

# Amendment

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This act may be cited as the “South Carolina Law Abiding Citizens Protection Act”.

SECTION 1. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-510. (A) Except as provided in subsection (D), no person, whether the person has a concealed weapons permit or not, shall carry a handgun, whether concealed or not, into any of the following places:

- (1) a police, sheriff, or highway patrol station or any other law enforcement office or facility;
- (2) a detention facility, prison, or jail or any other correctional facility or office;
- (3) a courthouse or courtroom;
- (4) a polling place on election days;
- (5) an office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (6) a school or college athletic event not related to firearms;
- (7) a place where the carrying of firearms is prohibited by federal law.

(B) A person who wilfully violates subsection (A) 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 shall have any permit issued to him under Article 4, Chapter 31 revoked for five years.

(C) When carrying a handgun, whether concealed or not, a person must inform a law enforcement officer of the fact he is carrying a handgun when an officer (1) identifies himself as a law enforcement officer and (2) requests identification or a driver’s license from a permit holder. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

(D) The provisions of this section do not apply to peace officers in the actual discharge of their duties.

(E) Non South Carolina residents and non United States citizens may not carry a handgun unless the person has a South Carolina concealed weapons permit, satisfies section 23-31-215(N), or is a peace officer in the actual discharge of his duties.

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2 SECTION 2 shall be deleted in its entirety.

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4 SECTION 3. Section 16-23-20 of the 1976 Code, as last amended  
5 by Act 28 of 2007, is further amended to read:

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7 “Section 16-23-20. It is unlawful for anyone to carry about the  
8 person any handgun, whether concealed or not, ~~except as follows,~~  
9 ~~unless otherwise specifically prohibited by law:~~

10 ~~(1) regular, salaried law enforcement officers, and reserve police~~  
11 ~~officers of a state agency, municipality, or county of the State,~~  
12 ~~uncompensated Governor’s constables, law enforcement officers~~  
13 ~~of the federal government or other states when they are carrying~~  
14 ~~out official duties while in this State, deputy enforcement officers~~  
15 ~~of the Natural Resources Enforcement Division of the Department~~  
16 ~~of Natural Resources, and retired commissioned law enforcement~~  
17 ~~officers employed as private detectives or private investigators;~~

18 ~~(2) members of the Armed Forces of the United States, the~~  
19 ~~National Guard, organized reserves, or the State Militia when on~~  
20 ~~duty;~~

21 ~~(3) members, or their invited guests, of organizations authorized by~~  
22 ~~law to purchase or receive firearms from the United States or this~~  
23 ~~State or regularly enrolled members, or their invited guests, of~~  
24 ~~clubs organized for the purpose of target shooting or collecting~~  
25 ~~modern and antique firearms while these members, or their invited~~  
26 ~~guests, are at or going to or from their places of target practice or~~  
27 ~~their shows and exhibits;~~

28 ~~(4) licensed hunters or fishermen who are engaged in hunting or~~  
29 ~~fishing or going to or from their places of hunting or fishing while~~  
30 ~~in a vehicle or on foot;~~

31 ~~(5) a person regularly engaged in the business of manufacturing,~~  
32 ~~repairing, repossessing, or dealing in firearms, or the agent or~~  
33 ~~representative of this person, while possessing, using, or carrying a~~  
34 ~~handgun in the usual or ordinary course of the business;~~

35 ~~(6) guards authorized by law to possess handguns and engaged in~~  
36 ~~protection of property of the United States or any agency of the~~  
37 ~~United States;~~

38 ~~(7) members of authorized military or civil organizations while~~  
39 ~~parading or when going to and from the places of meeting of their~~  
40 ~~respective organizations;~~

41 ~~(8) a person in his home or upon his real property or a person who~~  
42 ~~has the permission of the owner or the person in legal possession~~  
43 ~~or the person in legal control of the home or real property;~~

