~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

May 3, 2017

**H. 3240**

Introduced by Reps. Clemmons, Lucas, Pope, Bannister, Rutherford, Delleney, White, Sandifer, Hiott, Allison, G.R. Smith, Bedingfield, W. Newton, Taylor, Yow, Murphy, Thayer, Finlay, D.C. Moss, Hayes, Crawford, Ryhal, Duckworth, Johnson, Fry, Hewitt, S. Rivers, Huggins, Chumley, Gagnon, Burns, Hill, Stringer, Loftis, Atwater, Clyburn, Elliott, Long, Magnuson, B. Newton, G.M. Smith, West, Whitmire, Hixon, Daning, Hamilton, Hardee, Crosby, Martin, V.S. Moss, Blackwell, Henderson, Herbkersman, Willis, Forrest and McCravy

S. Printed 5/3/17--H.

Read the first time January 10, 2017.

**A** **BILL**

TO AMEND SECTION 23‑31‑215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPONS PERMITS, SO AS TO ENACT THE “NATIONAL CONCEALED WEAPONS PERMIT RECIPROCITY ACT” BY REVISING THE CONDITIONS THAT ALLOW A HOLDER OF AN OUT‑OF‑STATE WEAPONS PERMIT TO CARRY A WEAPON IN THIS STATE.

Amend Title To Conform

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

SECTION 1. This Act may be cited as the “National Concealed Weapons Permit Reciprocity Act”.

SECTION 2. Section 23‑31‑215(N) of the 1976 Code, as last amended by Act 223 of 2016, is further amended to read:

“(N)(1) Valid out‑of‑state permits to carry concealable weapons held by a resident of a reciprocal state, or a state that recognizes and honors a valid South Carolina permit, who is twenty‑one years old or older must be honored by this State~~, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety~~. A resident of a reciprocal state ~~carrying a concealable weapon in South Carolina~~ with a valid out‑of‑state permit to carry a concealable weapon is subject to and must abide by the laws of South Carolina regarding concealable weapons while in South Carolina. ~~SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.~~ The age twenty‑one requirement does not apply to a member of the active or reserve military, or a member of the National Guard.

(2) ~~Notwithstanding the reciprocity requirements of item (1), South Carolina shall automatically recognize concealed weapon permits issued by Georgia and North Carolina.~~

~~(3)~~ The reciprocity provisions of this section shall not be construed to authorize the holder of any out‑of‑state permit or license to carry, in this State, any firearm or weapon other than a handgun.”

SECTION 3. Section 23-31-215(A) of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one‑half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least twenty‑one years of age, unless the person is a member of the active or reserve military, or a member of the National Guard, and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) a photocopy of a driver's license or photographic identification card;

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

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

(5) proof of training;

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

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

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor.

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