GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

SENATE BILL NO. 67

MONDAY, FEBRUARY 23, 2015

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE March 23, 2015
4:43pm

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

1 AN ACT relating to concealed carry licenses.

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

3 ➔Section 1. KRS 237.110 is amended to read as follows:

4 (1) The Department of Kentucky State Police is authorized to issue and renew licenses
5 to carry concealed firearms or other deadly weapons, or a combination thereof, to
6 persons qualified as provided in this section.

7 (2) An original or renewal license issued pursuant to this section shall:

8 (a) Be valid throughout the Commonwealth and, except as provided in this
9 section or other specific section of the Kentucky Revised Statutes or federal
10 law, permit the holder of the license to carry firearms, ammunition, or other
11 deadly weapons, or a combination thereof, at any location in the
12 Commonwealth;

13 (b) Unless revoked or suspended as provided by law, be valid for a period of five
14 (5) years from the date of issuance;

15 (c) Authorize the holder of the license to carry a concealed firearm or other
16 deadly weapon, or a combination thereof, on or about his or her person; and

17 (d) Authorize the holder of the license to carry ammunition for a firearm on or
18 about his or her person.

19 (3) Prior to the issuance of an original or renewal license to carry a concealed deadly
20 weapon, the Department of Kentucky State Police, upon receipt of a completed
21 application, applicable fees, and any documentation required by this section or
22 administrative regulation promulgated by the Department of Kentucky State Police,
23 shall conduct a background check to ascertain whether the applicant is eligible
24 under 18 U.S.C. sec. 922(g) and (n), any other applicable federal law, and state law
25 to purchase, receive, or possess a firearm or ammunition, or both. The background
26 check shall include:

27 (a) A state records check covering the items specified in this subsection, together

1 with any other requirements of this section;
2 (b) A federal records check, which shall include a National Instant Criminal
3 Background Check System (NICS) check;
4 (c) A federal Immigration Alien Query if the person is an alien who has been
5 lawfully admitted to the United States by the United States government or an
6 agency thereof; and
7 (d) In addition to the Immigration Alien Query, if the applicant has not been
8 lawfully admitted to the United States under permanent resident status, the
9 Department of Kentucky State Police shall, if a doubt exists relating to an
10 alien's eligibility to purchase a firearm, consult with the United States
11 Department of Homeland Security, United States Department of Justice,
12 United States Department of State, or other federal agency to confirm whether
13 the alien is eligible to purchase a firearm in the United States, bring a firearm
14 into the United States, or possess a firearm in the United States under federal
15 law.
16 (4) The Department of Kentucky State Police shall issue an original or renewal license
17 if the applicant:
18 (a) Is not prohibited from the purchase, receipt, or possession of firearms,
19 ammunition, or both pursuant to 18 U.S.C. 922(g), 18 U.S.C. 922(n), or
20 applicable federal or state law;
21 (b) 1. Is a citizen of the United States who is a resident of this Commonwealth;
22 2. Is a citizen of the United States who is a member of the Armed Forces of
23 the United States who is on active duty, who is at the time of application
24 assigned to a military posting in Kentucky;
25 3. Is lawfully admitted to the United States by the United States
26 government or an agency thereof, is permitted by federal law to purchase
27 a firearm, and is a resident of this Commonwealth; or