1 (9) a person in a vehicle if the handgun is:  
2 (a) secured in a closed glove compartment, closed console, closed  
3 trunk, or in a closed container secured by an integral fastener and  
4 transported in the luggage compartment of the vehicle; however,  
5 this item is not violated if the glove compartment, console, or trunk  
6 is opened in the presence of a law enforcement officer for the sole  
7 purpose of retrieving a driver's license, registration, or proof of  
8 insurance; or  
9 (b) concealed on or about his person, and he has a valid concealed  
10 weapons permit pursuant to the provisions of Article 4, Chapter  
11 31, Title 23;  
12 (10) a person carrying a handgun unloaded and in a secure wrapper  
13 from the place of purchase to his home or fixed place of business  
14 or while in the process of changing or moving one's residence or  
15 changing or moving one's fixed place of business;  
16 (11) a prison guard while engaged in his official duties;  
17 (12) a person who is granted a permit under provision of law by  
18 the State Law Enforcement Division to carry a handgun about his  
19 person, under conditions set forth in the permit, and while  
20 transferring the handgun between the permittee's person and a  
21 location specified in item (9);  
22 (13) the owner or the person in legal possession or the person in  
23 legal control of a fixed place of business, while at the fixed place  
24 of business, and the employee of a fixed place of business, other  
25 than a business subject to Section 16-23-465, while at the place of  
26 business; however, the employee may exercise this privilege only  
27 after: (a) acquiring a permit pursuant to item (12), and (b)  
28 obtaining the permission of the owner or person in legal control or  
29 legal possession of the premises;  
30 (14) a person engaged in firearms related activities while on the  
31 premises of a fixed place of business which conducts, as a regular  
32 course of its business, activities related to sale, repair, pawn,  
33 firearms training, or use of firearms, unless the premises is posted  
34 with a sign limiting possession of firearms to holders of permits  
35 issued pursuant to item (12);  
36 (15) a person while transferring a handgun directly from or to a  
37 vehicle and a location specified in this section where one may  
38 legally possess the handgun.  
39 (16) Any person on a motorcycle when the pistol is secured in a  
40 closed saddlebag or other similar closed accessory container  
41 attached, whether permanently or temporarily, to the motorcycle.  
42 with the intent to use the handgun in furtherance of a crime. The  
43 intent to use a handgun in furtherance of a crime shall not be

1 inferred by the mere possession, carrying, or concealment of the  
2 handgun. Display of a handgun during the commission of a  
3 violent crime is subject to additional penalty under section 16-23-  
4 490. Non South Carolina residents and non United States citizens  
5 may not carry a handgun unless the person has a South Carolina  
6 concealed weapons permit, satisfies section 23-31-215(N), or is a  
7 peace officer in the actual discharge of his duties. No person may  
8 carry a handgun if under the age of twenty-one or otherwise  
9 prohibited to possess a handgun under state or federal law.”

10

11 SECTION 4. Section 16-23-420 of the 1976 Code, as last  
12 amended by Act 32 of 2009, is further amended to read:

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14 “Section 16-23-420. (A) It is unlawful for a person to possess  
15 a firearm of any kind on any premises or property owned,  
16 operated, or controlled by a private or public school, college,  
17 university, technical college, other post-secondary institution, or in  
18 any publicly owned building, without the express permission of the  
19 authorities in charge of the premises or property. The provisions  
20 of this subsection related to any premises or property owned,  
21 operated, or controlled by a private or public school, college,  
22 university, technical college, or other post-secondary institution,  
23 ~~do not apply to a person who is authorized to carry a concealed~~  
24 ~~weapon pursuant to Article 4, Chapter 31, Title 23 when the~~  
25 ~~weapon that~~ remains inside an attended or locked motor vehicle  
26 and is secured in a closed glove compartment, closed console,  
27 closed trunk, or in a closed container secured by an integral  
28 fastener and transported in the luggage compartment of the vehicle  
29 and is either unloaded in a motor vehicle as described above or is  
30 possessed by a person with a valid permit issued pursuant to  
31 Article 4, Chapter 31 and in a motor vehicle as described above,  
32 unless otherwise prohibited by federal law.

