**A** **BILL**

TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, TO PROVIDE FOR THE REQUIREMENT OF WEAPON PURCHASE PERMIT TO PURCHASE A WEAPON IN THIS STATE, TO PROVIDE THE CONTENTS OF PERMIT APPLICATIONS, TO PROVIDE FOR THE PERMIT APPLICATION PROCESS, TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION MUST MAINTAIN A DATABASE OF ALL PERMIT HOLDERS AND THE CURRENT STATUS OF EACH PERMIT, TO PROVIDE FOR THE REVOCATION OF PERMITS, TO PROVIDE THAT PERMITS ARE VALID FOR THREE YEARS; TO PROVIDE THAT A PERMIT HOLDER IMMEDIATELY MUST REPORT THE LOSS OR THEFT OF A WEAPON PURCHASE PERMIT TO SLED; TO DEFINE NECESSARY TERMS; AND TO AMEND ARTICLE 4, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO CONCEALED WEAPONS, TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION MUST ISSUE A CONCEALABLE WEAPON PERMIT, SUBJECT TO SECTION 23‑21‑215(B), TO A RESIDENT WHO HOLDS A VALID WEAPON PURCHASE PERMIT AND WHO SUBMITS THE WEAPON PURCHASE PERMIT AND THE OTHER INFORMATION REQUIRED IN SECTION 23‑21‑215(A)(1)‑(4) TOGETHER WITH AN APPLICATION FEE OF TEN DOLLARS; AND TO MAKE TECHNICAL AND CONFORMING AMENDMENTS TO THE REMAINDER OF ARTICLE 4.

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

SECTION 1. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 2

Weapon Purchase Permits

Section 23‑31‑100. As used in this article:

(1) ‘Resident’ means an individual who is present in South Carolina with the intention of making a permanent home in South Carolina or military personnel on permanent change of station orders.

(2) ‘Picture identification’ means:

(a) a valid driver’s license or photographic identification card issued by the state in which the applicant resides; or

(b) an official photographic identification card issued by the Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State.

(3) ‘Proof of training’ means an original document or certified copy of the document supplied by an applicant that certifies that he is either:

(a) a person who, within one year before filing an application, successfully completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:

(i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;

(ii) information on handgun use and safety;

(iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; and

(iv) the actual firing of the handgun in the presence of the instructor;

(b) a person who demonstrates any of the following must comply with the provisions of subitem (a)(i) only:

(i) a person who demonstrates the completion of basic military training provided by any branch of the United States military who produces proof of his military service through the submission of a DD214 form;

(ii) a retired law enforcement officer who produces proof that he is a graduate of the Criminal Justice Academy or that he was a law enforcement officer prior to the requirement for graduation from the Criminal Justice Academy; or

(iii) a retired state or federal law enforcement officer who produces proof of graduation from a federal or state academy that includes firearms training as a graduation requirement;

(c) an instructor certified by the National Rifle Association or another SLED‑approved competent national organization that promotes the safe use of handguns;

(d) a person who can demonstrate to the Director of SLED or his designee that he has a proficiency in both the use of handguns and state laws pertaining to handguns;

(e) an active duty police handgun instructor;

(f) a person who has a SLED‑certified or approved competitive handgun shooting classification; or

(g) a member of the active or reserve military, or a member of the National Guard.

(4) ‘Weapon’ means a firearm which is designed to or readily may be converted to expel a projectile by the action of an explosive, or the frame or receiver of that firearm.

Section 23‑31‑103. A weapon purchase permit holder must present a valid permit in order to complete any purchase of firearm or ammunition in this State.

Section 23‑31‑105. Notwithstanding any other provision of law, except subject to the provisions contained in Section 23‑31‑110(A), SLED must issue a permit to purchase a weapon to a resident who is at least twenty‑one years of age and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) a photocopy of a driver’s license or photographic identification card;

(3) proof of residence;

(4) proof of actual or corrected vision rated at 20/40 within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver’s license;

(5) proof of training;

(6) payment of a forty‑dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and

(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant’s fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

Section 23‑31‑110. (A) Upon submission of the items required by Section 23‑31‑105, SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides. The sheriff within ten working days after notification by SLED, may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. If the fingerprint review and background check are favorable, SLED must issue the permit.

(B) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received. If an applicant is unable to comply with the provisions of Section 23‑31‑100(3), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23‑31‑100(3). The course shall cost fifty dollars. SLED shall use the proceeds to defray the training course’s operating costs.

