



Carrying of firearms in your place of business

by Robert Goff

With respect and caution, firearms can be marvelous tools, recreational items and works of art.

There are times and places, however, for carrying a firearm. Businesses should decide whether their business premises are one of the places for clients and employees to carry firearms.

Businesses making that decision should consider the potential liability for an incident involving a firearm, as well as the possibility that their clientele could be intimidated.

Pertinent laws generally distinguish between carrying firearms in the open, and carrying them so that they are concealed from view.

It is generally legal for a citizen who has not committed a felony to openly carry a loaded firearm except in certain places, including schools, prisons, courthouses, police stations and federal buildings.

It is generally illegal to carry a concealed firearm without a license, regardless of where it is carried. A conceal and carry license generally allows the holder to carry a concealed deadly weapon except in certain places: police stations; prisons; courthouses; meetings of a city, county or district's governing body; establishments serving alcohol; elementary or secondary schools; child-care homes; secured portions of an airport or federal buildings.

A Kentucky resident over age 21 can obtain a license to carry a concealed deadly weapon as long as he meets certain conditions:

- If he has not been imprisoned for drug abuse within three years.
- If he hasn't received more than one DUI citation or been committed as an alcoholic within the past three years.
- Isn't one year or more behind on child support.
- Hasn't violated any child support or paternity warrant or subpoena.
- Hasn't been convicted of assault in the fourth degree or terroristic threatening in the third degree within three years.

A license may be obtained after a two-day class, passing a basic written test, hitting a life-size

silhouette target 11 out of 20 times and paying a fee.

A business must consider whether it is reasonable and prudent for it to allow non-professionals with little training in the proper use of firearms to carry them onto its business premises.

Businesses may post signs prohibiting the carrying of concealed deadly weapons on its premises. Although a client's violation of a prohibition against carrying firearms onto the premises will not result in criminal liability, it will subject the client to denial of entry and removal.

A business may also prohibit its employees from carrying firearms onto its grounds by including a provision in its employee handbook, or its policy and procedure manual, prohibiting the carrying of firearms on the business premises. Such provision may also prohibit the carrying of a firearm in a company-owned vehicle.

Although a violation of a prohibition against carrying a firearm will not subject an employee to criminal penalties, it will subject such employee to discipline by the employer.

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