**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3053**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Taylor, Pitts, Harrell, White, Delleney, Merrill, Clemmons, Bannister, Wells, J.R. Smith, G.R. Smith, Sottile, Hiott, Barfield, Hardee, Ballentine, Toole, Brannon, Allison, Wood, Bowen, Hardwick, Goldfinch, Hamilton, Loftis, Bedingfield, Stringer, Limehouse, Hixon, Kennedy, Henderson, Southard, Long, Owens, Newton, Erickson, Patrick and Herbkersman

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Companion/Similar bill(s): 276, 308

Introduced in the House on January 8, 2013

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

Summary: Firearms

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2012 House Prefiled

12/11/2012 House Referred to Committee on **Judiciary**

1/8/2013 House Introduced and read first time ([House Journal‑page 68](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/8/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 68](file:///h:\HJ%20Archive\2013\01-08-13.docx))

1/23/2013 House Member(s) request name added as sponsor: Owens

1/24/2013 House Member(s) request name added as sponsor: Hixon

2/21/2013 House Member(s) request name added as sponsor: Newton, Erickson, Patrick, Herbkersman

**VERSIONS OF THIS BILL**

[12/11/2012](file:///p:\pprever\2013-14\3053_20121211.docx)

**A** **BILL**

TO AMEND SECTION 16‑23‑465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING A PISTOL OR FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUORS, BEER, OR WINE FOR ON‑PREMISES CONSUMPTION, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE CARRYING A FIREARM INTO A BUSINESS SELLING ALCOHOLIC LIQUORS, BEER, OR WINE WHEN A SIGN IS POSTED PROHIBITING CONCEALABLE WEAPONS, REFUSING TO LEAVE OR REMOVE THE FIREARM FROM THE PREMISES WHEN ASKED, AND WHILE CONSUMING ALCOHOLIC LIQUORS, BEER, OR WINE, AND TO REVISE THE PENALTY.

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

SECTION 1. Section 16‑23‑465 of the 1976 Code, as last amended by Act 274 of 2002, is further amended to read:

“Section 16‑23‑465. In addition to the penalties provided for ~~by~~ in Sections ~~16‑11‑330 and 16‑23‑460 and by Article 1 of Chapter 23 of Title 16~~ 16‑11‑620 and 23‑31‑220, a person ~~convicted of carrying a pistol or firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises~~ is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than ~~three~~ two years, or both~~.~~, if the person:

(1) carries a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises and which, at the time of the offense, has clearly and conspicuously posted a sign prohibiting concealable weapons on the premises in accordance with the provisions of Section 23‑31‑220;

(2) carries a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises and refuses to leave or to remove the firearm from the premises when asked to do so by a person legally in control of the premises; or

(3) consumes alcoholic liquor, beer, or wine while carrying a firearm in a business which sells alcoholic liquor, beer, or wine for consumption on the premises.

~~In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, must have his concealed weapon permit revoked.~~”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

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