(C) Denial of an application may be appealed. The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall specify the reasons for upholding the denial and may be reviewed by the Administrative Law Court pursuant to Article 5, Chapter 23, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division’s decision.

Section 23‑31‑115. (A) SLED must make weapon purchase permit application forms available to the public. A weapon purchase permit application form shall require an applicant to supply:

(1) name, including maiden name if applicable;

(2) date and place of birth;

(3) sex;

(4) race;

(5) height;

(6) weight;

(7) eye and hair color;

(8) current residence address; and

(9) all residence addresses for the three years preceding the application date.

(B) The weapon purchase permit application form shall require the applicant to certify that:

(1) he is not a person prohibited under state law from possessing a weapon;

(2) he understands the weapon purchase permit is revoked and must be surrendered immediately to SLED if the weapon purchase permit holder becomes a person prohibited under state law from possessing a weapon; and

(3) all information contained in his application is true and correct to the best of his knowledge.

(C) A weapon purchase permit application must be submitted in person, by mail, or online to SLED headquarters which shall verify the legibility and accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications.

(D) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23‑31‑100(4), and their personnel, who in good faith provide information regarding a person’s application, must be exempt from liability that may arise from issuance of a weapon purchase permit; provided, however, a weapons instructor must meet the requirements established in Section 23‑31‑100(4) in order to be exempt from liability under this subsection.

Section 23‑31‑120. SLED must maintain a list of all weapon purchase permit holders and the current status of each permit. SLED may release the list of weapon purchase permit holders or verify an individual’s permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of weapon purchase permit holders obtained from SLED must destroy the list.

Section 23‑31‑125. (A) A weapon purchase permit is valid statewide unless revoked because the person has:

(1) become a person prohibited under state law from possessing a weapon;

(2) moved his permanent residence to another state and no longer owns real property in this State;

(3) voluntarily surrendered the permit; or

(4) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.

(B) Once a weapon purchase permit is revoked, all permits, including a concealed weapon permit, must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his permit or permits in accordance with this section is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

Section 23‑31‑130. (A) A permit issued pursuant to this article is valid for three years and is renewable. Subject to subsection (B), SLED shall renew a currently valid permit upon:

(1) payment of a twenty‑five‑dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) picture identification or facsimile copy thereof.

(B) Upon submission of the items required by subsection (A), SLED must conduct or facilitate a state and federal background check of the applicant. If the background check is favorable, SLED must renew the permit.

(C) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online, if permitted by Section 23‑31‑115(C), at the permit holder’s address of record that the permit is set to expire along with notification of the permit holder’s opportunity to renew the permit pursuant to the provisions of subsections (A) and (B).

Section 23‑31‑135. (A) A permit holder immediately must report the loss or theft of a weapon purchase permit to SLED. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

(B) SLED shall issue a replacement for lost, stolen, damaged, or destroyed weapon purchase permits after the permit holder has updated all information required in the original application and the payment of a ten‑dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of ten dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder’s failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a twenty‑five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED.

Section 23‑31‑140. No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a weapon.

Section 23‑31‑145. (A) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

(1) the number of permits;

(2) the number of permits that were issued;

(3) the number of permit applications that were denied;

(4) the number of permits that were renewed;

(5) the number of permit renewals that were denied;

(6) the number of permits that were suspended or revoked; and

(7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation pursuant to Section 23‑31‑125(A).

(B) The report must include a breakdown of such information by county.”

SECTION 2. Article 4, Chapter 31, Title 23 of the 1976 Code is amended to read:

“Section 23‑31‑210. As used in this article:

(1) ‘Resident’ means an individual who is present in South Carolina with the intention of making a permanent home in South Carolina or military personnel on permanent change of station orders.

(2) ‘Qualified nonresident’ means an individual who owns real property in South Carolina, but who resides in another state.

(3) ‘Picture identification’ means:

(a) a valid driver’s license or photographic identification card issued by the state in which the applicant resides; or

(b) an official photographic identification card issued by the Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State.