1 4. Is lawfully admitted to the United States by the United States
2 government or an agency thereof, is permitted by federal law to purchase
3 a firearm, is, at the time of the application, assigned to a military posting
4 in Kentucky, and has been assigned to a posting in the Commonwealth;
5 (c) Is twenty-one (21) years of age or older;
6 (d) Has not been committed to a state or federal facility for the abuse of a
7 controlled substance or been convicted of a misdemeanor violation of KRS
8 Chapter 218A or similar laws of any other state relating to controlled
9 substances, within a three (3) year period immediately preceding the date on
10 which the application is submitted;
11 (e) Does not chronically and habitually use alcoholic beverages as evidenced by
12 the applicant having two (2) or more convictions for violating KRS 189A.010
13 within the three (3) years immediately preceding the date on which the
14 application is submitted, or having been committed as an alcoholic pursuant to
15 KRS Chapter 222 or similar laws of another state within the three (3) year
16 period immediately preceding the date on which the application is submitted;
17 (f) Does not owe a child support arrearage which equals or exceeds the
18 cumulative amount which would be owed after one (1) year of nonpayment, if
19 the Department of Kentucky State Police has been notified of the arrearage by
20 the Cabinet for Health and Family Services;
21 (g) Has complied with any subpoena or warrant relating to child support or
22 paternity proceedings. If the Department of Kentucky State Police has not
23 been notified by the Cabinet for Health and Family Services that the applicant
24 has failed to meet this requirement, the Department of Kentucky State Police
25 shall assume that paternity and child support proceedings are not an issue;
26 (h) Has not been convicted of a violation of KRS 508.030 or 508.080 within the
27 three (3) years immediately preceding the date on which the application is

1 submitted. The commissioner of the Department of Kentucky State Police
2 may waive this requirement upon good cause shown and a determination that
3 the applicant is not a danger and that a waiver would not violate federal law;[
4 ~~and~~]
5 (i) Demonstrates competence with a firearm by successful completion of ***a***
6 ***firearms safety or training course that is conducted by a firearms instructor***
7 ***who is certified by a national organization that certifies firearms instructors***
8 ***and includes the use of written tests, in person instruction, and a***
9 ***component of live-fire training or*** a firearms safety course offered or
10 approved by the Department of Criminal Justice Training. The firearms safety
11 course ***offered or approved by the Department of Criminal Justice Training***
12 shall:
13 1. Be not more than eight (8) hours in length;
14 2. Include instruction on handguns, the safe use of handguns, the care and
15 cleaning of handguns, and handgun marksmanship principles;
16 3. Include actual range firing of a handgun in a safe manner, and the firing
17 of not more than twenty (20) rounds at a full-size silhouette target,
18 during which firing, not less than eleven (11) rounds must hit the
19 silhouette portion of the target; and
20 4. Include information on and a copy of laws relating to possession and
21 carrying of firearms, as set forth in KRS Chapters 237 and 527, and the
22 laws relating to the use of force, as set forth in KRS Chapter 503***; and***
23 ***(j) Demonstrates knowledge of the law regarding the justifiable use of force by***
24 ***including with the application a copy of the concealed carry deadly weapons***
25 ***legal handout made available by the Department of Criminal Justice***
26 ***Training and a signed statement that indicates that applicant has read and***
27 ***understands the handout***.

1 (5) (a) A legible photocopy or electronic copy of ***a***[~~the~~] certificate of completion
2 issued by ***a firearms instructor certified by a national organization or*** the
3 Department of Criminal Justice Training shall constitute evidence of
4 qualification under subsection (4)(i) of this section.
5 (b) Persons qualifying under subsection (6)(d) of this section may submit with
6 their application:
7 1. At least one (1) of the following paper or electronic forms or their
8 successor forms showing evidence of handgun training or handgun
9 qualifications:
10 a. Department of Defense Form DD 2586;
11 b. Department of Defense Form DD 214;
12 c. Coast Guard Form CG 3029;
13 d. Department of the Army Form DA 88-R;
14 e. Department of the Army Form DA 5704-R;
15 f. Department of the Navy Form OPNAV 3591-1; or
16 g. Department of the Air Force Form AF 522; or
17 2. a. Documentary evidence of an honorable discharge; and
18 b. A notarized affidavit on a form provided by the Department of
19 Kentucky State Police, signed under penalty of perjury, stating the
20 person has met the training requirements of subsection (6)(d) of
21 this section.
22 (6) (a) Peace officers who are currently certified as peace officers by the Kentucky
23 Law Enforcement Council pursuant to KRS 15.380 to 15.404 and peace
24 officers who are retired and are members of the Kentucky Employees
25 Retirement System, State Police Retirement System, or County Employees
26 Retirement System or other retirement system operated by or for a city,
27 county, or urban-county in Kentucky shall be deemed to have met the training

