A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-31-1100 SO AS TO PROVIDE CRIMINAL AND CIVIL IMMUNITY TO fedERAL FIREARMS LICENSEES WHO POSSESS ANOTHER'S FIREARMS PURSUANT TO A VALID FIREARM HOLD AGREEMENT.

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

SECTION 1. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Article 11

Firearm Hold Agreements

Section 23-31-1100. (A) For the purposes of this article:

(1) “Federal firearms licensee” means a person licensed pursuant to 18 U.S.C § 923 to engage in the business of importing, manufacturing, or dealing in firearms, or importing or manufacturing ammunition.

(2) “Firearm” has the same meaning as provided in Section 16-25-10(7).

(3) “Firearms hold agreement” means a written agreement between a federal firearms licensee and an individual firearms owner through which the individual firearms owner voluntarily transfers possession of one or more of his lawfully possessed firearms to the federal firearms licensee for an agreed upon period of time, after which the owner is entitled to reacquire possession pursuant to the terms of the agreement.

(B) A federal firearms licensee in possession of firearms pursuant to a valid firearms hold agreement is not subject to civil or criminal liability for his acts or omissions for his acts or omissions related to the firearms hold agreement that proximately cause death or personal injury to another person.

(C) The criminal and civil immunity provided for in subsection (B) does not apply if the death or personal injury proximately caused by the act or omission was the result of unlawful conduct, gross negligence, or recklessness by the federal firearms licensee when executing the terms of the firearms hold agreement.

(D) The provisions of this section do not apply to firearms transfers made pursuant to Section 16-25-30 of the Domestic Violence Reform Act.

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

‑‑‑‑XX‑‑‑‑