

1 **GrassRoots Action Alert**

2 **H. 3292 Update**

3 March 6, 2011

4
5 **This Action Alert might well be the most important Action Alert we have ever**
6 **sent out.**

7 **PLEASE read it carefully.**

8 **Then, YOU NEED to TAKE ACTION.**

9 **If YOU fail to read and take action, the future of YOUR gun rights will be put**
10 **at risk.**

11
12 There is much misinformation concerning what is happening with H. 3292, and people are
13 getting confused. Unfortunately, when people get confused, they tend to just give up trying.
14 Politicians are counting on this confusion to hide the truth. YOUR gun rights are too important
15 to let them be taken away because you are confused. GrassRoots wants to clear things up for
16 you.

17
18 GrassRoots sent out an Action Alert on Feb 26 warning you of how the Viers amendment to H.
19 3292 passed on Feb 24, 2011, would **violate YOUR constitutional rights and take away gun**
20 **rights we now have.** Rep. Thad Viers immediately denied his amendment violated or took away
21 anyone's constitutional gun rights, and told you GrassRoots was being "dishonest." So, who is
22 telling the truth?

23
24 **GrassRoots pointed out how the official Viers amendment would violate both the**
25 **constitutional rights of out of state gun owners and the constitutional rights of 18 to 20 year**
26 **old young adults. Taking away the constitutional rights of others to possess a handgun is**
27 **gun control. GrassRoots stated we could not support unconstitutional gun control, and we**
28 **asked YOU to take action. It was the unconstitutional taking away of gun rights that**
29 **GrassRoots objected to in the Viers amendment. Any accusations to the contrary are**
30 **meant to CONFUSE YOU. Do not allow yourself to get confused by false accusations.**

31
32 Before we go any further, GrassRoots wants YOU to see what the SC Supreme Court said about
33 the constitutional rights of young adults 18 to 20 years old. The SC Supreme Court was quite
34 clear when it stated **"the state constitution precludes the General Assembly from prohibiting**
35 **this age group's [18 to 20 year old young adults] possession of handguns."** See *State v.*
36 *Bolin*, 378 S.C. 96; 662 S.E.2d 38 (2008).

37
38 The SC Constitution in Article I, Section 3 protects the rights of out of state gun owners with
39 these words:

40 "The privileges and immunities of citizens of this State and of the United States
41 under this Constitution shall not be abridged, nor shall any person be deprived of
42 life, liberty, or property without due process of law, **nor shall any person be**

1 **denied the equal protection of the laws.”**
2

3 GrassRoots makes no apologies for supporting YOUR Constitutional rights, standing firm on
4 principle, or refusing to give away the gun rights of others so that we might get something else in
5 return. There is nothing politicians can offer to gun owners to justify taking away the
6 constitutional rights of others. GrassRoots wants to get whatever goodies politicians offer to gun
7 owners, but NOT if we have to violate the constitutional rights of others to get them.
8

9 **Make no mistake about H. 3292, the original version of H. 3292 introduced by Rep. Mike**
10 **Pitts DID NOT violate the constitutional rights of anyone! It was not until Rep. Viers**
11 **introduced the official Viers amendment that any constitutional rights were put in**
12 **jeopardy! GrassRoots and others realized the original version of H. 3292 needed some**
13 **improvements, and we all asked for reasonable amendments - not violations of our**
14 **constitutional rights. It is important to remember that the Rep. Mike Pitts version of H.**
15 **3292 protected the constitutional rights of all, and that is what we need to continue to do.**
16

17 **GrassRoots is and has been willing to support the original version of H. 3292 introduced by**
18 **Rep. Mike Pitts, which can be fixed with a few simple amendments to protect gun owners.**
19 **If YOU are not confused and already oppose more gun control on principle, then you can**
20 **jump to the Action Steps at the end of this alert.**
21

22 So, lets get back to the Viers amendment. Ideally, you would just read the amendment and see
23 for yourself who was telling the truth. But, the official Viers amendment passed by the General
24 Laws subcommittee on Feb 24 was NEVER posted online. GrassRoots obtained a copy of the
25 Viers amendment passed on Feb 24 from the staff attorney after the subcommittee meeting, and
26 posted it on our web site [here](#).
27

