

# South Carolina Statutory Firearms Laws

These State of South Carolina gun laws were downloaded on 07/02/17. Changes to the law made by the General Assembly and signed by the Governor on February 11, 2014, have been incorporated into this document. The "Open Carry with Training Act" is also incorporated – signed into law on 05/17/21 and effective as of 08/15/21.

The "South Carolina Constitutional Carry, Second Amendment Preservation Act of 2024" is incorporated – signed into law on 03/07/24.

## Title 16 - Crimes and Offenses

### CHAPTER 23

#### Offenses Involving Weapons

<http://scstatehouse.gov/code/t16c023.php>

#### Handguns

##### **SECTION 16-23-10.** Definitions.

When used in this article:

- (1) "Handgun" means any firearm designed to expel a projectile and designed to be fired from the hand, but shall not include any firearm generally recognized or classified as an antique, curiosity, or collector's item, or any that does not fire fixed cartridges.
- (2) "Dealer" means any person engaged in the business of selling firearms at retail or any person who is a pawnbroker.
- (3) "Crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape, or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.
- (4) "Fugitive from justice" means any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.
- (5) "Subversive organization" means any group, committee, club, league, society, association, or combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure, or overthrow of the government of the United States or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage, or threats or attempts of any of the foregoing.
- (6) "Conviction" as used herein shall include pleas of guilty, pleas of nolo contendere, and forfeiture of bail.
- (7) "Division" means the State Law Enforcement Division.
- (8) "Purchase" or "sell" means to knowingly buy, offer to buy, receive, lease, rent, barter, exchange, pawn or accept in pawn.
- (9) "Person" means any individual, corporation, company, association, firm, partnership, society, or joint stock company.
- (10) "Luggage compartment" means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term "luggage compartment" refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term "luggage compartment" refers to the area behind the rearmost seat.

**SECTION 16-23-20.** Unlawful carrying of handgun

(A) It is unlawful, whether or not the person has a concealed weapon permit, for anyone to carry about the person any handgun, whether concealed or not, unless otherwise specifically authorized by law into a:

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse, courtroom, or other publicly owned building, whether owned by the State, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session;
- (3) polling place on election days;
- (4) office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (5) school or college athletic event not related to firearms;
- (6) daycare facility or preschool facility;
- (7) place where the carrying of firearms is prohibited by federal law;
- (8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;
- (9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity;
- (10) residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or
- (11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

- (1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers or other authorized personnel of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;
- (2) employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course of employment and where the employment requires the possession of a firearm;
- (3) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;
- (4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of "qualified retired law enforcement officer" contained in Section 23-31-600; or
- (5) a person carrying as authorized by Section 23-31-240.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.

(D) Notwithstanding any provision in this section, a person who is not otherwise prohibited by law from carrying a firearm may lawfully store a firearm anywhere in a vehicle whether occupied or unoccupied.

**SECTION 16-23-30.** Sale or delivery of handgun to and possession by certain persons unlawful; stolen handguns.

(A) It is unlawful for a person to knowingly sell, offer to sell, deliver, lease, rent, barter, exchange, or transport for sale into this State any handgun to:

- (1) a person who has been convicted of a crime of violence in any court of the United States, the several states, commonwealths, territories, possessions, or the District of Columbia or who is a fugitive from justice or a habitual drunkard or a drug addict or who has been adjudicated mentally incompetent;
- (2) a person who is a member of a subversive organization;
- (3) a person under the age of eighteen, but this shall not apply to the issue of handguns to members of the Armed Forces of the United States, active or reserve, National Guard, State Militia, or R. O. T. C., when on duty or training or the temporary loan of handguns for instructions under the immediate supervision of a parent or adult instructor; or
- (4) a person who by order of a circuit judge or county court judge of this State has been adjudged unfit to carry or possess a firearm, such adjudication to be made upon application by any police officer, or by any prosecuting officer of this State, or sua sponte, by the court, but a person who is the subject of such an application is entitled to reasonable notice and a proper hearing prior to any such adjudication.

(B) It is unlawful for a person enumerated in subsection (A) to possess or acquire handguns within this State.

(C) A person shall not knowingly buy, sell, transport, pawn, receive, or possess any stolen handgun or one from which the original serial number has been removed or obliterated.

