

1 AN ACT relating to carrying concealed weapons.

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

3 ➔Section 1. KRS 527.020 is amended to read as follows:

- 4 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed
5 a firearm or other deadly weapon on or about his or her person~~[in violation of this~~
6 ~~section]~~.
- 7 (2) Peace officers and certified court security officers, when necessary for their
8 protection in the discharge of their official duties; United States mail carriers when
9 actually engaged in their duties; and agents and messengers of express companies,
10 when necessary for their protection in the discharge of their official duties, may
11 carry concealed weapons on or about their person.
- 12 (3) The director of the Division of Law Enforcement in the Department of Fish and
13 Wildlife Resources, conservation officers of the Department of Fish and Wildlife
14 Resources, and policemen directly employed by state, county, city, or urban-county
15 governments may carry concealed deadly weapons on or about their person at all
16 times within the Commonwealth of Kentucky, when expressly authorized to do so
17 by law or by the government employing the officer.
- 18 (4) Persons, ***except those specified in subsection (5) of this section,***~~[carrying~~
19 ~~concealed weapons in accordance with KRS 237.109 or]~~ licensed to carry a
20 concealed deadly weapon pursuant to KRS 237.110 may carry a concealed firearm
21 or other concealed deadly weapon on or about their persons at all times within the
22 Commonwealth of Kentucky, if the firearm or concealed deadly weapon is carried
23 in conformity with the requirements of KRS~~[237.109 or]~~ 237.110. Unless
24 otherwise specifically provided by the Kentucky Revised Statutes or applicable
25 federal law, no criminal penalty shall attach to carrying a concealed firearm or other
26 deadly weapon ***with a permit*** at any location at which an unconcealed firearm or
27 other deadly weapon may be constitutionally carried. No person or organization,

1 public or private, shall prohibit a person licensed to carry a concealed deadly
2 weapon from possessing a firearm, ammunition, or both, or other deadly weapon in
3 his or her vehicle in compliance with the provisions of KRS~~[237.109,]~~ 237.110~~[,]~~
4 and 237.115. Any attempt by a person or organization, public or private, to violate
5 the provisions of this subsection may be the subject of an action for appropriate
6 relief or for damages in a Circuit Court or District Court of competent jurisdiction.

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

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

22 (b) The provisions of this subsection shall not authorize a person specified in this
23 subsection to carry a concealed deadly weapon in a detention facility as
24 defined in KRS 520.010 or on the premises of a detention facility without the
25 permission of the warden, jailer, or other person in charge of the facility, or
26 the permission of a person authorized by the warden, jailer, or other person in
27 charge of the detention facility to give such permission. As used in this

1 section, "detention facility" does not include courtrooms, facilities, or other
2 premises used by the Court of Justice or administered by the Administrative
3 Office of the Courts.

4 (c) A person specified in this section who is issued a concealed deadly weapon
5 license shall be issued a license which bears on its face the statement that it is
6 valid at all locations within the Commonwealth of Kentucky and may have
7 such other identifying characteristics as determined by the Department of
8 Kentucky State Police.

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

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

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

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

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 (7) (a) A full-time paid peace officer of a government agency from another state or
8 territory of the United States or an elected sheriff from another territory of the
9 United States may carry a concealed deadly weapon in Kentucky, on or off
10 duty, if the other state or territory accords a Kentucky full-time paid peace
11 officer and a Kentucky elected sheriff the same rights by law. If the other state
12 or territory limits a Kentucky full-time paid peace officer or elected sheriff to
13 carrying a concealed deadly weapon while on duty, then that same restriction
14 shall apply to a full-time paid peace officer or elected sheriff from that state or
15 territory.

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

25 (8) A loaded or unloaded firearm or other deadly weapon shall not be deemed
26 concealed on or about the person if it is located in any enclosed container,
27 compartment, or storage space installed as original equipment in a motor vehicle by

1 its manufacturer, including but not limited to a glove compartment, center console,
 2 or seat pocket, regardless of whether said enclosed container, storage space, or
 3 compartment is locked, unlocked, or does not have a locking mechanism. No person
 4 or organization, public or private, shall prohibit a person from keeping a loaded or
 5 unloaded firearm or ammunition, or both, or other deadly weapon in a vehicle in
 6 accordance with the provisions of this subsection. Any attempt by a person or
 7 organization, public or private, to violate the provisions of this subsection may be
 8 the subject of an action for appropriate relief or for damages in a Circuit Court or
 9 District Court of competent jurisdiction. This subsection shall not apply to any
 10 person prohibited from possessing a firearm pursuant to KRS 527.040.

11 (9) The provisions of this section shall not apply to a person who carries a concealed
 12 deadly weapon on or about his or her person *without a license issued pursuant to*
 13 *KRS 237.110:*

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

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

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

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

25 ➔Section 2. KRS 237.115 is amended to read as follows:

26 (1) Except as provided in KRS 527.020, nothing contained in KRS~~[-237.109-or]~~
 27 237.110 shall be construed to limit, restrict, or prohibit in any manner the right of a

1 college, university, or any postsecondary education facility, including technical
2 schools and community colleges, to control the possession of deadly weapons on
3 any property owned or controlled by them or the right of a unit of state, city, county,
4 urban-county, or charter county government to prohibit the carrying of concealed
5 deadly weapons by licensees in that portion of a building actually owned, leased, or
6 occupied by that unit of government.

7 (2) Except as provided in KRS 527.020, the legislative body of a state, city, county, or
8 urban-county government may, by statute, administrative regulation, or ordinance,
9 prohibit or limit the carrying of concealed deadly weapons by licensees in that
10 portion of a building owned, leased, or controlled by that unit of government. That
11 portion of a building in which the carrying of concealed deadly weapons is
12 prohibited or limited shall be clearly identified by signs posted at the entrance to the
13 restricted area. The statute or ordinance shall exempt any building used for public
14 housing by private persons, highway rest areas, firing ranges, and private dwellings
15 owned, leased, or controlled by that unit of government from any restriction on the
16 carrying or possession of deadly weapons. The statute, administrative regulation, or
17 ordinance shall not specify any criminal penalty for its violation but may specify
18 that persons violating the statute or ordinance may be denied entrance to the
19 building, ordered to leave the building, and if employees of the unit of government,
20 be subject to employee disciplinary measures for violation of the provisions of the
21 statute or ordinance. The provisions of this section shall not be deemed to be a
22 violation of KRS 65.870 if the requirements of this section are followed. The
23 provisions of this section shall not apply to any other unit of government.

24 (3) Unless otherwise specifically provided by the Kentucky Revised Statutes or
25 applicable federal law, no criminal penalty shall attach to carrying a concealed
26 firearm or other deadly weapon with a permit at any location at which an
27 unconcealed firearm or other deadly weapon may be constitutionally carried.

- 1 ➔Section 3. The following KRS section is repealed:
- 2 237.109 Authorization to carry concealed deadly weapons without a license.