28 Rep. Viers - in response to YOUR emails and phone calls - finally realized his official
29 amendment did exactly what GrassRoots said it did, but Rep. Viers refused to admit the truth.
30 Instead, Rep. Viers created a new unofficial amendment on March 1, posted it online [here](#), told
31 people GrassRoots was being “dishonest” about his official amendment, and referred people to
32 this new unofficial amendment as if it was the official amendment GrassRoots wrote to you
33 about. If you look at the top of the new unofficial amendment, you will see it says “Amendment
34 to be Proposed By Rep. Viers at Full Judiciary.” Notice it says “to be proposed.” But, this is
35 NOT the official amendment Rep. Viers pushed through the General Laws subcommittee on Feb
36 24, nor is it the official Viers amendment that GrassRoots told you about in our Action Alert of
37 Feb 26, nor is it the official Viers amendment that is sitting in the Judiciary Committee right
38 now. This is causing confusion because the official amendment passed by subcommittee is
39 drastically different - and worse - than the unofficial amendment posted online.
40

41 **Why did Rep. Viers only post his new unofficial amendment online? Why did Rep. Viers**
42 **fail to post online the official amendment passed by the subcommittee, which has already**
43 **been sent to the Judiciary Committee, and which was the one GrassRoots warned you**
44 **about?**

1 **The answer is simple: Politicians want YOU to get confused so that YOU stop**
2 **contacting them! Then, they can get away with taking away YOUR rights.**

3
4 The ONLY reason Rep. Viers created a new unofficial amendment is because GrassRoots told
5 YOU about how the official Viers amendment contained unconstitutional gun control, and YOU
6 let him know YOU did NOT appreciate his trying to take away YOUR gun rights. If YOU had
7 not contacted Viers, he would never have created a new unofficial amendment.

8
9 Politicians are watching to see whether gun owners can be duped, or whether gun owners will
10 stand up and protect their gun rights. What YOU do - or fail to do - today will impact YOUR
11 gun rights for many years to come.

12
13 The official Viers amendment to H. 3292 that passed unanimously out of the General Laws
14 subcommittee on Feb 24 changes Section 16-23-20 of our current South Carolina law. Current
15 law found in Section 16-23-20 (<http://www.scstatehouse.gov/code/t16c023.htm>) makes it illegal
16 to carry a handgun unless you fit into one of the 16 listed allowable carry exceptions. ANY
17 person can now carry a handgun in South Carolina whether the person is from South Carolina or
18 from out of state as long as the person can fit into one of the 16 allowable carry exceptions. But,
19 the official Viers amendment deletes all 16 allowable carry exceptions from the law, and then
20 makes it a crime for out of state people or young adults 18 to 20 years old to carry a handgun -
21 period, the only exception being for an out of state person with a concealed weapon permit
22 (CWP) and only if their home state has CWP reciprocity with SC.

23
24 **Let us count some of the ways that current law now allows an out of state person or a**
25 **young adult 18 to 20 years old to legally carry a handgun in SC. But, the official Viers**
26 **amendment will make all of these a crime for most people from out of state - including all**
27 **people from Georgia, and all young adults 18 to 20 years old - including military veterans.**
28 **It will be crime for most out of state people and all young adults 18 to 20 years old to carry**
29 **a handgun when:**

30
31 **One** Target shooting, or going to and from the gun range either as a member or guest of a gun
32 club (this is exception 3 in Section 16-23-20, but exception 3 is deleted in the official
33 Viers amendment) - **say goodbye to out of state shooters in handgun competitions and**
34 **the dollars they now spend in SC;**

35
36 **Two** Hunting or fishing or going to or from their places of hunting or fishing while in a
37 vehicle or on foot (this is exception 4 in Section 16-23-20, but exception 4 is deleted in
38 the official Viers amendment) - **GA and NC fishermen better not let their boat drift**
39 **across state lines, and handgun hunters will take their guns and money to GA;**

