**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25‑1‑80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

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

SECTION 1. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑80. (A) Pursuant to the provisions of Section 25‑1‑60, an able‑bodied citizen of this State who is over seventeen years of age and can legally purchase a firearm is deemed a member of the unorganized militia, unless he is already a member of the National Guard or the organized militia not in National Guard service.

(B) The unorganized militia will be under the supervision of the Governor, who shall serve as commander‑in‑chief, and the Adjutant General and shall be regulated through the actions of the General Assembly.

(C) The powers and duties of the unorganized militia include:

(1) the unorganized militia may be ordered to active duty pursuant to the provisions of Section 25‑1‑1890;

(2) an unorganized militia member, at his own expense, shall have the right to possess and keep all arms that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2020. This includes, but is not limited to, shouldered rifles and shotguns, handguns, clips, magazines, all components, and all ammunition fitted for such weapons;

(3) the unorganized militia may not fall under any law or regulation or the jurisdiction of any person or entity outside of South Carolina; and

(4) an unorganized militia member may resign at any time from the unorganized militia, at which time he will resume his civilian status.”

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

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