~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 18, 2015

**H. 3115**

Introduced by Reps. Pitts, Hixon and Thayer

S. Printed 3/18/15--H.

Read the first time January 13, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3115) to amend Section 23‑31‑510, as amended, Code of Laws of South Carolina, 1976, relating to the regulation of the ownership, transfer, or possession, etc., respectfully

**REPORT:**

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

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 23‑31‑510 of the 1976 Code, as last amended by Act 220 of 2008, is further amended to read:

“Section 23‑31‑510. No governing body of any county, municipality, or other political subdivision in the State may enact or promulgate any regulation or ordinance that regulates or attempts to regulate:

(1) the transfer, ownership, possession, carrying, or transportation of knives, firearms, ammunition, components of firearms, or any combination of these things; or

(2) a landowner discharging a firearm on the landowner’s property to protect the landowner’s family, employees, the general public, or the landowner’s property from animals that the landowner reasonably believes pose a direct threat or danger to the landowner’s property, people on the landowner’s property, or the general public. For purposes of this item, the landowner’s property must be a parcel of land comprised of at least twenty‑five contiguous acres. Any ordinance regulating the discharge of firearms that does not specifically provide for an exclusion pursuant to this item is unenforceable as it pertains to an incident described in this item; otherwise, the ordinance is enforceable.”

SECTION 2. Section 23‑31‑520 of the 1976 Code, as last amended by Act 347 of 2006, is further amended to read:

“Section 23‑31‑520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of knives or firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.”

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

Renumber sections to conform.

Amend title to conform.

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND SECTION 23‑31‑510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF THE OWNERSHIP, TRANSFER, OR POSSESSION OF FIREARMS OR AMMUNITION, SO AS TO PROVIDE THAT NO GOVERNING BODY OF ANY COUNTY, MUNICIPALITY, OR OTHER POLITICAL SUBDIVISION IN THE STATE MAY ENACT, ENFORCE, OR PROMULGATE ANY REGULATION OR ORDINANCE THAT REGULATES OR ATTEMPTS TO REGULATE THE TRANSFER, OWNERSHIP, POSSESSION, CARRYING, OR TRANSPORTATION OF KNIVES, FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS, OR ANY COMBINATION OF THESE THINGS.

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

SECTION 1. Section 23‑31‑510 of the 1976 Code, as last amended by Act 220 of 2008, is further amended to read:

“Section 23‑31‑510. No governing body of any county, municipality, or other political subdivision in the State may enact, enforce, or promulgate any regulation or ordinance that regulates or attempts to regulate:

(1) the transfer, ownership, possession, carrying, or transportation of knives, firearms, ammunition, components of firearms, or any combination of these things; or

(2) a landowner discharging a firearm on the landowner’s property to protect the landowner’s family, employees, the general public, or the landowner’s property from animals that the landowner reasonably believes pose a direct threat or danger to the landowner’s property, people on the landowner’s property, or the general public. For purposes of this item, the landowner’s property must be a parcel of land comprised of at least twenty‑five contiguous acres. Any ordinance regulating the discharge of firearms that does not specifically provide for an exclusion pursuant to this item is unenforceable as it pertains to an incident described in this item; otherwise, the ordinance is enforceable.”

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

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