**SECTION 16-23-50.** Penalties; disposition of fines; forfeiture and disposition of handguns.

(A)(1) A person, including a dealer, who violates the provisions of this article, except Section 16-23-20, is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years, or both.

(2) A person violating the provisions of Section 16-23-20 is guilty of:

- (1) a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both, for a first offense;
- (2) a misdemeanor and, upon conviction, must be imprisoned not more than three years for a second offense; or
- (3) a felony and, upon conviction, must be imprisoned not more than five years for a third or subsequent offense.

**SECTION 16-23-55.** Procedure for returning found handgun.

(A) A handgun that is found and turned over to a law enforcement agency must be held for a period of ninety days. During that period, the agency shall make a diligent effort to determine:

- (1) if the handgun is stolen;
- (2) if the handgun has been used in the commission of a crime; and (3) the true owner of the handgun.

(B) At least twice during the ninety-day holding period, the agency shall advertise the handgun with its full description in a newspaper having general circulation in the county where the handgun was found.

(C) After the ninety days have elapsed from publication of the first advertisement, and upon request of the individual who found and turned over the handgun, the agency shall return the handgun to this person if the individual pays all advertising and other costs incidental to returning the handgun.

(D) Notwithstanding subsection (C), the agency shall not return a handgun to the individual who found and turned it in if that individual is prohibited under state or federal law from possessing or receiving a handgun. The agency may dispose of any handgun that is not reclaimed or returned under this section by sale in accordance with Sections 27-21-20 and 27-21-22.

## Miscellaneous Offenses

### **SECTION 16-23-410.** Pointing firearm at another person.

It is unlawful for a person to present or point at another person a loaded or unloaded firearm.

A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years. This section must not be construed to abridge the right of self-defense or to apply to theatricals or like performances.

### **SECTION 16-23-420.** Possession of firearm on school property; concealed weapons.

(A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to when the firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

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

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms "premises" and "property" do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person when upon any premises, property, or building that is part of an interstate highway rest area facility.

### **SECTION 16-23-430.** Carrying weapon on school property; concealed weapons.

(A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.

**SECTION 16-23-440.** Discharging firearms at or into dwellings, structures, enclosures, vehicles or equipment; penalties.

(A) It is unlawful for a person to discharge or cause to be discharged unlawfully firearms at or into a dwelling house, other building, structure, or enclosure regularly occupied by persons. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than ten years, or both.

(B) It is unlawful for a person to discharge or cause to be discharged unlawfully firearms at or into any vehicle, aircraft, watercraft, or other conveyance, device, or equipment while it is occupied. A person who violates the provisions of this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than ten years, or both.

**SECTION 16-23-460.** Carrying concealed weapons; forfeiture of weapons. **REPEALED with H.3594**

**SECTION 16-23-465.** Additional penalty for unlawfully carrying pistol or firearm onto premises of business selling alcoholic liquor, beer or wine for on-premises consumption; exceptions.

(A) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, 23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person otherwise lawfully carrying a firearm who does not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A).

**SECTION 16-23-495.** Concealable Weapon Offense.

(A) A person convicted of committing or attempting to commit a crime involving a concealable weapon, as defined by Section 23-31-210(5), in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned not to exceed three years. A term of imprisonment imposed for violating this section must be served consecutively to any term of imprisonment imposed for the underlying offense, and may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23, provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this

section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

**SECTION 16-23-500.** Unlawful possession of a firearm by a person convicted of violent offense; confiscation; return of firearm to innocent owner.

(A) Except as provided in subsection (F), it is unlawful for a person who has been convicted of a crime punishable by a maximum term of imprisonment of more than one year to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction:

(1) for a first offense, must be imprisoned not more than five years;

(2) for a second offense, must be imprisoned for a mandatory minimum of five years, but not more than twenty years; and

(3) for a third or subsequent offense, must be imprisoned for a mandatory minimum of ten years, but not more than thirty years.

(C)(1) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this section.

(D) The court with jurisdiction over an offense, punishable by imprisonment for more than one year, as provided in subsection (A), shall make a specific finding on the record that the offense is subject to the provisions of this section. A judge's failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection.

