

1 AN ACT relating to carrying concealed weapons.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 237 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) Persons age twenty-one (21) or older, and otherwise able to lawfully possess a*  
6 *firearm, may carry concealed firearms or other concealed deadly weapons*  
7 *without a license in the same locations as persons with valid licenses issued*  
8 *under KRS 237.110.*

9 *(2) Nothing in this section shall be construed to allow the carrying or possession of*  
10 *any deadly weapon where it is prohibited by federal law.*

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

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

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

20 (3) The director of the Division of Law Enforcement in the Department of Fish and  
21 Wildlife Resources, conservation officers of the Department of Fish and Wildlife  
22 Resources, and policemen directly employed by state, county, city, or urban-county  
23 governments may carry concealed deadly weapons on or about their person at all  
24 times within the Commonwealth of Kentucky, when expressly authorized to do so  
25 by law or by the government employing the officer.

26 (4) Persons~~[, except those specified in subsection (5) of this section,]~~ *carrying*  
27 *concealed weapons in accordance with Section 1 of this Act or* licensed to carry a

1       concealed deadly weapon pursuant to KRS 237.110 may carry a ***concealed*** firearm  
2       or other concealed deadly weapon on or about their persons at all times within the  
3       Commonwealth of Kentucky, if the firearm or concealed deadly weapon is carried  
4       in conformity with the requirements of ***Section 1 of this Act or KRS 237.110***~~[that~~  
5       ~~section]~~. Unless otherwise specifically provided by the Kentucky Revised Statutes  
6       or applicable federal law, no criminal penalty shall attach to carrying a concealed  
7       firearm or other deadly weapon~~[with a permit]~~ at any location at which an  
8       unconcealed firearm or other deadly weapon may be constitutionally carried. No  
9       person or organization, public or private, shall prohibit a person~~[licensed to carry a~~  
10      ~~concealed deadly weapon]~~ from possessing a firearm, ammunition, or both, or other  
11      deadly weapon in his or her vehicle in compliance with the provisions of ***Section 1***  
12      ***of this Act***, KRS 237.110, and 237.115. Any attempt by a person or organization,  
13      public or private, to violate the provisions of this subsection may be the subject of  
14      an action for appropriate relief or for damages in a Circuit Court or District Court of  
15      competent jurisdiction.

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

- 21      1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 22      2. A retired Commonwealth's attorney or retired assistant Commonwealth's  
23      attorney;
- 24      3. A county attorney or assistant county attorney;
- 25      4. A retired county attorney or retired assistant county attorney;
- 26      5. A justice or judge of the Court of Justice;
- 27      6. A retired or senior status justice or judge of the Court of Justice; and

- 1           7. A retired peace officer who holds a concealed deadly weapon license  
2           issued pursuant to the federal Law Enforcement Officers Safety Act, 18  
3           U.S.C. sec. 926C, and KRS 237.138 to 237.142.
- 4           (b) The provisions of this subsection shall not authorize a person specified in this  
5           subsection to carry a concealed deadly weapon in a detention facility as  
6           defined in KRS 520.010 or on the premises of a detention facility without the  
7           permission of the warden, jailer, or other person in charge of the facility, or  
8           the permission of a person authorized by the warden, jailer, or other person in  
9           charge of the detention facility to give such permission. As used in this  
10          section, "detention facility" does not include courtrooms, facilities, or other  
11          premises used by the Court of Justice or administered by the Administrative  
12          Office of the Courts.
- 13          (c) A person specified in this section who is issued a concealed deadly weapon  
14          license shall be issued a license which bears on its face the statement that it is  
15          valid at all locations within the Commonwealth of Kentucky and may have  
16          such other identifying characteristics as determined by the Department of  
17          Kentucky State Police.
- 18          (6) (a) Except as provided in this subsection, the following persons may carry  
19          concealed deadly weapons on or about their person at all times and at all  
20          locations within the Commonwealth of Kentucky:
- 21               1. An elected sheriff and full-time and part-time deputy sheriffs certified  
22               pursuant to KRS 15.380 to 15.404 when expressly authorized to do so  
23               by the unit of government employing the officer;
- 24               2. An elected jailer and a deputy jailer who has successfully completed  
25               Department of Corrections basic training and maintains his or her  
26               current in-service training when expressly authorized to do so by the  
27               jailer; and

