

1 AN ACT relating to grants for body armor.

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

3 ➔Section 1. KRS 16.220 is amended to read as follows:

- 4 (1) Subject to the duty to return confiscated firearms to innocent owners pursuant to
5 KRS 500.090, all firearms confiscated by the Department of Kentucky State Police
6 and not retained for official use pursuant to KRS 500.090 shall be sold at public
7 auction to:
- 8 (a) Federally licensed firearms dealers holding a license appropriate for the type
9 of firearm sold; or
- 10 (b) For a firearm which was used in a homicide, any person who certifies on a
11 form provided by the Department of Kentucky State Police prior to placing a
12 bid that he or she will, upon completion of the auction, leave the firearm with
13 the Department of Kentucky State Police for destruction. A state or local
14 government or agency thereof shall not purchase a firearm under this
15 paragraph.
- 16 (2) Any provision of KRS Chapter 45 or 45A relating to disposition of property to the
17 contrary notwithstanding, the Department of Kentucky State Police shall:
- 18 (a) Conduct any auction specified by this section;
- 19 (b) Retain for departmental use twenty percent (20%) of the gross proceeds from
20 any auction specified by this section;
- 21 (c) Transfer remaining proceeds of the sale to the account of the Kentucky Office
22 of *the Attorney General*~~Homeland Security~~ for use as provided in
23 subsection (5) of this section; and
- 24 (d) For any sale pursuant to subsection (1)(b) of this section, destroy the firearm.
- 25 (3) Prior to the sale of any firearm, the Department of Kentucky State Police shall
26 make an attempt to determine if the firearm to be sold has been stolen or otherwise
27 unlawfully obtained from an innocent owner and return the firearm to its lawful

1 innocent owner, unless that person is ineligible to purchase a firearm under federal
2 law.

3 (4) The Department of Kentucky State Police shall receive firearms and ammunition
4 confiscated by or abandoned to every law enforcement agency in Kentucky. The
5 department shall dispose of the firearms received in the manner specified in
6 subsections (1) and (2) of this section. However, firearms which are not retained for
7 official use, returned to an innocent lawful owner, or transferred to another
8 government agency or public museum shall be sold as provided in subsection (1) of
9 this section.

10 (5) (a) The proceeds of firearms sales shall be utilized by the ~~[Kentucky]~~Office of
11 *the Attorney General*~~[Homeland Security]~~ to provide grants to:

12 1. City, county, charter county, unified local government, urban-county
13 government, and consolidated local government police departments;

14 2. University safety and security departments organized pursuant to KRS
15 164.950;

16 3. School districts that employ special law enforcement officers as defined
17 in KRS 61.900;

18 4. Airport safety and security departments established under KRS 183.880;
19 and

20 5. Sheriff's departments;

21 for the purchase of ~~[-~~

22 ~~(a) -]body armor for sworn peace officers of those departments and service~~
23 ~~animals, as defined in KRS 525.010, of those departments[-~~

24 ~~(b) - Firearms or ammunition;~~

25 ~~(c) - Electronic control devices, electronic control weapons, or electro-muscular~~
26 ~~disruption technology; and~~

27 ~~(d) - Body worn cameras].~~

1 **(b)** ~~[In awarding grants under this section, the Kentucky Office of Homeland~~
2 Security shall give first priority to providing and replacing body armor and
3 second priority to providing firearms and ammunition, with residual funds
4 available for the purchase of body worn cameras, electronic control devices,
5 electronic control weapons, or electro-muscular disruption technology.] Body
6 armor purchased by the department receiving grant funds shall meet or exceed
7 the standards issued by the National Institute of Justice for body armor. ~~A[No]~~
8 police or sheriff's department shall **not** apply for a grant to replace existing
9 body armor unless that body armor has been in actual use for a period of five
10 (5) years or longer. ~~[Any department applying for grant funds for body worn~~
11 cameras shall develop a policy for their use and shall submit that policy with
12 its application for the grant funds to the Office of Homeland Security as part
13 of the application process.]

14 (6) The Department of Kentucky State Police may transfer a machine gun, short-
15 barreled shotgun, short-barreled rifle, silencer, pistol with a shoulder stock, any
16 other weapon, or destructive device as defined by the National Firearms Act which
17 is subject to registration under the National Firearms Act and is not properly
18 registered in the national firearms transfer records for those types of weapons, to the
19 Bureau of Alcohol, Tobacco, ~~and~~ Firearms ***and Explosives*** of the United States
20 Department of Justice, after a reasonable attempt has been made to transfer the
21 firearm to an eligible state or local law enforcement agency or to an eligible
22 museum and no eligible recipient will take the firearm or weapon. National
23 Firearms Act firearms and weapons which are properly registered and not returned
24 to an innocent lawful owner or retained for official use as provided in this section
25 shall be sold in accordance with subsection (1) of this section.

26 ➔Section 2. KRS 147A.002 is amended to read as follows:

27 (1) The Department for Local Government shall be headed by a commissioner and

1 shall consist of the:

- 2 (a) Office of Financial Management and Administration, which shall be headed
3 by an executive director appointed by the commissioner and shall be
4 responsible for duties including but not limited to local government financial
5 assistance; county budget approval; performance of various recordkeeping
6 requirements for the Commonwealth's cities, counties, and special districts;
7 provision of administrative support for the state local debt officer and the state
8 local finance officer; administration of the county officials training incentive
9 program set forth in KRS 64.5275; and provision of financial analysis and
10 guidance related to the internal budgetary processes of the Department for
11 Local Government;
- 12 (b) Office of Federal Grants, which shall be headed by an executive director
13 appointed by the commissioner and shall be responsible for the administration
14 of all federal grant programs;
- 15 (c) Office of State Grants, which shall be headed by an executive director
16 appointed by the commissioner and shall be responsible for the administration
17 of all state grant programs, including the Renaissance on Main Program, the
18 area development fund, ~~the body armor program set forth in KRS 16.220,~~
19 the cemetery fund program, single county coal severance grants, and any state
20 grant programs or individually funded projects awarded by statute or budget;
- 21 (d) Office of Legal Services, which shall be headed by an executive director
22 appointed by the commissioner and shall be responsible for legal services
23 within the Department for Local Government and for its constituencies around
24 the Commonwealth; and
- 25 (e) Office of Field Services, which shall be headed by an executive director
26 appointed by the commissioner and shall be responsible for duties including
27 but not limited to staffing regional offices to assist local governments.

- 1 (2) The commissioner, with the approval of the Governor, shall appoint necessary
- 2 deputies, assistants, attorneys, and other employees and shall fix their compensation
- 3 and authorize payment of their expenses according to law.