33 (B) It is unlawful for a person to enter the premises or property  
34 described in subsection (A) and to display, brandish, or threaten  
35 others with a firearm.

36 (C) A person who violates the provisions of this section is  
37 guilty of a felony and, upon conviction, must be fined not more  
38 than five thousand dollars or imprisoned not more than five years,  
39 or both.

40 (D) This section does not apply to a guard, law enforcement  
41 officer, or member of the armed forces, or student of military  
42 science. A married student residing in an apartment provided by  
43 the private or public school whose presence with a weapon in or

1 around a particular building is authorized by persons legally  
2 responsible for the security of the buildings is also exempted from  
3 the provisions of this section.

4 (E) For purposes of this section, the terms ‘premises’ and  
5 ‘property’ do not include state or locally owned or maintained  
6 roads, streets, or rights-of-way of them, running through or  
7 adjacent to premises or property owned, operated, or controlled by  
8 a private or public school, college, university, technical college, or  
9 other post-secondary institution, which are open full time to public  
10 vehicular traffic.

11 (F) This section does not apply to ~~a person who is authorized to~~  
12 ~~carry concealed weapons pursuant to Article 4, Chapter 31 of Title~~  
13 ~~23 when upon~~ any premises, property, or building that is part of an  
14 interstate highway rest area facility.”

15

16 SECTION 5. Section 16-23-430 of the 1976 Code, as last  
17 amended by Act 32 of 2009, is further amended to read:

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19 “Section 16-23-430. (A) It shall be unlawful for any person,  
20 except state, county, or municipal law enforcement officers or  
21 personnel authorized by school officials, to carry on his person,  
22 while on any elementary or secondary school property, a knife,  
23 with a blade over two inches long, a blackjack, a metal pipe or  
24 pole, firearms, or any other type of weapon, device, or object  
25 which may be used to inflict bodily injury or death.

26 (B) This section does not apply to ~~a person who is authorized to~~  
27 ~~carry a concealed weapon pursuant to Article 4, Chapter 31, Title~~  
28 ~~23 when the~~ weapon that remains inside an attended or locked  
29 motor vehicle, and is secured in a closed glove compartment,  
30 closed console, closed trunk, or in a closed container secured by an  
31 integral fastener and transported in the luggage compartment of the  
32 vehicle, and, in the case of a firearm, is either unloaded in a motor  
33 vehicle as described above or is possessed by a person with a valid  
34 permit issued pursuant to Article 4, Chapter 31 and in a motor  
35 vehicle as described above, unless otherwise prohibited by federal  
36 law.

37 (C) A person who violates the provisions of this section is  
38 guilty of a felony and, upon conviction, must be fined not more  
39 than one thousand dollars or imprisoned not more than five years,  
40 or both. Any weapon or object used in violation of this section  
41 may be confiscated by the law enforcement division making the  
42 arrest.”

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1 SECTION 6. Section 16-23-460 of the 1976 Code, as last  
2 amended by Act 337 of 2008, is further amended to read:

3  
4 “Section 16-23-460. ~~(A)~~ A person carrying a deadly weapon  
5 ~~usually used for the infliction of personal injury~~ concealed about  
6 his person with the intent to use the weapon in furtherance of a  
7 crime is guilty of a misdemeanor, must forfeit to the county, or, if  
8 convicted in a municipal court, to the municipality, the concealed  
9 weapon, and must be fined not less than two hundred dollars nor  
10 more than five hundred dollars or imprisoned not less than thirty  
11 days nor more than ninety days. The intent to use a weapon in  
12 furtherance of a crime shall not be inferred by the mere possession,  
13 carrying, or concealment of the weapon, including the possession,  
14 carrying or concealment of a loaded or unloaded firearm. Non  
15 South Carolina residents and non United States citizens may not  
16 carry a handgun unless the person has a South Carolina concealed  
17 weapons permit, satisfies section 23-31-215(N), or is a peace  
18 officer in the actual discharge of his duties. No person may carry a  
19 weapon if otherwise prohibited to possess a handgun under state or  
20 federal law, and in the case of a handgun no one carry under the  
21 age of twenty-one.

