

218A.992 Enhancement of penalty when in possession of a firearm at the time of commission of offense.

- (1) Other provisions of law notwithstanding, any person who is convicted of any violation of this chapter who, at the time of the commission of the offense and in furtherance of the offense, was in possession of a firearm, shall:
 - (a) Be penalized one (1) class more severely than provided in the penalty provision pertaining to that offense if it is a felony; or
 - (b) Be penalized as a Class D felon if the offense would otherwise be a misdemeanor.
- (2) The provisions of this section shall not apply to a violation of KRS 218A.210, 218A.1426, 218A.1427, 218A.1428, 218A.1450, 218A.1451, 218A.1452, 218A.1453, 218A.1454, or 218A.1455.

Effective: March 16, 2011

History: Amended 2011 Ky. Acts ch. 45, sec. 13, effective March 16, 2011. -- Amended 2010 Ky. Acts ch. 149, sec. 15, effective April 13, 2010; and ch. 160, sec. 15, effective April 26, 2010. -- Amended 2005 Ky. Acts ch. 150, sec. 12, effective June 20, 2005. -- Created 1994 Ky. Acts ch. 396, sec. 5, effective July 15, 1994.