**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3116**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Hixon, Kennedy, Yow, Clemmons, Huggins, Gagnon, Gambrell and Riley

Document Path: l:\council\bills\swb\5170cm15.docx

Introduced in the House on January 13, 2015

Introduced in the Senate on March 31, 2015

Last Amended on March 25, 2015

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

Summary: Firearms and ammunition

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/11/2014 House Prefiled

12/11/2014 House Referred to Committee on **Judiciary**

1/13/2015 House Introduced and read first time ([House Journal‑page 101](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Judiciary** ([House Journal‑page 101](file:///h:\HJ%20Archive\2015\01-13-15.docx))

3/9/2015 House Member(s) request name added as sponsor: Kennedy

3/10/2015 House Member(s) request name added as sponsor: Yow, Clemmons

3/17/2015 House Member(s) request name added as sponsor: Huggins

3/18/2015 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 36](file:///h:\HJ%20Archive\2015\03-18-15.docx))

3/19/2015 House Member(s) request name added as sponsor: Gagnon, Gambrell, Riley ([House Journal‑page 22](file:///h:\HJ%20Archive\2015\03-19-15.docx))

3/19/2015 House Requests for debate‑Rep(s). Delleney, Bedingfield, VS Moss, Weeks, Hixon, Corley, Mack ([House Journal‑page 22](file:///h:\HJ%20Archive\2015\03-19-15.docx))

3/25/2015 House Amended ([House Journal‑page 43](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/25/2015 House Read second time ([House Journal‑page 43](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/25/2015 House Roll call Yeas‑100 Nays‑0 ([House Journal‑page 45](file:///h:\HJ%20Archive\2015\03-25-15.docx))

3/26/2015 House Read third time and sent to Senate ([House Journal‑page 49](file:///h:\HJ%20Archive\2015\03-26-15.docx))

3/31/2015 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2015\03-31-15.docx))

3/31/2015 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 7](file:///h:\SJ%20Archive\2015\03-31-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3116&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/11/2014](file:///p:\pprever\2015-16\3116_20141211.docx)

[3/18/2015](file:///p:\pprever\2015-16\3116_20150318.docx)

[3/25/2015](file:///p:\pprever\2015-16\3116_20150325.docx)

AMENDED

March 25, 2015

**H. 3116**

Introduced by Reps. Pitts, Hixon, Kennedy, Yow, Clemmons, Huggins, Gagnon, Gambrell and Riley

S. Printed 3/25/15--H.

Read the first time January 13, 2015.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO KNOWINGLY SOLICIT, PERSUADE, ENCOURAGE, OR ENTICE A LICENSED DEALER OR PRIVATE SELLER OF FIREARMS OR AMMUNITION IN VIOLATION OF STATE OR FEDERAL LAW, OR KNOWINGLY PROVIDE THAT PERSON WITH MATERIALLY FALSE INFORMATION TO DECEIVE HIM ABOUT THE LEGALITY OF A TRANSFER OF A FIREARM OR AMMUNITION, OR WILFULLY PROCURE ANOTHER PERSON TO ENGAGE IN CERTAIN ILLEGAL ACTIVITIES ARE GUILTY OF A FELONY, TO PROVIDE PENALTIES, AND TO PROVIDE CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO THESE OFFENSES.

Amend Title To Conform

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

Fraudulent Firearms and Ammunition Purchase Prevention

Section 23‑31‑700. (A) For purposes of this section:

(1) ‘Licensed dealer’ means a person who is licensed pursuant to federal and state law to engage in the business of dealing in firearms.

(2) ‘Private seller’ means a person who sells or offers for sale any firearm or ammunition in this State.

(3) ‘Ammunition’ means a cartridge, shell, or projectile designed for use in a firearm.

(4) ‘Materially false information’ means information that portrays an illegal transaction as legal or a legal transaction as illegal.

(B) It is unlawful for a person to knowingly solicit, persuade, encourage or entice a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this State.

(C) It is unlawful for a person to knowingly provide to a licensed dealer or private seller of firearms or ammunition materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition.

(D) It is unlawful for a person to wilfully procure another person to engage in conduct prohibited by this section.

(E) This section does not apply to a law enforcement officer certified by law enforcement of South Carolina acting in his official capacity or to a person acting at the direction of a law enforcement officer certified by law enforcement of South Carolina.

(F) A person who violates a provision of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.”

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

‑‑‑‑XX‑‑‑‑