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

1 Navy, Marine Corps, Air Force, or Coast Guard, or a reserve component
2 thereof, or of the Army National Guard or Air National Guard shall be
3 deemed to have met the training requirement if these persons:
4 1. Successfully completed handgun training which was conducted by the
5 United States Army, Navy, Marine Corps, Air Force, or Coast Guard, or
6 a reserve component thereof, or of the Army National Guard or Air
7 National Guard; or
8 2. Successfully completed handgun qualification within the United States
9 Army, Navy, Marine Corps, Air Force, or Coast Guard, or a reserve
10 component thereof, or of the Army Guard or Air Force National Guard.
11 (7) (a) 1. A paper application for a license, or renewal of a license, to carry a
12 concealed deadly weapon shall be obtained from and submitted to the
13 office of the sheriff in the county in which the person resides.
14 2. An applicant, in lieu of a paper application, may submit an electronic
15 application for a license, or renewal of a license, to carry a concealed
16 deadly weapon to the Department of Kentucky State Police.
17 3. Persons qualifying under subsection (6)(d) of this section shall be
18 supplied the information in subsection (4)(i)4. of this section upon
19 obtaining an application.
20 (b) 1. The completed paper application and any documentation required by this
21 section plus an application fee or renewal fee, as appropriate, of sixty
22 dollars ($60) shall be presented to the office of the sheriff of the county
23 in which the applicant resides.
24 2. The sheriff shall transmit the paper application and accompanying
25 material to the Department of Kentucky State Police within five (5)
26 working days.
27 3. Twenty dollars ($20) of the paper application fee shall be retained by the

1 office of the sheriff for official expenses of the office. Twenty dollars
2 ($20) shall be sent to the Department of Kentucky State Police with the
3 application. Ten dollars ($10) shall be transmitted by the sheriff to the
4 Administrative Office of the Courts to fund background checks for
5 youth leaders, and ten dollars ($10) shall be transmitted to the
6 Administrative Office of the Courts to fund background checks for
7 applicants for concealed weapons.
8 (c) 1. A completed electronic application submitted in lieu of a paper
9 application, any documentation required by this section, and an
10 application fee or renewal fee, as appropriate, of seventy dollars ($70)
11 shall be presented to the Department of Kentucky State Police.
12 2. If an electronic application is submitted in lieu of a paper application,
13 thirty dollars ($30) of the electronic application fee shall be retained by
14 the Department of Kentucky State Police. Twenty dollars ($20) shall be
15 sent to the office of the sheriff of the applicant's county of residence for
16 official expenses of the office. Ten dollars ($10) shall be transmitted to
17 the Administrative Office of the Courts to fund background checks for
18 youth leaders, and ten dollars ($10) shall be transmitted to the
19 Administrative Office of the Courts to fund background checks for
20 applicants for concealed weapon carry permits.
21 (d) A full-time or part-time peace officer who is currently certified as a peace
22 officer by the Kentucky Law Enforcement Council and who is authorized by
23 his or her employer or government authority to carry a concealed deadly
24 weapon at all times and all locations within the Commonwealth pursuant to
25 KRS 527.020, or a retired peace officer who is a member of the Kentucky
26 Employees Retirement System, State Police Retirement System, County
27 Employees Retirement System, or other retirement system operated by or for a

1 city, county, or urban-county government in Kentucky, shall be exempt from
2 paying the paper or electronic application or renewal fees.
3 (e) The application, whether paper or electronic, shall be completed, under oath,
4 on a form or in a manner promulgated by the Department of Kentucky State
5 Police by administrative regulation which shall include:
6 1. a. The name, address, place and date of birth, citizenship, gender,
7 Social Security number of the applicant; and
8 b. If not a citizen of the United States, alien registration number if
9 applicable, passport number, visa number, mother's maiden name,
10 and other information necessary to determine the immigration
11 status and eligibility to purchase a firearm under federal law of a
12 person who is not a citizen of the United States;
13 2. A statement that, to the best of his or her knowledge, the applicant is in
14 compliance with criteria contained within subsections (3) and (4) of this
15 section;
16 3. A statement that the applicant, if qualifying under subsection (6)(c) of
17 this section, has provided:
18 a. At least one (1) of the forms listed in subsection (5) of this section;
19 or
20 b. i. Documentary evidence of an honorable discharge; and
21 ii. A notarized affidavit on a form provided by the Department
22 of Kentucky State Police stating the person has met the
23 training requirements of subsection (6)(c) of this section;
24 4. A statement that the applicant has been furnished a copy of this section
25 and is knowledgeable about its provisions;
26 5. A statement that the applicant has been furnished a copy of, has read,
27 and understands KRS Chapter 503 as it pertains to the use of deadly

