COMMITTEE REPORT

April 3, 2019

**S. 293**

Introduced by Senators Cash, Corbin and Rice

S. Printed 4/3/19--S.

Read the first time January 8, 2019.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 293) to amend the Code of Laws of South Carolina, 1976, by adding Section 23‑31‑232 so as to provide a concealed weapon permit holder may carry a concealable, 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. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the premises of an elementary or secondary school if a church leases the school premises for church services or official church activities. The provisions contained in this section apply only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school, however, they do not apply during any time a curricular or extracurricular school sponsored activity is taking place on the property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has use and enjoyment of the property pursuant to this section.”

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

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 8, 2019**

**State Expenditure**

This bill allows a person holding a concealed weapons permit to carry a weapon on school premises if a church leases the school premises for church services or activities. This approval is only upon the express permission of a church official or governing body and only during those times that the church has the use of the property. The bill does not require any agency action and does not operationally or fiscally impact state agencies or local governments. Therefore, the bill does not have an expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑31‑232 SO AS TO PROVIDE A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS SECTION ONLY APPLIES DURING THE TIME THAT THE CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

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

SECTION 1. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23‑31‑232. Notwithstanding any provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a permit issued pursuant to this article may carry a concealable weapon on school premises if a church leases the school premises for church services or official church activities. The provisions contained in this section apply only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school.”

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

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