**South Carolina General Assembly**

120th Session, 2013-2014

**S. 1098**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bright and Bryant

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Introduced in the Senate on March 11, 2014

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

Summary: Handguns

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/11/2014 Senate Introduced and read first time ([Senate Journal‑page 6](file:///H:\SJ%20Archive\2014\03-11-14.docx))

3/11/2014 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///H:\SJ%20Archive\2014\03-11-14.docx))

4/4/2014 Senate Referred to Subcommittee: Massey (ch), Coleman, Bennett, Johnson, Shealy

**VERSIONS OF THIS BILL**

[3/11/2014](file:///p:\pprever\2013-14\1098_20140311.docx)

**A** **BILL**

TO AMEND SECTION 16‑23‑20 OF THE 1976 CODE, RELATING TO EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS, TO PROVIDE AN EXCEPTION FOR A PERSON WHO SERVED ON ACTIVE DUTY FOR A PERIOD OF MORE THAN ONE HUNDRED EIGHTY DAYS AND WAS DISCHARGED OR RELEASED FROM ACTIVE DUTY WITH AN HONORABLE DISCHARGE.

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

SECTION 1. Section 16‑23‑20 of the 1976 Code is amended to read:

“Section 16‑23‑20. It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor’s constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) current or former members of the Armed Forces of the United States, the National Guard, organized reserves~~,~~; or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance; or

(b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one’s residence or changing or moving one’s fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee’s person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16‑23‑465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;

(14) a person engaged in firearms‑related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun~~.~~;

(16) ~~Any~~ any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle~~.~~;

(17) a person who served on active duty for a period of more than one hundred eighty days and was discharged or released from active duty with an honorable discharge.”

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

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