40
41 **Three** In his home or upon his real property or a guest of the owner or the person in legal
42 possession or the person in legal control of the home or real property (this is exception 8
43 in Section 16-23-20, but exception 8 is deleted in the official Viers amendment) - **out of**
44 **state family and friends can not shoot handguns on Uncle Fred's farm anymore;**

1
2 **Four** In a vehicle if the handgun is secured in a closed glove compartment, closed console,
3 closed trunk, or in a closed container secured by an integral fastener and transported in
4 the luggage compartment of the vehicle (this is exception 9 in Section 16-23-20, but
5 exception 9 is deleted in the official Viers amendment) - **tourists and travelers will take**
6 **their money elsewhere;**

7
8 **Five** Carrying a handgun unloaded and in a secure wrapper from the place of purchase to his
9 home or fixed place of business or while in the process of changing or moving one's
10 residence or changing or moving one's fixed place of business (this is exception 10 in
11 Section 16-23-20, but exception 10 is deleted in the official Viers amendment) - **out of**
12 **state business owners will stay out of state along with their investment money;**

13
14 **Six** He is the owner or person in legal possession or the person in legal control of a fixed
15 place of business, while at the fixed place of business (this is exception 13 in Section 16-
16 23-20, but exception 13 is deleted in the official Viers amendment) - **those out of state**
17 **people should know their investment money is not wanted here;**

18
19 **Seven** Engaged in firearms-related activities while on the premises of a fixed place of business
20 which conducts, as a regular course of its business, activities related to sale, repair, pawn,
21 firearms training, or use of firearms (this is exception 14 in Section 16-23-20, but
22 exception 14 is deleted in the official Viers amendment) - **this will stop factory**
23 **representatives who provide safety inspections and cleanings for their products**
24 **from coming to SC;**

25
26 **Eight** Transferring a handgun directly from or to a vehicle and a location specified in this
27 section where one may legally possess the handgun (this is exception 15 in Section 16-
28 23-20, but exception 15 is deleted in the official Viers amendment) - **a visitor used to be**
29 **able to keep a handgun in her vehicle and take it into the home of a friend, but not**
30 **after the Viers amendment - say good-bye to self-defense for out of state visitors; and**
31

32 **Nine** On a motorcycle when the pistol is secured in a closed saddlebag or other similar closed
33 accessory container attached (this is exception 16 in Section 16-23-20, but exception 16
34 is deleted in the official Viers amendment) - **say good-bye to all those motorcycle**
35 **rallies that bring in tourist dollars from all over the US and Canada.**

36
37 **The above are examples of how the official Viers amendment - the Viers amendment that**
38 **GrassRoots warned you about in our Feb 26 Action Alert - would take away rights we now**
39 **have.** These are just some of the problems with the official Viers amendment, and there are
40 more. But, these examples are enough to show the GrassRoots analysis was correct and YOU
41 needed to know how YOUR rights were being attacked.

42
43 **Thanks to YOUR emails and phone calls, the new unofficial Viers amendment will remove**
44 **the unconstitutional taking away of gun rights for out of state gun owners, if it gets passed.**

1 **But, if GrassRoots had not told YOU about the official Viers amendment and how it took**
2 **away the gun rights of others, or if YOU had failed to contact politicians as GrassRoots**
3 **asked you to do, then there would never have been a reason to create the new unofficial**
4 **Viers amendment. THANK YOU!!!**

5
6 **But, the unofficial Viers amendment still violates the constitutional rights of 18 to 20 year**
7 **old young adults even though the SC Supreme Court has told the General Assembly it can**
8 **not do so, and even after GrassRoots and YOU have told Viers to stop taking away the**
9 **constitutional gun rights of these young adults.** While the new unofficial Viers amendment
10 contains some goodies for most of us, it still violates the constitutional rights of young adults 18
11 to 20 years old and makes them second class citizens in violation of the SC Constitution.

12
13 Some people will say “I don’t care about out of state gun owners or young adults 18 to 20 years
14 old.” Well, that is exactly why more and more gun control gets enacted into law. Once we
15 allow the constitutional rights of some to be violated, we create a precedent to allow more of our
16 rights to be violated.

