

## Session 125 - (2023-2024)

**H'3594 (Rat #0121) General Bill, By B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest**

**Similar (S 0109, H 3612)**

**Summary:** Constitutional Carry

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS AND FIREARMS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS AND FIREARMS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THIS SECTION; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ON PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO PROVIDE PERSONS MUST REPORT THE LOSS OR THEFT OF A FIREARM TO A LAW ENFORCEMENT AGENCY, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; TO PROVIDE SLED SHALL OFFER A CONCEALED WEAPON PERMIT TRAINING COURSE, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY OBTAIN PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600,

RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 51-3-145, RELATING TO UNLAWFUL ACTS COMMITTED AT STATE PARKS, SO AS TO PROVIDE PERSONS MAY POSSESS OR CARRY CONCEALABLE WEAPONS IN STATE PARKS; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR"; BY AMENDING SECTION 22-5-910, RELATING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN UNLAWFUL POSSESSIONS OF FIREARMS OR WEAPONS OFFENSES, AND TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 23-31-240, RELATING TO PERSONS ALLOWED TO CARRY CONCEALABLE WEAPONS ANYWHERE IN THIS STATE, SO AS TO ADD ADDITIONAL PERSONS TO THIS LIST WITH CERTAIN EXCEPTIONS; BY ADDING SECTION 23-31-245 SO AS TO PROVIDE CIRCUMSTANCES WHEN LAW ENFORCEMENT OFFICERS MAY SEARCH, DETAIN, OR ARREST PERSONS OPENLY CARRYING WEAPONS; BY ADDING SECTION 17-1-65 SO AS TO PROVIDE PERSONS MAY APPLY FOR EXPUNGEMENTS OF CONVICTIONS FOR UNLAWFUL POSSESSION OF HANDGUNS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 16-23-495 SO AS TO PROVIDE PENALTIES FOR PERSONS CONVICTED OF COMMITTING OR ATTEMPTING TO COMMIT CERTAIN CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED SHALL DEVELOP AND DISTRIBUTE A DOCUMENT THAT INFORMS GUN PURCHASERS THAT THEY MAY OBTAIN CONCEALED WEAPON PERMITS, CARRY THEIR WEAPONS WITHOUT A PERMIT, AND CERTAIN PENALTIES IMPOSED FOR CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED MUST INFORM THE PUBLIC THE STATE PROVIDES A PROCESS FOR GUN OWNERS TO OBTAIN CONCEALED WEAPON PERMITS AND ALLOWS GUN OWNERS TO CARRY THEIR WEAPONS WITHOUT PERMITS; AND TO PROVIDE NO PROVISION OF THIS ACT SHOULD BE CONSTRUED TO DISCOURAGE GUN OWNERSHIP OR GUN SAFETY TRAINING, BUT TO ENCOURAGE GUN OWNERS TO RECEIVE GUN SAFETY TRAINING. - RATIFIED TITLE

12/15/22	House	Prefiled
12/15/22	House	Referred to Committee on Judiciary
01/10/23	House	Introduced and read first time (House Journal-page 222)
01/10/23	House	Referred to Committee on Judiciary (House Journal-page 222)
01/12/23	House	Member(s) request name added as sponsor: O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell
01/18/23	House	Member(s) request name added as sponsor: Gilliam, Davis, B.L.Cox
01/19/23	House	Member(s) request name added as sponsor: Vaughan, White, Collins, J.E.Johnson, Gagnon
01/31/23	House	Member(s) request name added as sponsor: Gibson
02/07/23	House	Member(s) request name added as sponsor: W.Newton
02/08/23	House	Member(s) request name added as sponsor: Bustos
02/09/23	House	Member(s) request name added as sponsor: Herbkersman, Landing
02/16/23	House	Member(s) request name added as sponsor: Moss
02/16/23	House	Committee report: Favorable with amendment Judiciary (House Journal-page 2)
02/21/23	House	Member(s) request name added as sponsor: Pope, Guest
02/21/23	House	Requests for debate-Rep(s). Hiott, Forrest, Pope, Felder, T Moore, Nutt, McCravy, Magnuson, Harris, B Newton, Carter, Taylor, Beach, Cromer, Hewitt, Robbins, Hart, Brewer, Murphy, May, Killmartin, Wetmore, JL Johnson, Wheeler, Weeks, King, Guest, Gilliard (House Journal-page 14)
02/22/23	House	Amended (House Journal-page 12)
02/22/23	House	Read second time (House Journal-page 32)
02/22/23	House	Roll call Yeas-90 Nays-30 (House Journal-page 56)
02/23/23	House	Amended (House Journal-page 24)
02/23/23	House	Read third time and sent to Senate (House Journal-page 24)
02/23/23	House	Roll call Yeas-87 Nays-26 (House Journal-page 27)
02/24/23		Scrivener's error corrected
02/28/23	Senate	Introduced and read first time (Senate Journal-page 6)

02/28/23	Senate	Referred to Committee on Judiciary (Senate Journal-page 6)
05/09/23	Senate	Recalled from Committee on Judiciary (Senate Journal-page 94)
05/09/23	Senate	Roll call Ayes-24 Nays-18 (Senate Journal-page 94)
05/11/23		Scrivener's error corrected
01/23/24	Senate	Made Adjourned Debate (Senate Journal-page 14)
01/23/24	Senate	Roll call Ayes-27 Nays-17 (Senate Journal-page 14)
01/24/24	Senate	Debate interrupted (Senate Journal-page 18)
01/25/24	Senate	Debate interrupted (Senate Journal-page 18)
01/30/24	Senate	Amended (Senate Journal-page 25)
01/30/24	Senate	Read second time (Senate Journal-page 25)
01/30/24	Senate	Debate interrupted (Senate Journal-page 25)
01/31/24		Scrivener's error corrected
01/31/24	Senate	Amended (Senate Journal-page 21)
01/31/24	Senate	Debate interrupted (Senate Journal-page 21)
02/01/24	Senate	Amended (Senate Journal-page 24)
02/01/24	Senate	Read third time and returned to House with amendments (Senate Journal-page 24)
02/01/24	Senate	Roll call Ayes-28 Nays-15 (Senate Journal-page 24)
02/02/24		Scrivener's error corrected
02/08/24	House	Debate adjourned until Tues., 2-13-24 (House Journal-page 13)
02/13/24	House	Senate amendment amended (House Journal-page 15)
02/13/24	House	Roll call Yeas-85 Nays-26 (House Journal-page 33)
02/13/24	House	Returned to Senate with amendments (House Journal-page 15)
02/14/24	Senate	Non-concurrence in House amendment (Senate Journal-page 14)
02/15/24	House	House insists upon amendment and conference committee appointed Reps. Caskey, BJ Cox, Bamberg (House Journal-page 2)
02/22/24		Scrivener's error corrected
02/27/24	Senate	Conference committee appointed Hutto, Massey, Martin (Senate Journal-page 10)
03/05/24	House	Conference report adopted (House Journal-page 44)
03/05/24	House	Roll call Yeas-86 Nays-33 (House Journal-page 66)
03/06/24	Senate	Conference report adopted (Senate Journal-page 15)
03/06/24	Senate	Roll call Ayes-28 Nays-18 (Senate Journal-page 15)
03/07/24		Ratified R 121
03/07/24		Signed By Governor