(4) ‘Proof of training’ ~~means an original document or certified copy of the document supplied by an applicant that certifies that he is either:~~

~~(a)~~ ~~a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety.~~

~~(b)~~ ~~a person who demonstrates any of the following must comply with the provisions of subitem (a)(i) only:~~

~~(i)~~ ~~a person who demonstrates the completion of basic military training provided by any branch of the United States military who produces proof of his military service through the submission of a DD214 form;~~

~~(ii) a retired law enforcement officer who produces proof that he is a graduate of the Criminal Justice Academy or that he was a law enforcement officer prior to the requirement for graduation from the Criminal Justice Academy; or~~

~~(iii)~~ ~~a retired state or federal law enforcement officer who produces proof of graduation from a federal or state academy that includes firearms training as a graduation requirement;~~

~~(c)~~ ~~an instructor certified by the National Rifle Association or another SLED‑approved competent national organization that promotes the safe use of handguns;~~

~~(d)~~ ~~a person who can demonstrate to the Director of SLED or his designee that he has a proficiency in both the use of handguns and state laws pertaining to handguns;~~

~~(e)~~ ~~an active duty police handgun instructor;~~

~~(f)~~ ~~a person who has a SLED‑certified or approved competitive handgun shooting classification; or~~

~~(g)~~ ~~a member of the active or reserve military, or a member of the National Guard~~. has the same meaning as in 23‑31‑100(3);

(5) ‘Concealable weapon’ means a firearm having a length of less than twelve inches measured along its greatest dimension that must be carried in a manner that is hidden from public view in normal wear of clothing except when needed for self‑defense, defense of others, and the protection of real or personal property.

(6) ‘Proof of ownership of real property’ means a certified current document from the county assessor of the county in which the property is located verifying ownership of the real property. SLED must determine the appropriate document that fulfills this requirement.

Section 23‑31‑212. SLED must issue a concealable weapon permit, subject to Section 23‑21‑215(B), to a resident who holds a valid weapon purchase permit and who submits the weapon purchase permit and the other information required in Section 23‑21‑215(A)(1)‑(4) together with an application fee of ten dollars.

Section 23‑31‑215. (A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a concealable weapon permit, which is no larger than three and one‑half inches by three inches in size, to carry a weapon to a resident who does not hold a valid weapon purchase permit or qualified nonresident who is at least twenty‑one years of age and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) a photocopy of a driver’s license or photographic identification card;

(3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State; a (4) proof of actual or corrected vision rated at 20/40 within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver’s license;.

(5) proof of training;

(6) payment of a fifty‑dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and

(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant’s fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

(B) Upon submission of the items required by subsection (A), SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides or if the applicant is a qualified nonresident, where the applicant owns real property in this State. The sheriff within ten working days after notification by SLED, may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. If the fingerprint review and background check are favorable, SLED must issue the permit.

(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23‑31‑210(4), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23‑31‑210(4). The course shall cost fifty dollars. SLED shall use the proceeds to defray the training course’s operating costs. If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety‑day notification period, the permit may be revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.

(D) Denial of an application may be appealed in the same manner as prescribed in Section 23‑31‑110(C). ~~The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall specify the reasons for upholding the denial and may be reviewed by the Administrative Law Court pursuant to Article 5, Chapter 23, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division’s decision.~~

(E) SLED must make concealable weapon permit application forms available to the public. A concealable weapon permit application form shall require an applicant to supply the same information outlined in Section 23‑31‑115(A).~~:~~

~~(1)~~ ~~name, including maiden name if applicable;~~

~~(2)~~ ~~date and place of birth;~~

~~(3)~~ ~~sex;~~

~~(4)~~ ~~race;~~

~~(5)~~ ~~height;~~

~~(6)~~ ~~weight;~~

~~(7)~~ ~~eye and hair color;~~

~~(8)~~ ~~current residence address; and~~

~~(9)~~ ~~all residence addresses for the three years preceding the application date.~~

(F) The concealable weapon permit application form shall require the applicant to certify that:

(1) he is not a person prohibited under state law from possessing a weapon;

(2) he understands the concealable weapon permit is revoked and must be surrendered immediately to SLED if the concealable weapon permit holder becomes a person prohibited under state law from possessing a weapon; and

(3) all information contained in his application is true and correct to the best of his knowledge.

(G) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23‑31‑210(4), and their personnel, who in good faith provide information regarding a person’s application, must be exempt from liability that may arise from issuance of a concealable weapon permit; provided, however, a weapons instructor must meet the requirements established in Section 23‑31‑210(4) in order to be exempt from liability under this subsection.

(H) A concealable weapon permit application must be submitted in ~~person, by mail, or online to SLED headquarters which shall verify the legibility and accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications~~ the same manner as prescribed in Section 23‑31‑115(C).