22  
23 (B) ~~The provisions of this section do not apply to:~~

24 ~~(1) A person carrying a concealed weapon upon his own~~  
25 ~~premises or pursuant to and in compliance with Article 4, Chapter~~  
26 ~~31 of Title 23; or~~

27 ~~(2) peace officers in the actual discharge of their duties.~~

28 ~~(C) The provisions of this section also do not apply to rifles,~~  
29 ~~shotguns, dirks, slingshots, metal knuckles, knives, or razors~~  
30 ~~unless they are used with the intent to commit a crime or in~~  
31 ~~furtherance of a crime.”~~

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34 SECTION 7. Section 16-23-465 of the 1976 Code, as last  
35 amended by Act 274 of 2002, is further amended to read:

36  
37 “Section 16-23-465. ~~In addition to the penalties provided for by~~  
38 ~~Sections 16-11-330 and 16-23-460 and by Article 1 of Chapter 23~~  
39 ~~of Title 16, a person convicted of carrying a pistol or firearm into a~~  
40 ~~business which sells alcoholic liquor, beer, or wine for~~  
41 ~~consumption on the premises is guilty of a misdemeanor and, upon~~  
42 ~~conviction, must be fined not more than two thousand dollars or~~  
43 ~~imprisoned not more than three years, or both.~~

1 ~~In addition to the penalties described above, a person who~~  
2 ~~violates this section while carrying a concealable weapon pursuant~~  
3 ~~to Article 4, Chapter 31, Title 23, must have his concealed weapon~~  
4 ~~permit revoked.~~ In addition to the penalties provided for by  
5 Sections 16-11-620 and 23-31-220, a person is guilty of a  
6 misdemeanor, and, upon conviction must be fined not more than  
7 two thousand dollars or imprisoned not more than two years, or  
8 both, when the person:

9 (1) carries a firearm into any business which sells alcoholic  
10 liquor, beer, or wine for consumption on the premises and which at  
11 the time of the offense was clearly and conspicuously posted in  
12 accordance with Section 23-31-220;

13 (2) carries a firearm in any business which sells alcoholic  
14 liquor, beer, or wine for consumption on the premises and refuses  
15 to leave or to remove the firearm from the premises when asked to  
16 do so by a person legally in control of the premises; or

17 (3) consumes alcohol while carrying a firearm in any business  
18 which sells alcoholic liquor, beer, or wine for consumption on the  
19 premises.”

20  
21 SECTION 8. Section 23-31-215 of the 1976 Code, as last  
22 amended by Act 349 of 2008, is further amended to read:

23  
24 “Section 23-31-215. (A) Notwithstanding any other provision  
25 of law, except ~~subject to~~ subsection (B) of this section, SLED must  
26 issue a permit, which is no larger than three and one-half inches by  
27 three inches in size, to carry a concealable weapon to a resident or  
28 qualified nonresident who is at least twenty-one years of age and  
29 who is not prohibited by state law from possessing the weapon  
30 upon submission of:

31 (1) a completed application signed by the person;

32 (2) one current full face color photograph of the person, not  
33 smaller than one inch by one inch nor larger than three inches by  
34 five inches;

35 (3) proof of residence or if the person is a qualified  
36 nonresident, proof of ownership of real property in this State;

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

41 (5) proof of training;

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

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

15 (B) Upon submission of the items required by subsection (A) of  
16 this section, SLED must conduct or facilitate a local, state, and  
17 federal fingerprint review of the applicant. SLED must also  
18 conduct a background check of the applicant through notification  
19 to and input from the sheriff of the county where the applicant  
20 resides or if the applicant is a qualified nonresident, where the  
21 applicant owns real property in this State. The sheriff within ten  
22 working days after notification by SLED, must submit a  
23 recommendation on an application. Before making a  
24 determination whether or not to issue a permit under this article,  
25 SLED must consider the recommendation provided pursuant to  
26 this subsection. The failure of the sheriff to submit a  
27 recommendation within the ten-day period constitutes a favorable  
28 recommendation for the issuance of the permit to the applicant. If  
29 the fingerprint review and background check are favorable, SLED  
30 must issue the permit.