1 force for self-defense in Kentucky; and
2 6. A conspicuous warning that the application is executed under oath and
3 that a materially false answer to any question, or the submission of any
4 materially false document by the applicant, subjects the applicant to
5 criminal prosecution under KRS 523.030.
6 (8) The applicant shall submit to the sheriff of the applicant's county of residence or
7 county of military posting if submitting a paper application, or to the Department of
8 Kentucky State Police if submitting an electronic application:
9 (a) A completed application as described in subsection (7) of this section;
10 (b) A recent color photograph of the applicant, as prescribed by administrative
11 regulation;
12 (c) A paper or electronic certificate or an affidavit or document as described in
13 subsection (5) of this section;
14 (d) A paper or electronic document establishing the training exemption as
15 described in subsection (6) of this section; and
16 (e) For an applicant who is not a citizen of the United States and has been
17 lawfully admitted to the United States by the United States government or an
18 agency thereof, an affidavit as prescribed by administrative regulation
19 concerning his or her immigration status and his or her United States
20 government issued:
21 1. Permanent Resident Card I-551 or its equivalent successor
22 identification;
23 2. Other United States government issued evidence of lawful admission to
24 the United States which includes the category of admission, if admission
25 has not been granted as a permanent resident; and
26 3. Evidence of compliance with the provisions of 18 U.S.C. sec. 922(g)(5),
27 18 U.S.C. sec. 922(d)(5), or 18 U.S.C. sec. 922(y)(2), and 27 C.F.R. Part

1 178, including, as appropriate, but not limited to evidence of ninety (90)
2 day residence in the Commonwealth, a valid current Kentucky hunting
3 license if claiming exemption as a hunter, or other evidence of eligibility
4 to purchase a firearm by an alien which is required by federal law or
5 regulation.
6 If an applicant presents identification specified in this paragraph, the sheriff
7 shall examine the identification, may record information from the
8 identification presented, and shall return the identification to the applicant.
9 (9) The Department of Kentucky State Police shall, within sixty (60) days after the date
10 of receipt of the items listed in subsection (8) of this section if the applicant
11 submitted a paper application, or within fifteen (15) business days after the date of
12 receipt of the items listed in subsection (8) of this section if the applicant applied
13 electronically, either:
14 (a) Issue the license; or
15 (b) Deny the application based solely on the grounds that the applicant fails to
16 qualify under the criteria listed in subsection (3) or (4) of this section. If the
17 Department of Kentucky State Police denies the application, it shall notify the
18 applicant in writing, stating the grounds for denial and informing the applicant
19 of a right to submit, within thirty (30) days, any additional documentation
20 relating to the grounds of denial. Upon receiving any additional
21 documentation, the Department of Kentucky State Police shall reconsider its
22 decision and inform the applicant within twenty (20) days of the result of the
23 reconsideration. The applicant shall further be informed of the right to seek de
24 novo review of the denial in the District Court of his or her place of residence
25 within ninety (90) days from the date of the letter advising the applicant of the
26 denial.
27 (10) The Department of Kentucky State Police shall maintain an automated listing of

