**South Carolina General Assembly**

122nd Session, 2017-2018

**S. 1118**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Gregory

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Companion/Similar bill(s): 3183, 4975

Introduced in the Senate on March 14, 2018

Currently residing in the Senate Committee on **Judiciary**

Summary: Firearms

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/14/2018 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj\20180314.docx))

3/14/2018 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h:\sj\20180314.docx))

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**VERSIONS OF THIS BILL**

[3/14/2018](file:///p:\pprever\2017-18\1118_20180314.docx)

**A** **BILL**

TO AMEND ARTICLE 5, CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO MISCELLANEOUS OFFENSES INVOLVING WEAPONS, BY ADDING SECTION 16‑23‑540 TO PROHIBIT THE POSSESSION, DISTRIBUTION, OR MANUFACTURE OF A DEVICE, PART, COMPONENT, ATTACHMENT, OR ACCESSORY INTENDED TO ACCELERATE THE RATE OF FIRE OF A SEMIAUTOMATIC FIREARM, TO PROVIDE A PENALTY FOR A VIOLATION OF THIS SECTION, AND TO ALLOW EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES; TO AMEND ARTICLE 1, CHAPTER 31, TITLE 23, RELATING TO THE PURCHASE OF RIFLES AND SHOTGUNS, BY ADDING SECTION 23-31-30, TO PROVIDE THAT NO PERSON UNDER THE AGE OF TWENTY-ONE MAY PURCHASE A RIFLE; TO AMEND ARTICLE 5, CHAPTER 31, TITLE 23, RELATING TO THE USE AND POSSESSION OF MACHINE GUNS, SAWED-OFF SHOTGUNS, AND RIFLES, BY ADDING SECTION 23-31-335, TO PROHIBIT THE SALE, TRANSFER, AND POSSESSION OF LARGE CAPACITY MAGAZINES; AND TO DEFINE NECESSARY TERMS.

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

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

“Section 16‑23‑540. (A) It is unlawful for a person to possess, distribute, or manufacture a part, component, attachment, device, or accessory designed to accelerate the rate of fire of a semiautomatic weapon, including, but not limited to, a bump stock or trigger crank.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not more than five years.

(C) This section does not apply with respect to the importation for, manufacture for, sale to, transfer to, or possession by or under the authority of the United States or any department or agency thereof or a state, department, agency, or political subdivision thereof.”

B. Within ninety days of the effective date of this act, persons possessing, distributing, or manufacturing a part, component, attachment, device, or accessory designed to accelerate the rate of fire of a semiautomatic weapon must cease all operations concerning the distribution or manufacture of these items and surrender such items to their local sheriff’s department, the South Carolina Law Enforcement Division, or a field office of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

SECTION 2. Article 1, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-30. No person under the age of twenty-one may purchase a rifle in this State.”

SECTION 3. A. Section 23-31-310 of the 1976 Code is amended by adding an appropriately lettered item to read:

“( ) ‘Large capacity magazine’ means:

(i) a fixed or detachable magazine, box, drum, feed strip, or similar device capable of accepting, or that is designed to be readily converted to accept, more than fifteen rounds of ammunition;

(ii) a fixed, tubular shotgun magazine that holds more than twenty-eight inches of shotgun shells, including any extension device that is attached to the magazine and holds additional shotgun shells; or

(iii) a non-tubular, detachable magazine, box, drum, feed strip, or similar device that is capable of accepting more than eight shotgun shells when combined with a fixed magazine.”

B. Article 5, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-335. (A) Except as provided in subsection (B), it is unlawful to sell, transfer, or possess a large capacity magazine on or after July 1, 2018.

(B) The provisions contained in subsection (A) do not apply to:

(1) a person who owned a large capacity magazine prior to July 1, 2018 and who maintains continuous possession of the large capacity magazine; or

(2) law enforcement officers, members of the United States Armed Forces, or any other state or federal employee who bears a firearm in the course of his official duties if the transfer or possess of the large capacity magazine is directly related to his official duties.

(C) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined up to one thousand dollars but not less than five hundred dollars or imprisoned for not more than one year but not less than six months, or both.”

SECTION 4. This act takes effect upon approval by the Governor.

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