

## Session 120 - (2013-2014)

**H\*3560 (Rat #0033, Act #0022 of 2013) General Bill, By Tallon, Harrell, Quinn, Stavrinakis, Patrick, Allison, McCoy, Pitts, Taylor, H.A. Crawford, Simrill, J.R. Smith, Crosby, Brannon, V.S. Moss, G.R. Smith, Henderson, Dellene, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R.L. Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D.C. Moss, Gagnon, Bannister, Atwater, Rivers, Owens, Bingham, Forrester, Ballentine, Toole, Hixon, Spires, Huggins, Lucas, Horne, Putnam, Weeks, M.S. McLeod and Anderson**

**Similar (S 0413, H 3564)**

**Summary:** Handguns

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10, CHAPTER 31, TITLE 23 SO AS TO REQUIRE THE JUDICIAL DEPARTMENT AND THE STATE LAW ENFORCEMENT DIVISION TO DEVELOP PROCEDURES FOR THE COLLECTION OF INFORMATION ON INDIVIDUALS WHO HAVE BEEN ADJUDICATED AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION AND FOR THE SUBMISSION OF THIS INFORMATION TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS); TO PROVIDE THAT A PERSON PROHIBITED FROM SHIPPING, TRANSPORTING, POSSESSING, OR RECEIVING A FIREARM OR AMMUNITION PURSUANT TO FEDERAL OR STATE LAW MAY PETITION THE COURT ISSUING THE ORIGINAL ORDER TO REMOVE THE FIREARM AND AMMUNITION PROHIBITION, TO PROVIDE PROCEDURES TO SEEK THIS REMOVAL AND TO APPEAL THE DENIAL OF SUCH RELIEF; TO PROVIDE THAT IF THIS PROHIBITION IS REMOVED, NICS PROMPTLY MUST BE INFORMED OF THE COURT ACTION REMOVING THE PROHIBITION; TO PROVIDE THAT IT IS A FELONY FOR A PERSON WHO HAS BEEN ADJUDICATED AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION TO SHIP, TRANSPORT, POSSESS, OR RECEIVE A FIREARM OR AMMUNITION, TO PROVIDE CRIMINAL PENALTIES, AND TO REQUIRE CONFISCATION OF SUCH FIREARMS AND AMMUNITION, AND TO ESTABLISH PROCEDURES FOR THE RETURN OF FIREARMS AND AMMUNITION TO AN INNOCENT OWNER; TO AMEND SECTION 44-22-100, RELATING TO THE CONFIDENTIALITY AND RELEASE OF MENTAL HEALTH COMMITMENT AND TREATMENT RECORDS AND EXCEPTIONS, SO AS TO AUTHORIZE REPORTING INFORMATION IN THESE RECORDS TO (NICS); AND TO ESTABLISH PROSPECTIVE AND RETROACTIVE REQUIREMENTS FOR COURTS TO SUBMIT MENTAL HEALTH ADJUDICATION AND COMMITMENT INFORMATION. - ratified title

**02/19/13 House Introduced and read first time (House Journal-page 42)**  
**02/19/13 House Referred to Committee on Judiciary (House Journal-page 42)**  
**02/20/13 House Member(s) request name added as sponsor: Taylor, H.A.Crawford, Simrill, J.R.Smith, Crosby, Brannon, V.S.Moss, G.R.Smith, Henderson, Dellene, Cole, McEachern, Barfield, Ridgeway, Stringer, Nanney, R.L.Brown, Wood, Daning, Erickson, Clemmons, Powers Norrell, Funderburk, Mitchell, Merrill, Kennedy, D.C.Moss, Gagnon, Bannister, Atwater, Rivers, K.R.Crawford, Ballentine, Owens, Bingham**  
**02/26/13 House Member(s) request name added as sponsor: Forrester**  
**02/28/13 House Member(s) request name removed as sponsor: K.R.Crawford**  
**03/05/13 House Member(s) request name added as sponsor: Toole, Hixon, Spires, Huggins, Lucas**  
**03/06/13 House Member(s) request name added as sponsor: Horne**  
**03/21/13 House Member(s) request name added as sponsor: Putnam**  
**04/10/13 House Member(s) request name added as sponsor: Weeks**  
**04/10/13 House Committee report: Favorable with amendment Judiciary (House Journal-page 31)**  
**04/11/13 House Member(s) request name added as sponsor: M.S.McLeod**  
**04/12/13 Scrivener's error corrected**  
**04/16/13 House Member(s) request name added as sponsor: Anderson**  
**04/16/13 House Amended (House Journal-page 18)**  
**04/16/13 House Read second time (House Journal-page 18)**  
**04/16/13 House Roll call Yeas-112 Nays-0 (House Journal-page 25)**  
**04/17/13 Scrivener's error corrected**  
**04/17/13 House Read third time and sent to Senate (House Journal-page 23)**  
**04/17/13 Senate Introduced and read first time (Senate Journal-page 8)**  
**04/17/13 Senate Referred to Committee on Judiciary (Senate Journal-page 8)**  
**04/18/13 Senate Recalled from Committee on Judiciary (Senate Journal-page 3)**  
**04/24/13 Senate Special order, set for April 24, 2013 (Senate Journal-page 48)**  
**04/24/13 Senate Roll call Ayes-40 Nays-4 (Senate Journal-page 48)**

04/25/13	Senate	Amended (Senate Journal-page 41)
04/25/13	Senate	Debate interrupted (Senate Journal-page 41)
04/26/13		Scrivener's error corrected
04/30/13	Senate	Amended (Senate Journal-page 73)
04/30/13	Senate	Read second time (Senate Journal-page 73)
04/30/13	Senate	Roll call Ayes-35 Nays-6 (Senate Journal-page 73)
05/01/13		Scrivener's error corrected
05/01/13	Senate	Read third time and returned to House with amendments (Senate Journal-page 65)
05/02/13	House	Concurred in Senate amendment and enrolled (House Journal-page 22)
05/02/13	House	Roll call Yeas-87 Nays-0 (House Journal-page 23)
05/02/13		Ratified R 33
05/03/13		Signed By Governor
05/13/13		Effective date 08/01/13
05/13/13		Act No. 22