**South Carolina General Assembly**

122nd Session, 2017-2018

**H. 5202**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Putnam, Long, West, Fry, Yow, G.R. Smith, Loftis, Burns, McCravy, Taylor, Young, Hiott, Chumley, Magnuson, Clemmons, Forrest, Hill, Huggins, Lowe, Martin, D.C. Moss, Pitts, Sandifer, Thayer, Trantham, Willis and Crawford

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Introduced in the House on April 3, 2018

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

Summary: Second Amendment Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/3/2018 House Introduced and read first time ([House Journal‑page 75](file:///h:\hj\20180403.docx))

4/3/2018 House Referred to Committee on **Judiciary** ([House Journal‑page 75](file:///h:\hj\20180403.docx))

4/4/2018 House Member(s) request name added as sponsor: Crawford

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=5202&session=122&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/3/2018](file:///p:\pprever\2017-18\5202_20180403.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO ENACT THE “SECOND AMENDMENT PROTECTION ACT”; TO PROVIDE THAT NO MUNICIPALITY OR COUNTY MAY ENACT OR ENFORCE ANY ORDINANCE OR LAW THAT REGULATES THE OWNERSHIP, USE, OR POSSESSION OF FIREARMS, FIREARM ACCESSORIES, OR AMMUNITION IN A WAY THAT RESTRICTS ACCESS BEYOND THAT WHICH IS PROVIDED BY STATE LAW; TO REQUIRE THAT ANY AMENDMENT TO STATE LAW RESTRICTING THE OWNERSHIP, USE, OR POSSESSION OF FIREARMS, FIREARM ACCESSORIES, OR AMMUNITION OR OTHERWISE INFRINGES UPON A PERSON’S SECOND AMENDMENT RIGHT TO KEEP AND BEAR ARMS REQUIRES A TWO‑THIRDS VOTE ON THE THIRD READING OF THE BILL IN EACH BRANCH OF THE GENERAL ASSEMBLY; AND TO DEFINE THE TERM “FIREARM”.

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 9

Second Amendment Protection Act

Section 23‑31‑910. The General Assembly finds that the Second Amendment to the United States Constitution protects an individual’s right to ‘keep and bear arms’ and further provides that the right to keep and bear arms may not be infringed.

Section 23‑31‑920. (A) Notwithstanding another provision of law, no municipality or county may enact or enforce any ordinance or law that regulates the ownership, use, or possession of firearms, firearm accessories, or ammunition in a way that restricts access beyond that which is provided by state law.

(B) Any state law that further restricts the ownership, use, or possession of firearms, firearm accessories, or ammunition or otherwise infringes upon a person’s Second Amendment right to keep and bear arms only may be amended upon passage of an act which has received a two‑thirds vote on the third reading of the bill in each branch of the General Assembly.

(C) For purposes of this section, ‘firearm’ means as defined in Section 23‑31‑1050(3).”

SECTION 2. Beginning on the effective date of this act, the State Treasurer is prohibited from disbursing funds appropriated by the General Assembly to the Local Government Fund to a municipality or county that violates the provisions of this act.

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

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