1 license holders and pertinent information, and this information shall be available
2 upon request, at all times to all Kentucky, federal, and other states' law enforcement
3 agencies. A request for the entire list of licensees, or for all licensees in a
4 geographic area, shall be denied. Only requests relating to a named licensee shall be
5 honored or available to law enforcement agencies. Information on applications for
6 licenses, names and addresses, or other identifying information relating to license
7 holders shall be confidential and shall not be made available except to law
8 enforcement agencies. No request for lists of local or statewide permit holders shall
9 be made to any state or local law enforcement agency, peace officer, or other agency
10 of government other than the Department of Kentucky State Police, and no state or
11 local law enforcement agency, peace officer, or agency of government, other than
12 the Department of Kentucky State Police, shall provide any information to any
13 requester not entitled to it by law.
14 (11) Within thirty (30) days after the changing of a permanent address, or within thirty
15 (30) days after the loss, theft, or destruction of a license, the licensee shall notify the
16 Department of Kentucky State Police of the loss, theft, or destruction. Failure to
17 notify the Department of Kentucky State Police shall constitute a noncriminal
18 violation with a penalty of twenty-five dollars ($25) payable to the clerk of the
19 District Court. No court costs shall be assessed for a violation of this subsection.
20 When a licensee makes application to change his or her residence address or other
21 information on the license, neither the sheriff nor the Department of Kentucky State
22 Police shall require a surrender of the license until a new license is in the office of
23 the applicable sheriff and available for issuance. Upon the issuance of a new
24 license, the old license shall be destroyed by the sheriff.
25 (12) If a license is lost, stolen, or destroyed, the license shall be automatically invalid,
26 and the person to whom the same was issued may, upon payment of fifteen dollars
27 ($15) for a paper request, or twenty-five dollars ($25) for an electronic request

1 submitted in lieu of a paper request, to the Department of Kentucky State Police,
2 obtain a duplicate, upon furnishing a notarized statement to the Department of
3 Kentucky State Police that the license has been lost, stolen, or destroyed.
4 (13) (a) The commissioner of the Department of Kentucky State Police, or his or her
5 designee in writing, shall revoke the license of any person who becomes
6 permanently ineligible to be issued a license or have a license renewed under
7 the criteria set forth in this section.
8 (b) The commissioner of the Department of Kentucky State Police, or his or her
9 designee in writing, shall suspend the license of any person who becomes
10 temporarily ineligible to be issued a license or have a license renewed under
11 the criteria set forth in this section. The license shall remain suspended until
12 the person is again eligible for the issuance or renewal of a license.
13 (c) Upon the suspension or revocation of a license, the commissioner of the
14 Department of Kentucky State Police, or his or her designee in writing, shall:
15 1. Order any peace officer to seize the license from the person whose
16 license was suspended or revoked; or
17 2. Direct the person whose license was suspended or revoked to surrender
18 the license to the sheriff of the person's county of residence within two
19 (2) business days of the receipt of the notice.
20 (d) If the person whose license was suspended or revoked desires a hearing on the
21 matter, the person shall surrender the license as provided in paragraph (c)2. of
22 this subsection and petition the commissioner of the Department of Kentucky
23 State Police to hold a hearing on the issue of suspension or revocation of the
24 license.
25 (e) Upon receipt of the petition, the commissioner of the Department of Kentucky
26 State Police shall cause a hearing to be held in accordance with KRS Chapter
27 13B on the suspension or revocation of the license. If the license has not been

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

1 duty, the provisions of KRS 527.020 to the contrary notwithstanding.
2 (14) (a) Not less than one hundred twenty (120) days prior to the expiration date of the
3 license, the Department of Kentucky State Police shall mail to each licensee a
4 written notice of the expiration and a renewal form prescribed by the
5 Department of Kentucky State Police. The outside of the envelope containing
6 the license renewal notice shall bear only the name and address of the
7 applicant. No other information relating to the applicant shall appear on the
8 outside of the envelope sent to the applicant. The licensee may renew his or
9 her license on or before the expiration date by filing with the sheriff of his or
10 her county of residence the paper renewal form, or by filing with the
11 Department of Kentucky State Police an electronic renewal form in lieu of a
12 paper renewal form, stating that the licensee remains qualified pursuant to the
13 criteria specified in subsections (3) and (4) of this section, and the required
14 renewal fee set forth in subsection (7) of this section. The sheriff shall issue to
15 the applicant a receipt for the paper application for renewal of the license and
16 shall date the receipt. The Department of Kentucky State Police shall issue to
17 the applicant a receipt for an electronic application for renewal of the license
18 submitted in lieu of a paper application for renewal and shall date the receipt.
19 (b) A license which has expired shall be void and shall not be valid for any
20 purpose other than surrender to the sheriff in exchange for a renewal license.
21 (c) The license shall be renewed to a qualified applicant upon receipt of the
22 completed renewal application, records check as specified in subsection (3) of
23 this section, determination that the renewal applicant is not ineligible for a
24 license as specified in subsection (4), and appropriate payment of fees. Upon
25 the issuance of a new license, the old license shall be destroyed by the sheriff.
26 A licensee who fails to file a renewal application on or before its expiration
27 date may renew his or her license by paying, in addition to the license fees, a

