**South Carolina General Assembly**

120th Session, 2013-2014

**S. 316**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bright, Bryant, Verdin and Davis

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Introduced in the Senate on January 30, 2013

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

Summary: Second Amendment Preservation Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/30/2013 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h:\SJ%20Archive\2013\01-30-13.docx))

1/30/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 4](file:///h:\SJ%20Archive\2013\01-30-13.docx))

**VERSIONS OF THIS BILL**

[1/30/2013](file:///p:\pprever\2013-14\316_20130130.docx)

**A** **BILL**

TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 9 TO ENACT THE “SECOND AMENDMENT PRESERVATION ACT” TO NULLIFY UNCONSTITUTIONAL ACTIONS TAKEN BY THE FEDERAL GOVERNMENT IN REGARD TO THE INFRINGEMENT OF THE RIGHT TO KEEP AND BEAR ARMS, AND TO PROHIBIT ENFORCEMENT OF UNCONSTITUTIONAL ACTS AND CONVICTIONS FOR FAILING TO FOLLOW UNCONSTITUTIONAL FEDERAL REQUIREMENTS.

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 9

Second Amendment Preservation Act

Section 23‑31‑900. The General Assembly finds that:

(1) The Second Amendment to the United States Constitution protects an individual’s right to ‘keep and bear arms’ and further provides that the right to keep and bear arms may not be infringed.

(2) All federal acts, laws, executive orders, rules, regulations, or other actions regarding the infringement of the rights ensured by the Second Amendment are unconstitutional.

Section 23‑31‑910. All federal acts, laws, executive orders, rules, regulations, and other actions that violate true meaning and intention of the Second Amendment to the United States Constitution, as given by its drafters and ratifiers, are void ab initio and have no effect in this State.

Section 23‑31‑920. Federal, state, and local law enforcement officers are prohibited from enforcing federal acts, laws, executive orders, rules, regulations, and other actions that violate true meaning and intention of the Second Amendment to the United States Constitution.

Section 23‑31‑930. No court located in this State may convict a person for an alleged violation of a federal act, law, executive order, rule, regulation, or other action that violates true meaning and intention of the Second Amendment to the United States Constitution.”

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

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