17
18 If every state started doing as Viers wants SC to do, our right to keep and bear arms would stop
19 at the state line. If we want people in other states to protect our rights, then we must protect their
20 rights here. The 2nd Amendment protects people anywhere in the USA regardless of what state
21 they are in or from. Together we stand, divided we fall.

22
23 **As to young adults, the SC Supreme Court was quite clear when it stated “the state**
24 **constitution precludes the General Assembly from prohibiting this age group's [18 to 20**
25 **year old young adults] possession of handguns.” See *State v. Bolin*, 378 S.C. 96; 662 S.E.2d**
26 **38 (2008).**

27
28 **Any self respecting pro gun rights organization could never support legislation that tries to**
29 **deny honest law abiding people - including young legal adults - their constitutional right to**
30 **keep and bear arms.** It has been said many times that it is crucial that young people be exposed
31 to firearms early on so that young people will grow up knowing the importance of firearms in a
32 free society. How can violating the constitutional rights of young adults 18 to 20 years old help
33 promote the long term protection of YOUR gun rights?

34
35 **If we allow the government to deny a constitutional right to one minority, then what is**
36 **there to stop the government from denying a constitutional right to another minority?** If
37 young adults can have their constitutional rights denied because we fear they are not mature
38 enough to act like older adults, then **older people can have their constitutional rights denied**
39 **because we fear they might be at risk of senility.** The number of imagined justifications for
40 denying a person their constitutional rights is virtually limitless. We must not allow ourselves to
41 be duped into taking away the rights of “others” because we are the “others” to everyone else.

42
43 **In an effort to confuse people, some politicians are falsely claiming GrassRoots demands an**
44 **“all or nothing” effort to both H. 3292 in particular and gun rights in general. That is a lie**

1 **meant to confuse you and cause you to stop contacting politicians.**

2
3 In 2000, GrassRoots pushed to get the Shooting Range Protection Act passed. GrassRoots did
4 not get everything we wanted, but we still supported the bill because we got something more
5 without giving away anything.

6
7 In 2002, GrassRoots pushed for CWP and gun law improvements. GrassRoots did not get
8 everything we wanted, but we still supported the bill because we got something more without
9 giving away anything.

10
11 In 2004, GrassRoots pushed for more CWP and gun law improvements. GrassRoots did not get
12 everything we wanted, but we still supported the bill because we got something more without
13 giving away anything.

14
15 In 2009, GrassRoots pushed for a CWP carry on school grounds law. GrassRoots did not get
16 everything we wanted, but we still supported the bill because we got something more without
17 giving away anything.

18
19 As any reasonable person can clearly see, GrassRoots has a long history of accepting what we
20 can reasonably expect to get. But, GrassRoots has NEVER agreed to give away any of the rights
21 we already had.

22
23 **Do not let the politicians to confuse you with their lies about H. 3292. GrassRoots has**
24 **always been willing to accept and support H. 3292 with less than we ask for. Why?**
25 Because that is the political reality in which we live. But, GrassRoots refuses to violate the
26 constitutional rights of others or give away any of our existing rights in order to restore some
27 other rights. **GrassRoots is not in the trading away of our gun rights game.** GrassRoots is
28 dedicated to restoring our gun rights - and it is NOT a game.

29
30 **Remember, politicians want you to get confused and then stop contacting them. If YOU**
31 **stop contacting politicians because they confused you, then they win and YOU lose.**

32
33 Here is what Viers wrote to one person who asked Viers to respond to the GrassRoots alert:

34
35 "You are wrong. Follow these instructions and you are welcome to call me:
36 Go to www.scstatehouse.gov
37 Its on the citizens interest page.
38 8037343000 if you are still having problems."

39
40 Notice that Rep. Viers referred the person to the new unofficial Viers amendment even though
41 the person was asking about the original official Viers amendment. That is dishonest. The new
42 unofficial Viers amendment removed most of the unconstitutional things that GrassRoots wrote
43 about. But, that would not have happened unless YOU put the pressure on Viers to change.