1 late fee of fifteen dollars ($15). No license shall be renewed six (6) months or
2 more after its expiration date, and the license shall be deemed to be
3 permanently expired six (6) months after its expiration date. A person whose
4 license has permanently expired may reapply for licensure pursuant to
5 subsections (7), (8), and (9) of this section.
6 (15) The licensee shall carry the license at all times the licensee is carrying a concealed
7 firearm or other deadly weapon and shall display the license upon request of a law
8 enforcement officer. Violation of the provisions of this subsection shall constitute a
9 noncriminal violation with a penalty of twenty-five dollars ($25), payable to the
10 clerk of the District Court, but no court costs shall be assessed.
11 (16) Except as provided in KRS 527.020, no license issued pursuant to this section shall
12 authorize any person to carry a concealed firearm into:
13 (a) Any police station or sheriff's office;
14 (b) Any detention facility, prison, or jail;
15 (c) Any courthouse, solely occupied by the Court of Justice courtroom, or court
16 proceeding;
17 (d) Any meeting of the governing body of a county, municipality, or special
18 district; or any meeting of the General Assembly or a committee of the
19 General Assembly, except that nothing in this section shall preclude a member
20 of the body, holding a concealed deadly weapon license, from carrying a
21 concealed deadly weapon at a meeting of the body of which he or she is a
22 member;
23 (e) Any portion of an establishment licensed to dispense beer or alcoholic
24 beverages for consumption on the premises, which portion of the
25 establishment is primarily devoted to that purpose;
26 (f) Any elementary or secondary school facility without the consent of school
27 authorities as provided in KRS 527.070, any child-caring facility as defined in

1 KRS 199.011, any day-care center as defined in KRS 199.894, or any certified
2 family child-care home as defined in KRS 199.8982, except however, any
3 owner of a certified child-care home may carry a concealed firearm into the
4 owner's residence used as a certified child-care home;
5 (g) An area of an airport to which access is controlled by the inspection of
6 persons and property; or
7 (h) Any place where the carrying of firearms is prohibited by federal law.
8 (17) The owner, business or commercial lessee, or manager of a private business
9 enterprise, day-care center as defined in KRS 199.894 or certified or licensed family
10 child-care home as defined in KRS 199.8982, or a health-care facility licensed
11 under KRS Chapter 216B, except facilities renting or leasing housing, may prohibit
12 persons holding concealed deadly weapon licenses from carrying concealed deadly
13 weapons on the premises and may prohibit employees, not authorized by the
14 employer, holding concealed deadly weapons licenses from carrying concealed
15 deadly weapons on the property of the employer. If the building or the premises are
16 open to the public, the employer or business enterprise shall post signs on or about
17 the premises if carrying concealed weapons is prohibited. Possession of weapons, or
18 ammunition, or both in a vehicle on the premises shall not be a criminal offense so
19 long as the weapons, or ammunition, or both are not removed from the vehicle or
20 brandished while the vehicle is on the premises. A private but not a public employer
21 may prohibit employees or other persons holding a concealed deadly weapons
22 license from carrying concealed deadly weapons, or ammunition, or both in vehicles
23 owned by the employer, but may not prohibit employees or other persons holding a
24 concealed deadly weapons license from carrying concealed deadly weapons, or
25 ammunition, or both in vehicles owned by the employee, except that the Justice and
26 Public Safety Cabinet may prohibit an employee from carrying any weapons, or
27 ammunition, or both other than the weapons, or ammunition, or both issued or

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

1 in Kentucky.

