COMMITTEE REPORT

February 27, 2013

**H. 3583**

Introduced by Reps. Putnam and Gagnon

S. Printed 2/27/13--H. [SEC 2/28/13 1:35 PM]

Read the first time February 21, 2013.

**THE COMMITTEE ON**

**INVITATIONS AND MEMORIAL RESOLUTIONS**

To whom was referred a Concurrent Resolution (H. 3583) to express the will of the General Assembly of the State of South Carolina not to pursue any incentives that may be provided by federal law or through an executive order by, etc., respectfully

**REPORT:**

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

LISTON D. BARFIELD for Committee.

**A** **CONCURRENT RESOLUTION**

TO EXPRESS THE WILL OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA NOT TO PURSUE ANY INCENTIVES THAT MAY BE PROVIDED BY FEDERAL LAW OR THROUGH AN EXECUTIVE ORDER BY THE PRESIDENT OF THE UNITED STATES WHICH MAY INFRINGE UPON THE SECOND AMENDMENT’S RIGHT TO BEAR ARMS OF SOUTH CAROLINA CITIZENS THROUGH PARTICIPATION IN PROPOSED UNIVERSAL BACKGROUND CHECKS TO FURTHER RESTRICT THE PURCHASE OR OWNERSHIP OF GUNS OR OTHER FIREARMS BEYOND THAT WHICH IS ALREADY PROVIDED BY STATE LAW.

Whereas, the people of the several states comprising the United States of America created the federal government to be their agent for certain enumerated purposes, and it is the responsibility of the states to legislate in all other areas; and

Whereas, the Tenth Amendment to the United States Constitution defines the total scope of federal power as being that which has been delegated by the people of the several states to the federal government, and all power not delegated to the federal government in the Constitution of the United States is reserved to the states respectively, or to the people themselves; and

Whereas, the South Carolina General Assembly is concerned that the federal government is overstepping its authority particularly in relation to the Second Amendment’s Right to Bear Arms of the citizens of this State and nation; and

Whereas, President Barack Obama announced his intention to issue a number of executive orders which may significantly infringe on the people’s right to bear arms, including an executive order to provide incentives for states to share information via universal background checks for gun purchases; and

Whereas, the current law in South Carolina pursuant to Article 4, Chapter 31, Title 23, relating to concealed weapons and Chapter 23, Title 16, relating to persons prohibited from purchasing or owning certain firearms, is sufficient to address the issue as it relates to sufficient background checks for the purchase of certain firearms. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the South Carolina General Assembly, representing the concerns and will of the people of the State of South Carolina, expresses its will that the State not pursue any incentives that may be provided by federal law or through an executive order by the President of the United States which may infringe upon the Second Amendment’s right to bear arms of South Carolina citizens through participation in proposed universal background checks to further restrict the purchase or ownership of guns or other firearms beyond that which is already provided by state law.

Be it further resolved that a copy of this resolution be forwarded to the President of the United States.

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