

# GrassRoots GunRights

P.O. Box 2446  
Lexington, SC 29071

April 14, 2010

The Honorable R. Keith Kelly  
SC House of Representatives  
Post Office Box 11867  
Columbia, SC 29211

RE: H. 3659

Dear Representative Kelly,

There is just no way to sugarcoat this. H. 3659 is a horrible gun control bill, plain and simple.

As currently drafted, H. 3659 could be used to convict a concealed weapon permit (CWP) holder of a felony for innocently violating the CWP law. If a CWP holder carries a handgun pursuant to - but not in complete compliance with - the CWP law, then the CWP holder is in violation of Section 16-23-20.

For example, imagine a CWP holder forgot to renew her CWP in a timely fashion, which is easy to do since SLED no longer sends out renewal forms. Next, she gets stopped at a license check, where she provides her CWP to the police officer as required by the CWP law. H. 3659 would turn this poor woman into a felon because she would be in violation of Section 16-23-20, which requires that the woman be in complete compliance with the conditions of the CWP law in order to be in compliance with Section 16-23-20. Thus, a CWP holder could be convicted of a felony for innocently failing to renew her CWP on time.

There are a multitude of other conditions described in the CWP law that CWP holders must abide by when carrying a handgun. The CWP law recognizes most of these conditions as only rising to the level of a misdemeanor. For example, if a CWP holder fails to see a sign posted to prohibit a CWP holder from carrying in a business and then innocently enters the business, the violation is considered a trespass misdemeanor. But, H. 3659 would change such an innocent act into a felony.

Turning otherwise law abiding people into felons for such minor transgressions is just plain wrong. Mere possession of a handgun without having used - or intending to use - the handgun in a crime should not be a crime.

H. 3659 would also change misdemeanor possession of a handgun into a felony. This is wrong. Instead of increasing such penalties, we should be repealing the laws making mere possession of a handgun a crime.

The 2nd Amendment guarantees a person the right to “keep and bear arms.” A “right” is something that can be exercised without a permit. Only a privilege requires a permit. Both Vermont and Alaska recognize the “right to keep and bear arms” and allow people to possess a handgun without a permit. Arizona is currently awaiting the governor’s signature to join Vermont and Alaska in restoring the right to keep and bear arms.

South Carolina law should be changed to remove restrictions on the right to keep and bear arms - not to increase the penalties for possessing a firearm by people with no intention to commit a crime.

Labeling some rifles and shotguns as “assault weapons” just because they look like fully automatic military weapons is a favorite tactic of the gun grabbers. Calling semiautomatic rifles and shotguns “assault weapons” is just an attempt to demonize such firearms. Demonizing these firearms is simply a first step to banning them. H. 3659 follows the gun grabber play book.

Gun control is not about guns, it is about control. H. 3659 is just more gun control. Enacting more gun control is wrong. Instead, lawmakers should start aggressively pushing for more gun rights freedoms - not less.

GrassRoots GunRights strongly opposes H. 3659. H. 3659 is too broken to fix, and there is nothing in it worth fixing anyway. H. 3659 should simply be scrapped entirely, and replaced with an Alaska/Vermont /Arizona style handgun carry bill that restores the right of the people to keep and bear arms.

GrassRoots GunRights is here today to be able to report back to the gun owners of South Carolina exactly who was responsible for promoting H. 3659 and who was responsible for killing H. 3659.

Sincerely

A handwritten signature in black ink that reads "William W. Rentiers III". The signature is written in a cursive style with a prominent "W" and "R".

William W. Rentiers III  
Executive Officer