2 (b) If a person with a valid license to carry a concealed deadly weapon issued
3 from another state that has entered into a reciprocity agreement with the
4 Department of Kentucky State Police becomes a resident of Kentucky, the
5 license issued by the other state shall be considered as valid for the first one
6 hundred twenty (120) days of the person's residence in Kentucky, if within
7 sixty (60) days of moving to Kentucky, the person completes a form
8 promulgated by the Department of Kentucky State Police which shall include:

9 1. A signed and notarized statement averring that to the best of his or her
10 knowledge the person's license to carry a concealed deadly weapon is
11 valid and in compliance with applicable out-of-state law, and has not
12 been revoked or suspended for any reason except for valid forfeiture due
13 to departure from the issuing state;

14 2. The person's name, date of birth, citizenship, gender, Social Security
15 number if applicable, proof that he or she is a citizen of the United
16 States, a permanent resident of the United States, or otherwise lawfully
17 present in the United States, former out-of-state address, current address
18 within the state of Kentucky, date on which Kentucky residence began,
19 state which issued the concealed carry license, the issuing state's
20 concealed carry license number, and the state of issuance of license; and

21 3. A photocopy of the person's out-of-state license to carry a concealed
22 deadly weapon.

23 (c) Within sixty (60) days of moving to Kentucky, the person shall deliver the
24 form and accompanying documents by registered or certified mail, return
25 receipt requested, to the address indicated on the form provided by the
26 Department of Kentucky State Police pursuant to this subsection.

27 (d) The out-of-state concealed carry license shall become invalid in Kentucky

1 upon the earlier of:
2 1. The out-of-state person having resided in Kentucky for more than one
3 hundred twenty (120) days; or
4 2. The person being issued a Kentucky concealed deadly weapon license
5 pursuant to this section.
6 (e) The Department of Kentucky State Police shall, not later than thirty (30) days
7 after July 15, 1998, and not less than once every twelve (12) months
8 thereafter, make written inquiry of the concealed deadly weapon carrying
9 licensing authorities in each other state as to whether a Kentucky resident may
10 carry a concealed deadly weapon in their state based upon having a valid
11 Kentucky concealed deadly weapon license, or whether a Kentucky resident
12 may apply for a concealed deadly weapon carrying license in that state based
13 upon having a valid Kentucky concealed deadly weapon license. The
14 Department of Kentucky State Police shall attempt to secure from each other
15 state permission for Kentucky residents who hold a valid Kentucky concealed
16 deadly weapon license to carry concealed deadly weapons in that state, either
17 on the basis of the Kentucky license or on the basis that the Kentucky license
18 is sufficient to permit the issuance of a similar license by the other state. The
19 Department of Kentucky State Police shall enter into a written reciprocity
20 agreement with the appropriate agency in each state that agrees to permit
21 Kentucky residents to carry concealed deadly weapons in the other state on the
22 basis of a Kentucky-issued concealed deadly weapon license or that will issue
23 a license to carry concealed deadly weapons in the other state based upon a
24 Kentucky concealed deadly weapon license. If a reciprocity agreement is
25 reached, the requirement to recontact the other state each twelve (12) months
26 shall be eliminated as long as the reciprocity agreement is in force. The
27 information shall be a public record and shall be available to individual

1 requesters free of charge for the first copy and at the normal rate for open
2 records requests for additional copies.
3 (21) By March 1 of each year, the Department of Kentucky State Police shall submit a
4 statistical report to the Governor, the President of the Senate, and the Speaker of the
5 House of Representatives, indicating the number of licenses issued, revoked,
6 suspended, and denied since the previous report and in total and also the number of
7 licenses currently valid. The report shall also include the number of arrests,
8 convictions, and types of crimes committed since the previous report by individuals
9 licensed to carry concealed weapons.
10 (22) The following provisions shall apply to concealed deadly weapon training classes
11 conducted by the Department of Criminal Justice Training or any other agency
12 pursuant to this section:
13 (a) No concealed deadly weapon instructor trainer shall have his or her
14 certification as a concealed deadly weapon instructor trainer reduced to that of
15 instructor or revoked except after a hearing conducted pursuant to KRS
16 Chapter 13B in which the instructor is found to have committed an act in
17 violation of the applicable statutes or administrative regulations;
18 (b) No concealed deadly weapon instructor shall have his or her certification as a
19 concealed deadly weapon instructor license suspended or revoked except after
20 a hearing conducted pursuant to KRS Chapter 13B in which the instructor is
21 found to have committed an act in violation of the applicable statutes or
22 administrative regulations;
23 (c) The department shall not require prior notification that an applicant class or
24 instructor class will be conducted by a certified instructor or instructor trainer;
25 (d) Each concealed deadly weapon instructor or instructor trainer who teaches a
26 concealed deadly weapon applicant or concealed deadly weapon instructor
27 class shall supply the Department of Criminal Justice Training with a class