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



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

11 (E) SLED must make permit application forms available to the  
12 public. A permit application form shall require an applicant to  
13 supply:

- 14 (1) name, including maiden name if applicable;
- 15 (2) date and place of birth;
- 16 (3) sex;
- 17 (4) race;
- 18 (5) height;
- 19 (6) weight;
- 20 (7) eye and hair color;
- 21 (8) current residence address, or if the applicant is a  
22 qualified nonresident, current residence address and where the  
23 applicant owns real property in this State; and
- 24 (9) all residence addresses for the three years preceding the  
25 application date.

26 (F) The permit application form shall require the applicant to  
27 certify that:

- 28 (1) he is not a person prohibited under state law from  
29 possessing a weapon;
- 30 (2) he understands the permit is revoked and must be  
31 surrendered immediately to SLED if the permit holder becomes a  
32 person prohibited under state law from possessing a weapon;
- 33 (3) he is a resident of this State, is military personnel on  
34 permanent change of station orders, or is a qualified nonresident;  
35 and
- 36 (4) all information contained in his application is true and  
37 correct to the best of his knowledge.

38 (G) Medical personnel, law enforcement agencies,  
39 organizations offering handgun education courses pursuant to  
40 Section 23-31-210(4)(a), and their personnel, who in good faith  
41 provide information regarding a person's application, must be  
42 exempt from liability that may arise from issuance of a permit;  
43 provided, however, a weapons instructor must meet the

1 requirements established in Section 23-31-210(4)(b), (c), (d), (e),  
2 or (f) in order to be exempt from liability under this subsection.

3 (H) A permit application must be submitted in person or by  
4 mail to SLED headquarters which shall verify the legibility and  
5 accuracy of the required documents.

6 (I) SLED must maintain a list of all permit holders and the  
7 current status of each permit. SLED may release the list of permit  
8 holders or verify an individual's permit status only if the request is  
9 made by a law enforcement agency to aid in an official  
10 investigation, or if the list is required to be released pursuant to a  
11 subpoena or court order. SLED may charge a fee not to exceed its  
12 costs in releasing the information under this subsection. Except as  
13 otherwise provided in this subsection, a person in possession of a  
14 list of permit holders obtained from SLED must destroy the list.

15 (J) A permit is valid statewide unless revoked because the  
16 person has:

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

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

21 (3) voluntarily surrendered the permit; or

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

26 Once a permit is revoked, it must be surrendered to a sheriff,  
27 police department, a SLED agent, or by certified mail to the Chief  
28 of SLED. A person who fails to surrender his permit in  
29 accordance with this subsection is guilty of a misdemeanor and,  
30 upon conviction, must be fined twenty-five dollars.

31 ~~(K) A permit holder must have his permit identification card in~~  
32 ~~his possession whenever he carries a concealable weapon.~~ When  
33 carrying a concealable weapon pursuant to Article 4 of Chapter 31  
34 of Title 23, a permit holder must inform a law enforcement officer  
35 of the fact that he is a permit holder and present the permit  
36 identification card when an officer (1) identifies himself as a law  
37 enforcement officer and (2) requests identification or a driver's  
38 license from a permit holder. A permit holder immediately must  
39 report the loss or theft of a permit identification card to SLED  
40 headquarters. A person who violates the provisions of this  
41 subsection is guilty of a misdemeanor and, upon conviction, must  
42 be fined twenty-five dollars.