- 1           3.    The department head or any employee of a corrections department in any  
2                jurisdiction where the office of elected jailer has been merged with the  
3                office of sheriff who has successfully completed Department of  
4                Corrections basic training and maintains his or her current in-service  
5                training when expressly authorized to do so by the unit of government  
6                by which he or she is employed.
- 7           (b)   The provisions of this subsection shall not authorize a person specified in this  
8                subsection to carry a concealed deadly weapon in a detention facility as  
9                defined in KRS 520.010 or on the premises of a detention facility without the  
10              permission of the warden, jailer, or other person in charge of the facility, or  
11              the permission of a person authorized by the warden, jailer, or other person in  
12              charge of the detention facility to give such permission. As used in this  
13              section, "detention facility" does not include courtrooms, facilities, or other  
14              premises used by the Court of Justice or administered by the Administrative  
15              Office of the Courts.
- 16       (7)   (a)   A full-time paid peace officer of a government agency from another state or  
17                territory of the United States or an elected sheriff from another territory of the  
18                United States may carry a concealed deadly weapon in Kentucky, on or off  
19                duty, if the other state or territory accords a Kentucky full-time paid peace  
20                officer and a Kentucky elected sheriff the same rights by law. If the other state  
21                or territory limits a Kentucky full-time paid peace officer or elected sheriff to  
22                carrying a concealed deadly weapon while on duty, then that same restriction  
23                shall apply to a full-time paid peace officer or elected sheriff from that state or  
24                territory.
- 25           (b)   The provisions of this subsection shall not authorize a person specified in this  
26                subsection to carry a concealed deadly weapon in a detention facility as  
27                defined in KRS 520.010 or on the premises of a detention facility without the

1 permission of the warden, jailer, or other person in charge of the facility, or  
2 the permission of a person authorized by the warden, jailer, or other person in  
3 charge of the detention facility to give such permission. As used in this  
4 section, "detention facility" does not include courtrooms, facilities, or other  
5 premises used by the Court of Justice or administered by the Administrative  
6 Office of the Courts.

7 (8) A loaded or unloaded firearm or other deadly weapon shall not be deemed  
8 concealed on or about the person if it is located in any enclosed container,  
9 compartment, or storage space installed as original equipment in a motor vehicle by  
10 its manufacturer, including but not limited to a glove compartment, center console,  
11 or seat pocket, regardless of whether said enclosed container, storage space, or  
12 compartment is locked, unlocked, or does not have a locking mechanism. No person  
13 or organization, public or private, shall prohibit a person from keeping a loaded or  
14 unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in  
15 accordance with the provisions of this subsection. Any attempt by a person or  
16 organization, public or private, to violate the provisions of this subsection may be  
17 the subject of an action for appropriate relief or for damages in a Circuit Court or  
18 District Court of competent jurisdiction. This subsection shall not apply to any  
19 person prohibited from possessing a firearm pursuant to KRS 527.040.

20 (9) The provisions of this section shall not apply to a person who carries a concealed  
21 deadly weapon on or about his or her person~~[without a license issued pursuant to~~  
22 ~~KRS 237.110]:~~

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

26 (b) If he or she is the lessee of the property or has the permission of the lessee of  
27 the property, on real property which he or she or his or her spouse, parent,

1 grandparent, or child occupies pursuant to a lease; or

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

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

7 ➔Section 3. KRS 237.115 is amended to read as follows:

8 (1) Except as provided in KRS 527.020, nothing contained in KRS 237.110 **or Section**  
9 **I of this Act** shall be construed to limit, restrict, or prohibit in any manner the right  
10 of a college, university, or any postsecondary education facility, including technical  
11 schools and community colleges, to control the possession of deadly weapons on  
12 any property owned or controlled by them or the right of a unit of state, city, county,  
13 urban-county, or charter county government to prohibit the carrying of concealed  
14 deadly weapons~~[by licensees]~~ in that portion of a building actually owned, leased,  
15 or occupied by that unit of government.

16 (2) Except as provided in KRS 527.020, the legislative body of a state, city, county, or  
17 urban-county government may, by statute, administrative regulation, or ordinance,  
18 prohibit or limit the carrying of concealed deadly weapons~~[by licensees]~~ in that  
19 portion of a building owned, leased, or controlled by that unit of government. That  
20 portion of a building in which the carrying of concealed deadly weapons is  
21 prohibited or limited shall be clearly identified by signs posted at the entrance to the  
22 restricted area. The statute or ordinance shall exempt any building used for public  
23 housing by private persons, highway rest areas, firing ranges, and private dwellings  
24 owned, leased, or controlled by that unit of government from any restriction on the  
25 carrying or possession of deadly weapons. The statute, administrative regulation, or  
26 ordinance shall not specify any criminal penalty for its violation but may specify  
27 that persons violating the statute or ordinance may be denied entrance to the

1 building, ordered to leave the building, and if employees of the unit of government,  
2 be subject to employee disciplinary measures for violation of the provisions of the  
3 statute or ordinance. The provisions of this section shall not be deemed to be a  
4 violation of KRS 65.870 if the requirements of this section are followed. The  
5 provisions of this section shall not apply to any other unit of government.

6 (3) Unless otherwise specifically provided by the Kentucky Revised Statutes or  
7 applicable federal law, no criminal penalty shall attach to carrying a concealed  
8 firearm or other deadly weapon~~[with a permit]~~ at any location at which an  
9 unconcealed firearm or other deadly weapon may be constitutionally carried.