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

1 instructor trainer or certified firearms instructor has not in fact complied with
2 the requirements for teaching a certified firearms instructor or applicant class
3 by not teaching the class as specified in KRS 237.126, or who has taught an
4 insufficient class as specified in KRS 237.128, the department shall send to
5 each person who has been listed as successfully completing the concealed
6 deadly weapon applicant class or concealed deadly weapon instructor class a
7 verification form on which the time, date, date of range firing if different from
8 the date on which the class was conducted, location, and instructor of the class
9 is listed by the department and which requires the person to answer "yes" or
10 "no" to specific questions regarding the conduct of the training class. The
11 form shall be completed under oath and shall be returned to the Department of
12 Criminal Justice Training not later than forty-five (45) days after its receipt. A
13 person who fails to complete the form, to sign the form, or to return the form
14 to the Department of Criminal Justice Training within the time frame
15 specified in this section or who, as a result of information on the returned
16 form, is determined by the Department of Criminal Justice Training, following
17 a hearing pursuant to KRS Chapter 13B, to not have received the training
18 required by law shall have his or her concealed deadly weapon license
19 revoked by the Department of Kentucky State Police, following a hearing
20 conducted by the Department of Criminal Justice Training pursuant to KRS
21 Chapter 13B, at which hearing the person is found to have violated the
22 provisions of this section or who has been found not to have received the
23 training required by law;
24 (h) The department shall annually, not later than December 31 of each year, report
25 to the Legislative Research Commission:
26 1. The number of firearms instructor trainers and certified firearms
27 instructors whose certifications were suspended, revoked, denied, or

1 who were otherwise disciplined;
2 2. The reasons for the imposition of suspensions, revocations, denials, or
3 other discipline; and
4 3. Suggestions for improvement of the concealed deadly weapon applicant
5 training program and instructor process;
6 (i) If a concealed deadly weapon license holder is convicted of, pleads guilty to,
7 or enters an Alford plea to a felony offense, then his or her concealed deadly
8 weapon license shall be forthwith revoked by the Department of Kentucky
9 State Police as a matter of law;
10 (j) If a concealed deadly weapon instructor or instructor trainer is convicted of,
11 pleads guilty to, or enters an Alford plea to a felony offense, then his or her
12 concealed deadly weapon instructor certification or concealed deadly weapon
13 instructor trainer certification shall be revoked by the Department of Criminal
14 Justice Training as a matter of law; and
15 (k) The following shall be in effect:
16 1. Action to eliminate the firearms instructor trainer program is prohibited.
17 The program shall remain in effect, and no firearms instructor trainer
18 shall have his or her certification reduced to that of certified firearms
19 instructor;
20 2. The Department of Kentucky State Police shall revoke the concealed
21 deadly weapon license of any person who received no firearms training
22 as required by KRS 237.126 and administrative regulations, or who
23 received insufficient training as required by KRS 237.128 and
24 administrative regulations, if the person voluntarily admits nonreceipt of
25 training or admits receipt of insufficient training, or if either nonreceipt
26 of training or receipt of insufficient training is proven following a
27 hearing conducted by the Department of Criminal Justice Training

1 pursuant to KRS Chapter 13B.

President of Senate

Speaker-House of Representatives

Attest: Chief Clerk of Senate

Approved Governor

Date 3/23/15