1 Then Viers wrote:

2
3 “You are being duped by folks who are taking an all or nothing approach. The
4 legal analysis is flawed in logic, approach and conclusion! Read my amendment.
5 It does not do those things. There is a massive misinformation campaign out
6 there. I am cosponsor of the bill.
7

8 There is nothing in the amd that has anything to do with Dudley Brown or
9 gunrights is putting out. All current rights under the law do not change. Rights
10 are increased.

11
12 This is amazing! The amount of disinformation is staggering!”
13

14 As can be clearly seen, the one doing all the duping is Rep. Thad Viers. The “misinformation”
15 and “disinformation” comes from Rep. Thad Viers, not GrassRoots. Current rights are being
16 taken away.
17

18 Yes, GrassRoots did read the official Viers amendment, and the official Viers amendment did
19 terrible things to the rights of gun owners. Yes, GrassRoots also read the unofficial Viers
20 amendment - the one created to confuse people, and it does remove most of the unconstitutional
21 things from the official Viers amendment. But, even the new unofficial Viers amendment
22 continues to violate the constitutional rights of young adults 18 to 20 years old. And yes, both of
23 the Viers amendments gave some goodies to gun owners in order to tempt them into violating
24 the constitutional rights of others.
25

26 **What Viers is failing to tell people is that the original official anti-gun Viers amendment -**
27 **the one that is now officially sitting in front of the Judiciary Committee - is NOT the one**
28 **posted online. It is the original official anti-gun Viers amendment that was passed by the**
29 **subcommittee, it is the original official anti-gun Viers amendment that the House Judiciary**
30 **Committee must vote to accept or reject on Tuesday March 8, and - most importantly - it is**
31 **the original official Viers amendment that GrassRoots GunRights wrote about in its Action**
32 **Alert.**
33

34 **Gun owners need to let the Judiciary Committee know it must reject the original official**
35 **Viers amendment. Then, the Judiciary Committee can consider other amendments to H.**
36 **3292. One of those other amendments will be the new unofficial Viers amendment - the one**
37 **that still contains constitutional violations of the gun rights of young adults 18 to 20 years**
38 **old.**
39

40 GrassRoots alerted YOU about this taking away of rights. Then, YOU took action and
41 temporarily stopped it. YOU have won a temporary victory. What YOU do next is important.
42

43 We need to reject all amendments that contain gun control. We need to fix the Rep. Mike Pitts
44 version of H. 3292, which did NOT contain any gun control.

ACTION STEPS TO TAKE NOW!

- 1
2
3 **1. Call the Judiciary Committee at (803) 734-3120 and tell them "GrassRoots GunRights**
4 **speaks for me! Remove all constitutional violations from H. 3292."**
5
- 6 **2. Email each member of the Judiciary Committee - email addresses are below - and tell**
7 **them "GrassRoots GunRights speaks for me! Remove all constitutional violations from H.**
8 **3292."**
9
- 10 **3. Email each co-sponsor of H. 3292 - email addresses are below - and tell them**
11 **"GrassRoots GunRights speaks for me! Remove all constitutional violations from H.**
12 **3292."**
13
- 14 **4. Call the Judiciary Committee at (803) 734-3120 and ask to be transferred to whichever**
15 **member you are calling from the list of email addresses below.**
16
- 17 **5. Forward this to everyone you know who is concerned about protecting our**
18 **Constitutional rights, and ask them to take action too.**
19

20 Thank you,

21
22 Robert D. Butler, J.D.

23 V.P

24 GrassRoots GunRights
25

26 **The following email addresses should allow you to send an email to each member of the**
27 **House Judiciary Committee with a simple "cut and paste" into your email "To" field:**
28

