
4 training or admits receipt of insufficient training, or if either nonreceipt
5 of training or receipt of insufficient training is proven following a
6 hearing conducted by the Department of Criminal Justice Training
7 pursuant to KRS Chapter 13B.
8 ➔Section 4. KRS 441.064 is amended to read as follows:
9 (1) The department shall employ the jail consultants, inspectors, and other employees
10 necessary to administer and enforce the provisions of KRS 441.055 to 441.075.
11 (2) The department shall inspect each jail biannually and may inspect jails more
12 frequently.
13 (3) The department shall be granted access at any reasonable time to any jail facility or
14 part of any jail facility and shall be granted access to all books, records, and data
15 pertaining to any jail which the department deems necessary for the administration
16 and enforcement of the provisions of KRS 441.055 to 441.075.
17 (4) Following an inspection of a jail, the department shall ***make notification of the***
18 ***inspection***[~~notify the jailer and the fiscal court~~] by certified or electronic mail of
19 any deficiencies which are discovered and documented. If the deficiencies are
20 related to health or safety, the notification shall be sent within ten (10) working
21 days, excluding weekends and holidays. The department shall submit an annual
22 written report of the findings of its inspections and the condition of the jail to***:***[~~ the~~
23 ~~jailer and the fiscal court.~~]
24 ***(a) The jailer and the fiscal court in counties where the jail is governed by the***
25 ***county;***
26 ***(b) The jail administrator and the governing authority for a jail governed by an***
27 ***urban-county or metro government; and***

1 ***(c) The jail administrator, the regional board authority, and the fiscal courts of***
2 ***the counties represented in counties where the jail is governed by a regional***
3 ***jail board.***
4 ➔Section 5. KRS 441.115 is amended to read as follows:
5 (1) For the purpose of raising the level of competence of jailers and jail personnel, the
6 department shall maintain a jail staff training program to provide training for jailers
7 and jail personnel consistent with the standards promulgated pursuant to KRS
8 441.055 and shall keep records of jailers and jail personnel who satisfactorily
9 complete basic and annual continuing education. The training program shall include
10 training on ***communicable diseases***[~~the human immunodeficiency virus infection~~
11 ~~and acquired immunodeficiency syndrome approved by the Cabinet for Health and~~
12 ~~Family Services~~]. A curriculum advisory committee composed of jailers, their
13 representatives, and recognized professionals in the field of jail administration shall
14 advise the department concerning the training needs of jailers and jail personnel.
15 The jail staff training program shall be directed and staffed by knowledgeable
16 persons who have sufficient experience, training, and education in jail operations.
17 The department shall not charge a fee for training jailers, their deputies, or jailers-
18 elect.
19 (2) Beginning in August, 1982, each jailer shall receive an expense allowance to help
20 defray the costs of his participation in the jail staff training program. The expense
21 allowance shall be in the amount of three hundred dollars ($300) per month payable
22 out of the State Treasury. Expense allowance payments shall be discontinued if the
23 jailer fails to satisfactorily complete annual continuing training. Expense allowance
24 payments shall be resumed following a discontinuance for failure to satisfactorily
25 complete basic or annual training only upon the jailer's satisfactory completion of
26 the training.
27 (3) The allowance authorized in subsections (2) and (4) of this section shall be

1 considered as operating expenses of the jailer's office and shall not be considered as
2 part of his compensation. Jailers shall not be required to keep records verifying the
3 expenditures from the allowance provided by the state.
4 (4) In order to receive the expense allowance for their first year in office, jailers who
5 have been elected to office for the first time, shall, before taking office, successfully
6 complete a training program designed for new jailers and conducted by the
7 personnel of the jail staff training program. This provision shall not apply if the
8 jailer-elect is ill and unable to complete the training before taking office. In such
9 cases, the jailer-elect shall successfully complete a new jailer training program
10 during his first year in office in order to receive the expense allowance. The county
11 or urban-county government in which the jailer-elect serves shall pay out of the jail
12 budget, once he takes office, all necessary and reasonable travel expenses incurred
13 by the jailer-elect in attending the new jailer training program.
14 (5) All jailers shall successfully complete the training required. If a jailer does not
15 successfully complete the required training within the time specified, he or she shall
16 not receive the expense allowance specified in subsection (2) of this section until he
17 or she successfully completes the required training.

Speaker-House of Representatives

President of Senate

Attest: Chief Clerk of House of Representatives

Approved Governor

Date 4-6-15