1 (L) SLED shall issue a replacement for lost, stolen, damaged,  
2 or destroyed permit identification cards after the permit holder has  
3 updated all information required in the original application and the  
4 payment of a five-dollar replacement fee. Any change of  
5 permanent address must be communicated in writing to SLED  
6 within ten days of the change accompanied by the payment of a fee  
7 of five dollars to defray the cost of issuance of a new permit.  
8 SLED shall then issue a new permit with the new address. A  
9 permit holder's failure to notify SLED in accordance with this  
10 subsection constitutes a misdemeanor punishable by a twenty-five  
11 dollar fine. The original permit shall remain in force until receipt  
12 of the corrected permit identification card by the permit holder, at  
13 which time the original permit must be returned to SLED.

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

16 (1) ~~police, sheriff, or highway patrol station or any other law~~  
17 ~~enforcement office or facility;~~

18 (2) ~~detention facility, prison, or jail or any other correctional~~  
19 ~~facility or office;~~

20 (3) ~~courthouse or courtroom;~~

21 (4) ~~polling place on election days;~~

22 (5) ~~office of or the business meeting of the governing body~~  
23 ~~of a county, public school district, municipality, or special purpose~~  
24 ~~district;~~

25 (6) ~~school or college athletic event not related to firearms;~~

26 (7) ~~daycare facility or pre-school facility;~~

27 (8) ~~place where the carrying of firearms is prohibited by~~  
28 ~~federal law;~~

29 (9) ~~church or other established religious sanctuary unless~~  
30 ~~express permission is given by the appropriate church official or~~  
31 ~~governing body; or~~

32 (10) ~~hospital, medical clinic, doctor's office, or any other~~  
33 ~~facility where medical services or procedures are performed unless~~  
34 ~~expressly authorized by the employer.~~

35 ~~A person who wilfully violates a provision of this subsection is~~  
36 ~~guilty of a misdemeanor and, upon conviction, must be fined not~~  
37 ~~less than one thousand dollars or imprisoned not more than one~~  
38 ~~year, or both, at the discretion of the court and have his permit~~  
39 ~~revoked for five years.~~

40 Nothing contained herein may be construed to alter or affect the  
41 provisions of Sections 10-11-320, 16-23-420, 16-23-430,  
42 16-23-465, 16-23-510, 44-23-1080, 44-52-165, 50-9-830, and  
43 51-3-145, unless specifically provided in the section.

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

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

12 ~~(1) specified in Section 16-23-20, items (1) through (5) and~~  
13 ~~items (7) through (11);~~

14 ~~(2) carrying a self-defense device generally considered to be~~  
15 ~~nonlethal including the substance commonly referred to as “pepper~~  
16 ~~gas”;~~

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

19 (P) A permit issued pursuant to this article is valid for four  
20 years. Subject to subsection (Q) of this section, SLED shall renew  
21 a currently valid permit upon:

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

25 (2) completion of the renewal application; and

26 (3) submission of a photocopy of the applicant’s valid South  
27 Carolina driver’s license or South Carolina identification card, or if  
28 the applicant is a qualified nonresident, a photocopy of the  
29 applicant’s valid driver’s license or identification card issued by  
30 the state in which the applicant resides.

31 (Q) Upon submission of the items required by subsection (P) of  
32 this section, SLED must conduct or facilitate a local, state, and  
33 federal fingerprint review of the applicant. If the background  
34 check is favorable reveals no information which would be  
35 disqualifying under the provisions of this section, SLED must  
36 renew the permit.

37 (R) No provision contained within this article shall expand,  
38 diminish, or affect the duty of care owed by and liability accruing  
39 to, as may exist at law immediately before the effective date of this  
40 article, the owner of or individual in legal possession of real  
41 property for the injury or death of an invitee, licensee, or trespasser  
42 caused by the use or misuse by a third party of a concealable

1 weapon. Absence of a sign prohibiting concealable weapons shall  
2 not constitute negligence or establish a lack of duty of care.

