Session 124 - (2021-2022)

S 0190 General Bill, By Hembree

Summary: Handguns

A BILL TO AMEND SECTION 16-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CHAPTER REGARDING OFFENSES INVOLVING WEAPONS, SO AS TO ADD NECESSARY TERMS; BY ADDING SECTION 16-23-25 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, OR TRANSPORT FOR SALE IN THIS STATE ANY HANDGUN TO A PERSON WHO IS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNDER THE AGE OF EIGHTEEN TO POSSESS OR ATTEMPT TO POSSESS A HANDGUN WITHIN THIS STATE, AND TO PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 16-23-30, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM" AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, TRANSPORT FOR SALE INTO THIS STATE, OR OTHERWISE DISPOSE OF ANY FIREARM TO A PERSON KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON MEETS A CERTAIN CATEGORY; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES, DISPOSITION OF FINES, AND THE FORFEITURE AND DISPOSITIONS OF HANDGUNS, SO AS TO REDUCE THE PENALTY FOR A FIRST OFFENSE FIREARM VIOLATION, TO PROVIDE FOR ENHANCED PENALTIES FOR SUBSEQUENT VIOLATIONS, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", AND TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM PURSUANT TO THIS SECTION SHALL ADMINISTRATIVELY RELEASE THE FIREARM TO AN INNOCENT OWNER UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTIONS 16-23-500 AND 23-31-1040 RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE OR ADJUDICATED AS A MENTAL DEFECTIVE, RESPECTIVELY.

12/09/20	**Senate**	**Prefiled**
12/09/20	**Senate**	**Referred to Committee on Judiciary**
01/12/21	**Senate**	**Introduced and read first time (Senate Journal-page 209)**
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