(E) A second or subsequent offense for the purpose of this section means any conviction pursuant to Section 16-23-500(A).

(F) For the purpose of this section, "crime punishable by a maximum term of imprisonment of more than one year" does not include:

(1) any offense in this State or another jurisdiction pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;

(2) any offense classified by the laws of this State or another jurisdiction as a misdemeanor and punishable by a term of imprisonment of five years or less; or

(3) any crime for which the conviction has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

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## Title 23 - Law Enforcement and Public Safety

### CHAPTER 31

#### Firearms

<http://scstatehouse.gov/code/t23c031.php>

#### Concealed Weapon Permits

**SECTION 23-31-205.** Name.

This article may be cited as the "Law Abiding Citizens Self-Defense Act of 1996".

**SECTION 23-31-210.** Definitions.

As used in this article:

- (1) "Resident" means an individual who is present in South Carolina with the intention of making a permanent home in South Carolina or military personnel on permanent change of station orders.
- (2) "Qualified nonresident" means an individual who owns real property in South Carolina, but who resides in another state.
- (3) "Picture identification" means:
  - (a) a valid driver's license or photographic identification card issued by the state in which the applicant resides; or
  - (b) an official photographic identification card issued by the Department of Revenue, a federal or state law enforcement agency, an agency of the United States Department of Defense, or the United States Department of State.
- (4) "Proof of training" means an original document or certified copy of the document supplied by an applicant that certifies that he is either:
  - (a) a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:
    - (i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;
    - (ii) information on handgun use and safety;
    - (iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child;
    - (iv) the actual firing of the handgun in the presence of the instructor, provided that a minimum of twenty-five rounds must be fired;
    - (v) properly securing a firearm in a holster;
    - (vi) 'cocked and locked' carrying of a firearm;
    - (vii) how to respond to a person who attempts to take your firearm from your holster; and
    - (viii) deescalation techniques and strategies.
  - (b) a person who demonstrates any of the following must comply with the provisions of subitem (a)(i) only:
    - (i) a person who demonstrates the completion of basic military training provided by any branch of the United States military who produces proof of his military service through the submission of a DD214 form;

- (ii) a retired law enforcement officer who produces proof that he is a graduate of the Criminal Justice Academy or that he was a law enforcement officer prior to the requirement for graduation from the Criminal Justice Academy; or
- (iii) a retired state or federal law enforcement officer who produces proof of graduation from a federal or state academy that includes firearms training as a graduation requirement;
- (c) an instructor certified by the National Rifle Association or another SLED-approved competent national organization that promotes the safe use of handguns;
- (d) a person who can demonstrate to the Director of SLED or his designee that he has a proficiency in both the use of handguns and state laws pertaining to handguns;
- (e) an active duty police handgun instructor;
- (f) a person who has a SLED-certified or approved competitive handgun shooting classification; or
- (g) a member of the active or reserve military, or a member of the National Guard.

SLED shall promulgate regulations containing general guidelines for courses and qualifications for instructors which would satisfy the requirements of this item. For purposes of subitems (a) and (c), "proof of training" is not satisfied unless the organization and its instructors meet or exceed the guidelines and qualifications contained in the regulations promulgated by SLED pursuant to this item.

- (5) 'Concealable weapon' means a firearm having a length of less than twelve inches measured along its greatest dimension that may be carried openly on one's person or in a manner that is hidden from public view in normal wear of clothing except when needed for self defense, defense of others, and the protection of real or personal property.
- (6) "Proof of ownership of real property" means a certified current document from the county assessor of the county in which the property is located verifying ownership of the real property. SLED must determine the appropriate document that fulfills this requirement.

**SECTION 23-31-215.** Issuance of permits.

(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least eighteen years of age and who is not prohibited by state law from possessing the weapon upon submission of:

- (1) a completed application signed by the person;
- (2) a photocopy of a driver's license or photographic identification card;
- (3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;
- (4) proof of actual or corrected vision rated at within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;
- (5) proof of training; and
- (6) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

(B) Upon submission of the items required by subsection (A), SLED must conduct or facilitate a local, state, and federal fingerprint review of the applicant. SLED also must conduct a background check of the applicant through notification to and input from the sheriff of the county where the applicant resides or if the applicant is a qualified nonresident, where the applicant owns real property in this State. The sheriff within ten working days after notification by SLED, may submit a recommendation on an application. Before making a determination whether or not to issue a permit under this article, SLED must consider the recommendation provided pursuant to this subsection. If the fingerprint review and background check are favorable, SLED must issue the permit.

