**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE FOR THE ISSUANCE OF A LICENSE FOR A PERSON ENGAGED IN THE CASUAL SALE OF A HANDGUN.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 2

Casual Sale of Handguns

Section 23-31-100. (A) As contained in this section ‘casual sale of a handgun’ means the sale of a handgun by a person not engaged in the business of selling handguns.

(B) A person who is engaged in the casual sale of a handgun must be licensed as contained in this section.

(C) The State Law Enforcement Division may grant a license to any person engaged in the casual sale of a handgun who is eligible to purchase, acquire, or possess a handgun in this State. The license must be issued on a form furnished by SLED and is effective for two years from the date of issuance. The licensee is authorized to engage in the casual sale of handguns in this State.

(D) A handgun shall not be sold in violation of any provision of this section nor shall a handgun be sold without clear evidence as to the identity of the purchaser being furnished to the seller.

(E) The biennial fee for the issuance of the license is one hundred dollars.

(F) An applicant for a license shall post with SLED a bond in favor of the State with surety in the amount of five thousand dollars. No bond shall be accepted for filing unless it is with a surety company authorized to do business in this State and conditioned that the principal named in it shall not engage in any act meriting suspension or revocation of his license pursuant to this section. In lieu of a bond, a cash deposit or a deposit of other securities acceptable to SLED of a value of five thousand dollars shall be accepted. Any person aggrieved by an act of the principal named in the bond may enter an action against the principal or surety, or both, to recover damages. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed the amount of the bond. The surety on the bond may cancel the bond after giving thirty days notice to SLED and thereafter shall be relieved of liability for any breach of conditions after the effective date of the cancellation.

(G) To insure compliance with the provisions contained in this section, a license holder shall make available for inspection by SLED upon request all handguns in his possession.

(H) A person shall not provide false information or evidence regarding any information or evidence that SLED may request.

(I) A license holder may not hold, handle, sell, offer for sale, or otherwise possess a handgun in violation of federal or state law.

(J) A person who violates a provision of this section is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars, or imprisoned not more than five years, or both and must have his license permanently revoked.”

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

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