

1 AN ACT relating to crimes and punishments.

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

3 ➔Section 1. KRS 506.040 is amended to read as follows:

- 4 (1) A person having the intention of promoting or facilitating the commission of a  
5 crime is guilty of criminal conspiracy when he ***or she***:
- 6 (a) Agrees with one (1) or more persons that at least one (1) of them will engage  
7 in conduct constituting that crime or an attempt or solicitation to commit such  
8 a crime; or
- 9 (b) Agrees to aid one or more persons in the planning or commission of that  
10 crime or an attempt or solicitation to commit such a crime.
- 11 (2) Except as provided in ***subsection (3) of this section or in*** a specific statute to the  
12 contrary, a criminal conspiracy is a:
- 13 (a) Class C felony when the conspiratorial agreement is a violation of KRS  
14 521.020 or 521.050;
- 15 (b) Class B felony when the object of the conspiratorial agreement is a Class A  
16 felony or capital offense;
- 17 (c) Class C felony when the object of the conspiratorial agreement is a Class B  
18 felony;
- 19 (d) Class A misdemeanor when the object of the conspiratorial agreement is a  
20 Class C or D felony;
- 21 (e) Class B misdemeanor when the object of the conspiratorial agreement is a  
22 misdemeanor.

23 ***(3) Any person who is eighteen (18) years of age or older who engages in a criminal***  
24 ***conspiracy with a minor shall be subject to the same penalty provided for the***  
25 ***offense which is the object of the conspiratorial agreement.***

26 ➔Section 2. KRS 527.100 is amended to read as follows:

- 27 (1) A person is guilty of possession of a handgun by a minor when, being under the age

1 of eighteen (18) years, he or she possesses, manufactures, or transports a handgun  
2 as defined by KRS 527.010, except when the person is:

- 3 (a) In attendance at a hunter's safety course or a firearms safety course;
- 4 (b) Engaging in practice in the use of a firearm, or target shooting at an  
5 established firing range, or any other area where the discharge of a firearm is  
6 not prohibited;
- 7 (c) Engaging in an organized competition involving the use of a firearm, or  
8 participating in or practicing for a performance by a group organized under  
9 Section 501(c)(3) of the Internal Revenue Code or any successor thereto  
10 which uses firearms as a part of the performance;
- 11 (d) Hunting or trapping pursuant to a valid license issued to him or her pursuant  
12 to the statutes or administrative regulations of this Commonwealth;
- 13 (e) Traveling to or from any activity described in paragraphs (a) to (d) of this  
14 subsection with any unloaded handgun in his or her possession;
- 15 (f) On real property which is under the control of an adult and has the permission  
16 of that adult and his or her parent or legal guardian to possess a handgun; or
- 17 (g) At his residence and with the permission of his or her parent or legal guardian  
18 possesses a handgun and is justified under the principles of justification set  
19 forth in KRS Chapter 503 in using physical force or deadly physical force.

20 (2) For the purposes of subsection (1) of this section, a handgun is "loaded" if:

- 21 (a) There is a cartridge in the chamber of the handgun;~~[-or]~~
- 22 (b) There is a cartridge in the cylinder of the handgun, if the handgun is a  
23 revolver;~~[-or]~~
- 24 (c) There is a cartridge in the magazine of a semiautomatic handgun, if the  
25 magazine is attached to the handgun; or
- 26 (d) The handgun and the ammunition for the handgun, are carried on the person  
27 of one under the age of eighteen (18) years or are in such close proximity to

1                   him or her that he or she could readily gain access to the handgun and the  
2                   ammunition and load the handgun.

3 (3) Possession of a handgun by a minor is a Class D felony~~[Class A misdemeanor]~~ for  
4                   the first offense and a Class C~~[Class D]~~ felony for each subsequent offense.