(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23-31-210(4), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23-31-210(4). SLED may not charge a fee of any kind for a concealable weapon permit. If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety-day notification period, the permit may be revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.

(D) Denial of an application may be appealed. The appeal must be in writing and state the basis for the appeal. The appeal must be submitted to the Chief of SLED within thirty days from the date the denial notice is received. The chief shall issue a written decision within ten days from the date the appeal is received. An adverse decision shall specify the reasons for upholding the denial and may be reviewed by the Administrative Law Court pursuant to Article 5, Chapter 23, Title 1, upon a petition filed by an applicant within thirty days from the date of delivery of the division's decision.

(E) SLED must make permit application forms available to the public. A permit application form shall require an applicant to supply:

- (1) name, including maiden name if applicable;
- (2) date and place of birth;
- (3) sex;
- (4) race;
- (5) height;
- (6) weight;
- (7) eye and hair color;
- (8) current residence address; and
- (9) all residence addresses for the three years preceding the application date.

(F) The permit application form shall require the applicant to certify that:

- (1) he is not a person prohibited under state law from possessing a weapon;
- (2) he understands the permit is revoked and must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and
- (3) all information contained in his application is true and correct to the best of his knowledge.

(G) Medical personnel, law enforcement agencies, organizations offering handgun education courses pursuant to Section 23-31-210(4), and their personnel, who in good faith provide information regarding a person's application, must be exempt from liability that may arise from issuance of a permit; provided, however, a weapons instructor must meet the requirements established in Section 23-31-210(4) in order to be exempt from liability under this subsection.

(H) A permit application must be submitted in person, by mail, or online to SLED headquarters which shall verify the legibility and accuracy of the required documents. If an applicant submits his application online, SLED may continue to make all contact with that applicant through online communications.

(I) SLED must maintain a list of all permit holders and the current status of each permit. SLED may release the list of permit holders or verify an individual's permit status only if the request is made by a law enforcement agency to aid in an official investigation, or if the list is required to be released pursuant to a subpoena or court order. SLED may charge a fee not to exceed its costs in releasing the information under this subsection. Except as otherwise provided in this subsection, a person in possession of a list of permit holders obtained from SLED must destroy the list.

(J) A permit is valid statewide unless revoked because the person has:

(1) become a person prohibited under state law from possessing a weapon;

(2) moved his permanent residence to another state and no longer owns real property in this State;

(3) voluntarily surrendered the permit; or

(4) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm. However, if the person subsequently is found not guilty of the offense, then his permit must be reinstated at no charge.

Once a permit is revoked, it must be surrendered to a sheriff, police department, a SLED agent, or by certified mail to the Chief of SLED. A person who fails to surrender his permit in accordance with this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

(K) A permit holder must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

An owner or other person who is lawfully in possession of a firearm, rifle, or shotgun in this State who suffers the loss or theft of such weapon shall report, within ten days of discovery, the loss or theft of each weapon to the appropriate local law enforcement agency, whether local police department or county sheriff's office, which would have appropriate jurisdiction where the weapon is located. In addition, the facts and circumstances of the loss or theft also must be reported to the appropriate law enforcement agency to which the report is made.

(L) SLED shall issue a replacement for lost, stolen, damaged, or destroyed permit identification cards after the permit holder has updated all information required in the original application and the payment of a five-dollar replacement fee. Any change of permanent address must be communicated in writing to SLED within ten days of the change accompanied by the payment of a fee of five dollars to defray the cost of issuance of a new permit. SLED shall then issue a new permit with the new address. A permit holder's failure to notify SLED in accordance with this subsection constitutes a misdemeanor punishable by a twenty-five dollar fine. The original permit shall remain in force until receipt of the corrected permit identification card by the permit holder, at which time the original permit must be returned to SLED.

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into any place listed in Section 16-23-20(A) except as permitted by law.

Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a violation of Section 16-23-20 and in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145.