3 (S) Once a concealed weapon permit holder is no longer a  
4 resident of this State or is no longer a qualified nonresident, his  
5 concealed weapon permit is void, and immediately must be  
6 surrendered to SLED.

7 (T) During the first quarter of each calendar year, SLED must  
8 publish a report of the following information regarding the  
9 previous calendar year:

10 (1) the number of permits;

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

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

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

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

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

16 and

17 (7) the name, address, and county of a person whose permit  
18 was revoked, including the reason for the revocation under Section  
19 23-31-215(J)(1).

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

22  
23 SECTION 9. Section 23-31-220 of the 1976 Code is amended to  
24 read:

25  
26 “Section 23-31-220. Nothing contained in this article shall in  
27 any way be construed to limit, diminish, or otherwise infringe  
28 upon:

29 (1) the right of a public or private employer to prohibit a  
30 person, including a person who is licensed under this article, from  
31 carrying a concealable weapon upon the premises of the business  
32 or work place or while using any machinery, vehicle, or equipment  
33 owned or operated by the business;

34 (2) the right of a private property owner or person in legal  
35 possession or control of private property to allow or prohibit the  
36 carrying of a concealable weapon including a person who  
37 possesses a concealable weapon permit, upon his premises.

38 The posting by the employer, owner, or person in legal  
39 possession or control of a sign stating ‘No Concealable Weapons  
40 Allowed’ shall constitute notice to a person, including a person  
41 holding a permit issued pursuant to this article, that the employer,  
42 owner, or person in legal possession or control requests that  
43 concealable weapons not be brought upon the premises or into the

1 work place. A person who brings a concealable weapon onto the  
2 premises or work place in violation of the provisions of this  
3 paragraph may be charged with a violation of Section 16-11-620.  
4 In addition to the penalties provided in Section 16-11-620, a  
5 person convicted of a second or subsequent violation of the  
6 provisions of this paragraph must have ~~his~~ any permit issued to  
7 him pursuant to this article revoked for a period of one year. The  
8 prohibition contained in this section does not apply to ~~persons~~  
9 ~~specified in Section 16-23-20, item (1)~~ peace officers engaged in  
10 the lawful performance of their official duties.”

11  
12 SECTION 10 shall be deleted in its entirety.

13  
14 SECTION 11. Section 23-31-130, 23-31-150, and 23-31-180 of  
15 the 1976 Code are repealed.

16  
17 SECTION 12. The repeal or amendment by this act of any law,  
18 whether temporary or permanent or civil or criminal, does not  
19 affect pending actions, rights, duties, or liabilities founded thereon,  
20 or alter, discharge, release or extinguish any penalty, forfeiture, or  
21 liability incurred under the repealed or amended law, unless the  
22 repealed or amended provision shall so expressly provide. After  
23 the effective date of this act, all laws repealed or amended by this  
24 act must be taken and treated as remaining in full force and effect  
25 for the purpose of sustaining any pending or vested right, civil  
26 action, special proceeding, criminal prosecution, or appeal existing  
27 as of the effective date of this act, and for the enforcement of  
28 rights, duties, penalties, forfeitures, and liabilities as they stood  
29 under the repealed or amended laws.

30  
31 SECTION 13. If any section, subsection, paragraph,  
32 subparagraph, sentence, clause, phrase, or word of this act is for  
33 any reason held to be unconstitutional or invalid, such holding  
34 shall not affect the constitutionality or validity of the remaining  
35 portions of this act, the General Assembly hereby declaring that it  
36 would have passed this severability, and each and every section,  
37 subsection, paragraph, subparagraph, sentence, clause, phrase, and  
38 word thereof, irrespective of the fact that any one or more other  
39 sections, subsections, paragraphs, subparagraphs, sentences,  
40 clauses, phrases, or words hereof may be declared to be  
41 unconstitutional, invalid, or otherwise ineffective.

42

1 SECTION 14. This act takes effect upon approval by the  
2 Governor.

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