

## Session 123 - (2019-2020)

### S 0841 General Bill, By Hembree

#### *Similar (S 0174)*

#### **Summary:** Handguns

A BILL TO AMEND SECTION 16-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CHAPTER REGARDING OFFENSES INVOLVING WEAPONS, SO AS TO ADD NECESSARY TERMS; TO AMEND ARTICLE 1, CHAPTER 23, TITLE 16, BY ADDING SECTION 16-23-25, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, OR TRANSPORT FOR SALE IN THIS STATE ANY HANDGUN TO A PERSON WHO IS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNDER THE AGE OF EIGHTEEN TO POSSESS OR ATTEMPT TO POSSESS A HANDGUN WITHIN THIS STATE, AND TO PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 16-23-30, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, TRANSPORT FOR SALE INTO THIS STATE, OR OTHERWISE DISPOSE OF ANY FIREARM TO A PERSON KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON MEETS A CERTAIN CATEGORY; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES, DISPOSITION OF FINES, AND THE FORFEITURE AND DISPOSITIONS OF HANDGUNS, TO REDUCE THE PENALTY FOR A FIRST OFFENSE FIREARM VIOLATION, TO PROVIDE FOR ENHANCED PENALTIES FOR SUBSEQUENT VIOLATIONS, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM PURSUANT TO THIS SECTION SHALL ADMINISTRATIVELY RELEASE THE FIREARM TO AN INNOCENT OWNER UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTIONS 16-23-500 AND 23-31-1040 OF THE 1976 CODE.

**05/09/19 Senate Introduced and read first time (Senate Journal-page 4)**

**05/09/19 Senate Referred to Committee on Judiciary (Senate Journal-page 4)**