~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 19, 2017

**S. 324**

Introduced by Senators Peeler, Hutto and McElveen

S. Printed 4/19/17--S.

Read the first time January 31, 2017.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 324) to amend Section 23‑31‑240, Code of Laws of South Carolina, 1976, relating to persons allowed to carry a concealable weapon while on duty, so as, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 23‑31‑240 of the 1976 Code is amended to read:

“Section 23‑31‑240.(A) Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, when carrying out the duties of their office:

(1) active Supreme Court justices;

(2) active judges of the court of appeals;

(3) active circuit court judges;

(4) active family court judges;

(5) active masters‑in‑equity;

(6) active probate court judges;

(7) active magistrates;

(8) active municipal court judges;

(9) active federal judges;

(10) active administrative law judges;

(11) active solicitors and assistant solicitors; ~~and~~

(12) active circuit public defenders and assistant public defenders;

~~(12)~~(13) active workers’ compensation commissioners; and

(14) elected clerks of court.

(B) Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State:

(1) retired Supreme Court justices;

(2) retired judges of the court of appeals;

(3) retired circuit court judges;

(4) retired family court judges;

(5) retired probate court judges;

(6) retired federal judges;

(7) retired solicitors and retired assistant solicitors with the consent of the solicitor;

(8) retired circuit public defenders and retired assistant public defenders with the consent of the circuit public defender; and

(9) retired elected clerks of court.

(C) For any person who obtains a concealed weapon permit pursuant to this section, SLED shall design and issue a concealed weapons permit identification card that clearly identifies the holder’s current or former position for which the card was issued.”

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

Renumber sections to conform.

Amend title to conform.

BRAD HUTTO for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 31, 2017**

**Updated for additional agency response**

**State Expenditure**

This bill relates to persons allowed to carry a concealed weapon and provides that both active and retired Supreme Court justices, judges of the court of appeals, circuit court judges, family court judges, masters-in-equity, probate court judges, magistrates, municipal court judges, federal judges, administrative law judges, solicitors and assistant solicitors, worker’s compensation commissioners, and clerks of court may carry a concealed weapon anywhere in South Carolina.

**South Carolina Law Enforcement Division.** The agency reports that the implementation of this bill does not operationally or fiscally impact it. Therefore, it will have no expenditure impact to the general fund, other funds, or federal funds.

**Introduced on January 31, 2017**

**State Expenditure**

This bill relates to persons allowed to carry a concealed weapon and provides that both active and retired Supreme Court justices, judges of the court of appeals, circuit court judges, family court judges, masters-in-equity, probate court judges, magistrates, municipal court judges, federal judges, administrative law judges, solicitors and assistant solicitors, worker’s compensation commissioners, and clerks of court may carry a concealed weapon anywhere in South Carolina.

**South Carolina Law Enforcement Division.** A determination of the bill’s fiscal impact is pending, as the agency is still reviewing the bill.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 23‑31‑240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE PERSONS WHO ARE RETIRED FROM CERTAIN OFFICES AND CLERKS OF COURT IN THE PURVIEW OF THE STATUTE.

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

SECTION 1. Section 23‑31‑240 of the 1976 Code is amended to read:

“Section 23‑31‑240. Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, ~~when carrying out the duties of their office~~ active or retired:

(1) ~~active~~ Supreme Court justices;

(2) ~~active~~ judges of the court of appeals;

(3) ~~active~~ circuit court judges;

(4) ~~active~~ family court judges;

(5) ~~active~~ masters‑in‑equity;

(6) ~~active~~ probate court judges;

(7) ~~active~~ magistrates;

(8) ~~active~~ municipal court judges;

(9) ~~active~~ federal judges;

(10) ~~active~~ administrative law judges;

(11) ~~active~~ solicitors and assistant solicitors; ~~and~~

(12) ~~active~~ workers’ compensation commissioners; and

(13) clerks of court.”

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

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