**A** **BILL**

TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, TO PROVIDE THAT IT IS UNLAWFUL TO SELL, EXCHANGE, OR TRANSFER A FIREARM TO A PERSON BEFORE COMPLETION OF A BACKGROUND CHECK THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM; TO PROVIDE FOR PENALTIES AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. This act shall be referred to and may be cited as the “South Carolina Background Completion Act”

SECTION 2. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 2

South Carolina Background Completion Act

Section 23‑31‑100. (A) For the purposes of this article, ‘firearm’ means a weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; a firearm muffler or firearm silencer; or a destructive device; but the term does not include an antique firearm. In the case of a licensed collector, the term means only curios and relics.

(B) It is unlawful for any person, or any federally licensed importer, manufacturer, or dealer, to sell, exchange, or transfer a firearm to any other person before completion of a background check through SLED and the National Instant Criminal Background Check System (NICS) established pursuant to the Section 103 of the Brady Handgun Violence Protection Act of 1993.

(C) Any person, or federally licensed importer, manufacturer, or dealer who knowingly violates subsection (B) is guilty of a felony, and upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years.”

SECTION 3. This act takes effect upon approval by the Governor.

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