(I) SLED must maintain a list of all permit holders and the current status of each ~~SLED may release the list of permit holders or verify an individual’s permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of permit holders obtained from SLED must destroy the list~~ concealable weapon permit in the same manner as prescribed in Section 23‑31‑120.

(J)(1) A concealable weapon permit is valid statewide and can be revoked in the same manner and is subject to the same surrender process as prescribed in Section 23‑31‑125. ~~unless revoked because the person has:~~

~~(1)~~ ~~become a person prohibited under state law from possessing a weapon;~~

~~(2)~~ ~~moved his permanent residence to another state and no longer owns real property in this State;~~

~~(3)~~ ~~voluntarily surrendered the permit; or~~

~~(4)~~ ~~been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.~~

(2) Once a concealable weapon permit is revoked, it must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his concealable weapon permit in accordance with this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

(K) A concealable weapon permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a concealable weapon permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the concealable weapon permit identification card when an officer:

(1) identifies himself as a law enforcement officer; and

(2) requests identification or a driver’s license from a concealable weapon permit holder.

(3) A concealable weapon permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty‑five dollars.

(L) SLED shall issue a replacement for lost, stolen, damaged, or destroyed concealable weapon permit identification cards ~~after the permit holder has updated all information required in the original application and the payment of a five‑dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of five dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder’s failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a twenty‑five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED~~ in the same manner as prescribed in Section 23‑31‑135(B).

(M) A concealable weapon permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

(1) law enforcement, correctional, or detention facility;

(2) courthouse or courtroom;

(3) polling place on election days;

(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;

(5) school or college athletic event not related to firearms;

(6) daycare facility or preschool facility;

(7) place where the carrying of firearms is prohibited by federal law;

(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor’s office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or

(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23‑31‑220 and 23‑31‑235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16‑11‑620 and must not be charged with or penalized for a violation of this subsection.

Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10‑11‑320, 16‑23‑420, 16‑23‑430, 16‑23‑465, 44‑23‑1080, 44‑52‑165, 50‑9‑830, and 51‑3‑145.

(N) Valid out‑of‑state concealable weapon permits to carry concealable weapons held by a resident of a reciprocal state must be honored by this State provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(O) A concealable weapon permit issued pursuant to this article is not required for a person:

(1) specified in Section 16‑23‑20, items (1) through (5) and items (7) through (11);

(2) carrying a self‑defense device generally considered to be nonlethal including the substance commonly referred to as ‘pepper gas’; or

(3) carrying a concealable weapon in a manner not prohibited by law.

(P) Upon renewal, a concealable weapon permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall renew a currently valid concealable weapon permit upon:

(1) payment of a fifty‑dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) picture identification or facsimile copy thereof.

(Q) Upon submission of the items required by subsection (P), SLED must conduct or facilitate a state and federal background check of the applicant. If the background check is favorable, SLED must renew the concealable weapon permit.

(R) No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. Absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care.

(S) At least thirty days before a concealable weapon permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online if permitted by subsection (H) at the permit holder’s address of record that the concealable weapon permit is set to expire along with notification of the permit holder’s opportunity to renew the concealable weapon permit pursuant to the provisions of subsections (P) and (Q).

(T) During the first quarter of each calendar year, SLED must publish a concealable weapon permit report in the same manner as prescribed in Section 23‑31‑145 ~~of the following information regarding the previous calendar year:~~

~~(1)~~ ~~the number of permits;~~

~~(2)~~ ~~the number of permits that were issued;~~

~~(3)~~ ~~the number of permit applications that were denied;~~

~~(4)~~ ~~the number of permits that were renewed;~~

~~(5)~~ ~~the number of permit renewals that were denied;~~

~~(6) the number of permits that were suspended or revoked; and~~

~~(7)~~ ~~the name, address, and county of a person whose permit was revoked, including the reason for the revocation pursuant to subsection (J)(1)~~.

~~The report must include a breakdown of such information by county.~~”

SECTION 3. SLED shall promulgate regulations containing general guidelines for courses and qualifications for instructors which would satisfy the requirements of this item. For purposes of Sections 23‑31‑100(3) and 23‑31‑210(4), “proof of training” is not satisfied unless the organization and its instructors meet or exceed the guidelines and qualifications contained in the regulations promulgated by SLED pursuant to this item.

SECTION 4. This act takes effect upon approval by the Governor.

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