

## Session 124 - (2021-2022)

### H 3039 General Bill, By Hill, Long, May and Dabney

*Similar (S 0032, S 0155, H 3036)*

**Summary:** SC Constitutional Carry Act of 2021

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING OF A FIREARM, SO AS TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO DELETE REFERENCES TO A CONCEALED WEAPONS PERMIT ISSUED TO A PERSON, TO REVISE THE PROVISION THAT ALLOWS A HANDGUN TO BE CARRIED BY A PERSON IN A VEHICLE, AND TO PROVIDE THAT A PERSON WHO IS NOT PROHIBITED FROM POSSESSING FIREARMS UNDER STATE LAW MAY CARRY A HANDGUN UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-460, RELATING TO CARRYING CONCEALED WEAPONS, SO AS TO DELETE A REFERENCE TO ARTICLE 4, CHAPTER 31, TITLE 23, TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON LAWFULLY CARRYING A CONCEALABLE WEAPON, AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO HANDGUNS; TO AMEND SECTION 51-3-145, RELATING TO CERTAIN ACTS THAT ARE UNLAWFUL IN A STATE PARK, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-31-210, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS RELATING TO THE ISSUANCE OF CONCEALABLE WEAPON PERMITS, SO AS TO REVISE THE DEFINITION OF THE TERM "CONCEALABLE WEAPON"; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR CONSUMPTION ON THE PREMISES, SO AS TO DELETE A REFERENCE TO A PERSON CARRYING A CONCEALABLE WEAPON PURSUANT TO ARTICLE 4, CHAPTER 31, TITLE 23, AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON LAWFULLY CARRYING A CONCEALABLE WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING A WEAPON ON THE BUSINESS PREMISES; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES, AND THE PENALTY ASSOCIATED WITH THIS PROVISION, TO PROVIDE AN EXCEPTION TO THE PROVISION THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON ONTO CERTAIN PREMISES, TO DELETE THE PROVISION THAT PROVIDES FOR THE REVOCATION OF A PERSON'S PERMIT WHEN HE VIOLATES CERTAIN PROVISIONS CONTAINED IN THIS SECTION, TO PROVIDE THAT VALID OUT-OF-STATE PERMITS TO CARRY CONCEALABLE WEAPONS BY A RESIDENT OF ANOTHER STATE MUST BE HONORED BY THE STATE, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND TO DELETE THE TERM "RECIPROCAL STATE" AND REPLACE IT WITH THE TERM "ANOTHER STATE"; TO AMEND SECTIONS 23-31-220 AND 23-31-225, BOTH RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, TO DELETE THE PROVISION THAT REQUIRES THE REVOCATION OF A PERMIT FOR A VIOLATION OF CERTAIN PROVISIONS OF LAW, AND TO DELETE A REFERENCE TO THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF CONCEALED WEAPON PERMITS; AND TO AMEND SECTION 23-31-240, RELATING TO PERSONS WHO ARE ALLOWED TO CARRY A CONCEALED WEAPON WHILE ON DUTY, SO AS TO DELETE THE PROVISION THAT REQUIRES THESE PERSONS TO POSSESS A CONCEALED WEAPON PERMIT.

**12/09/20 House Prefiled**

**12/09/20 House Referred to Committee on Judiciary**

**01/12/21 House Introduced and read first time (House Journal-page 44)**

**01/12/21 House Referred to Committee on Judiciary (House Journal-page 44)**

**01/14/21 House Member(s) request name added as sponsor: May, Dabney**