29 "James Harrison" <JimHarrison@schouse.gov>, "James Smith" <JamesSmith@schouse.gov>,
30 "George Hearn" <GeorgeHearn@schouse.gov>, "Karl Allen" <KarlAllen@schouse.gov>,
31 "Bruce Bannister" <BruceBannister@schouse.gov>, "Boyd Brown"
32 <BoydBrown@schouse.gov>, "Alan Clemmons" <Clemmons1@aol.com>, "Derham Cole"
33 <DerhamCole@schouse.gov>, "Greg Delleney" <GregDelleney@schouse.gov>, "Laurie Slade
34 Funderburk" <LaurieFunderburk@schouse.gov>, "Daniel Hamilton"
35 <DanHamilton@schouse.gov>, "Jenny Horne" <JennyHorne@schouse.gov>, "Peter McCoy"
36 <PeterMcCoy@schouse.gov>, "Walt McLeod" <WaltMcLeod@schouse.gov>, "Wendy
37 Nanney" <WendyNanney@schouse.gov>, "Todd Rutherford" <ToddRutherford@schouse.gov>,
38 "Bakari Sellers" <BakariSellers@schouse.gov>, "Garry Smith" <GarrySmith@schouse.gov>,
39 "Mike Sottile" <MikeSottile@schouse.gov>, "Leon Stavrinakis" <leonstav@schouse.gov>,
40 "Eddie Tallon" <EddieTallon@schouse.gov>, "Thad Viers" <tviers@yahoo.com>, "David
41 Weeks" <DavidWeeks@schouse.gov>, "Seth Whipper" <SethWhipper@schouse.gov>, "Tom
42 Young" <TomYoung@schouse.gov>
43

44 **The following email addresses should allow you to send an email to each co-sponsor of H.**

1 **3292 with a simple "cut and paste" into your email "To" field:**

2
3 "Mike Pitts" <MikePitts@schouse.gov>, "Dan Cooper" <DanCooper@schouse.gov>, "Greg
4 Delleney" <GregDelleney@schouse.gov>, "Dennis Moss" <DennisMoss@schouse.gov>, "Chip
5 Huggins" <ChipHuggins@schouse.gov>, "Kenny Bingham" <KennyBingham@schouse.gov>,
6 "Bill Hixon" <BillHixon@schouse.gov>, "Liston Barfield" <ListonBarfield@schouse.gov>,
7 "Andy Patrick" <AndyPatrick@schouse.gov>, "Garry Smith" <GarrySmith@schouse.gov>,
8 "Dwight Loftis" <DwightLoftis@schouse.gov>, "David Umphlett"
9 <DavidUmphlett@schouse.gov>, "Don Bowen" <DonBowen@schouse.gov>, "Phil Owens"
10 <PhilOwens@schouse.gov>, "Chris Murphy" <ChrisMurphy@schouse.gov>, "David Hiott"
11 <DavidHiott@schouse.gov>, "Eric Bikas" <Ericbikas@schouse.gov>, "Bill Sandifer"
12 <BillSandifer@schouse.gov>, "Brian White" <BrianWhite@schouse.gov>, "Peter McCoy"
13 <PeterMcCoy@schouse.gov>, "George Hearn" <GeorgeHearn@schouse.gov>, "Steve Parker"
14 <SteveParker@schouse.gov>, "Shannon Erickson" <ShannonErickson@schouse.gov>,
15 "Deborah Long" <DeborahLong@schouse.gov>, "Phyllis Henderson"
16 <PhyllisHenderson@schouse.gov>, "Bill Taylor" <BillTaylor@schouse.gov>, "Rick Quinn"
17 <RickQuinn@schouse.gov>, "Bruce Bannister" <BruceBannister@schouse.gov>, "Daniel
18 Hamilton" <DanHamilton@schouse.gov>, "Eric Bedingfield" <EricBedingfield@schouse.gov>,
19 "Mike Forrester" <MikeForrester@schouse.gov>, "Bill Herbkersman"
20 <BillHerbkersman@schouse.gov>, "Gary Simrill" <GarySimrill@schouse.gov>, "Tom Young"
21 <TomYoung@schouse.gov>, "Tommy Pope" <TommyPope@schouse.gov>, "Mark Willis"
22 <MarkWillis@schouse.gov>, "Murrell Smith" <MurrellSmith@schouse.gov>, "David Weeks"
23 <DavidWeeks@schouse.gov>, "Thad Viers" <tviers@yahoo.com>, "Alan Clemmons"
24 <Clemmons1@aol.com>, "Patsy Knight" <PatsyKnight@schouse.gov>,