**South Carolina General Assembly**

119th Session, 2011-2012

**H. 5084**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Pitts

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Introduced in the House on March 28, 2012

Currently residing in the House Committee on **Judiciary**

Summary: Penalties for unlawfully carrying a firearm

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/28/2012 House Introduced and read first time ([House Journal‑page 11](file:///h:\hj%20archive\2012\03-28-12.docx))

3/28/2012 House Referred to Committee on **Judiciary** ([House Journal‑page 11](file:///h:\hj%20archive\2012\03-28-12.docx))

**VERSIONS OF THIS BILL**

[3/28/2012](file:///p:\pprever\2011-12\5084_20120328.docx)

**A** **BILL**

TO AMEND SECTION 16‑23‑465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING A PISTOL OR FIREARM ONTO THE PREMISES OF CERTAIN BUSINESSES THAT SELL ALCOHOLIC BEVERAGES, SO AS TO DELETE THE REFERENCE TO PENALTIES ASSOCIATED WITH THE OFFENSES OF ROBBERY AND ATTEMPTED ROBBERY WHILE ARMED WITH A DEADLY WEAPON AND THE UNLAWFUL CARRYING OF CERTAIN CONCEALED DEADLY WEAPONS, TO DELETE THE PROVISION THAT REVOKES THE CONCEALED WEAPONS PERMIT OF A PERSON WHO VIOLATES THIS SECTION, TO REDUCE THE PENALTY FOR A VIOLATION OF THIS PROVISION, TO PROVIDE THAT THE PENALTIES IN THIS SECTION ARE IN ADDITION TO THOSE ASSOCIATED WITH THE OFFENSES OF ENTERING A PREMISES AFTER BEING WARNED NOT TO OR FAILING TO LEAVE A PREMISES AFTER BEING ASKED TO LEAVE, AND THE UNLAWFUL CARRYING OF A CONCEALED WEAPON ONTO A PREMISES BY A PERSON WHO HAS BEEN ISSUED A CONCEALED WEAPONS PERMIT, AND TO REVISE THE CIRCUMSTANCE IN WHICH THIS SECTION APPLIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16‑23‑465 of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“Section 16‑23‑465. In addition to the penalties provided for by Sections ~~16‑11‑330 and 16‑23‑460 and by Article 1 of Chapter 23 of Title 16,~~ 16‑11‑620 and 23‑31‑220 a person ~~convicted of carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises~~ is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than ~~three~~ two years, or both, when the person:

(1) carries a firearm into any business which sells alcoholic liquor, beer, or wine for consumption on the premises and which at the time of the offense was clearly and conspicuously posted in accordance with Section 23‑31‑220;

(2) carries a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises and refuses to leave or to remove the firearm from the premises when asked to do so by a person legally in control of the premises; or

(3) consumes alcohol while carrying a firearm in any business which sells alcoholic liquor, beer, or wine for consumption on the premises.

~~In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, must have his concealed weapon permit revoked.~~”

SECTION 2. This act takes effect upon approval by the Governor.

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