(N)(1) Valid out-of-state permits to carry concealable weapons held by a resident of a reciprocal state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal

background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(2) Notwithstanding the reciprocity requirements of item (1), South Carolina shall automatically recognize concealed weapon permits issued by Georgia and North Carolina.

(3) The reciprocity provisions of this section shall not be construed to authorize the holder of any out-of-state permit or license to carry, in this State, any firearm or weapon other than a handgun.

**(O)(1) A permit issued pursuant to this article is not required for a person:**

**(a) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas"; or**

**(b) carrying a concealable weapon in a manner not prohibited by law.**

**(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one's person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.**

(P) Upon renewal, a permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall renew a currently valid permit upon:

(1) payment of a fifty-dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;

(2) completion of the renewal application; and

(3) picture identification or facsimile copy thereof.

(Q) Upon submission of the items required by subsection (P), SLED must conduct or facilitate a state and federal background check of the applicant. If the background check is favorable, SLED must renew the permit.

(R) No provision contained within this article shall expand, diminish, or affect the duty of care owed by and liability accruing to, as may exist at law immediately before the effective date of this article, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. Absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care.

(S) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail or online if permitted by subsection (H) at the permit holder's address of record that the permit is set to expire along with notification of the permit holder's opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q).

(T) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

(1) the number of permits;

(2) the number of permits that were issued;

(3) the number of permit applications that were denied;

(4) the number of permits that were renewed;

(5) the number of permit renewals that were denied;

(6) the number of permits that were suspended or revoked; and

(7) the name, address, and county of a person whose permit was revoked, including the reason for the revocation pursuant to subsection (J)(1).

The report must include a breakdown of such information by county.

(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.

(V)(1) The State Law Enforcement Division shall provide a statewide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

**SECTION 23-31-216.** Collection and retention of fees.

The State Law Enforcement Division shall collect, retain, expend, and carry forward all fees associated with the concealable weapon application, renewal, and replacement of the permit, as provided pursuant to this article.

**SECTION 23-31-220.** Right to allow or permit concealed weapons upon premises; signs.

(A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED" shall constitute notice to a person that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this subsection must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20(B)(1).

(C) In addition to the provisions of subsection (B), a public or private employer or the owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.

(D) This section must not be construed to limit an individual from carrying a concealable weapon pursuant to Section 51-3-145(G).

**SECTION 23-31-225.** Carrying concealed weapons into residences or dwelling. **REPEALED with H.3594**

**SECTION 23-31-230.** Carrying concealed weapons between automobile and accommodation. **REPEALED w/ H.3594**

**SECTION 23-31-232.** Church services.

(A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, any person may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the school property pursuant to this section.

**SECTION 23-31-235.** Sign requirements.

(A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable weapon, whether concealed or openly carried, upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

(B) All signs must be posted at each entrance into a building where carrying of a concealable weapon is prohibited and must be:

(1) clearly visible from outside the building;

(2) eight inches wide by twelve inches tall in size;

(3) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five-degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

(1) thirty-six inches wide by forty-eight inches tall in size;

(2) contain the words 'NO CONCEALABLE WEAPONS ALLOWED' in black three-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

- (3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;
  - (4) placed not less than forty inches and not more than ninety-six inches above the ground;
  - (5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.
- (D) Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.

**SECTION 23-31-245.** Openly Carrying a Weapon.

A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this article is not sufficient to justify a search, detention, or arrest.

**SECTION 23-31-250.** Concealed and open carrying of weapons.

- (A) The State of South Carolina, and its political subdivisions, cannot be compelled by the federal government to take any legislative or executive action to implement or enforce a federal law, treaty, executive order, rule, or regulation related to an individual's right to keep and bear arms enshrined in the Second Amendment to the United States Constitution that limits or proscribes carrying concealable weapons, whether concealed or openly carried, as provided in this chapter.
- (B) Any federal law, treaty, executive order, rule, or regulation related to limiting or proscribing the carry of concealable weapons must be evaluated by the Attorney General. The Attorney General shall issue a written opinion of whether the law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A).
- (C) If the Attorney General renders an opinion that a federal law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A), then:
  - (1) no public funds of this State, or any political subdivision of this State, shall be allocated for the implementation or enforcement of that federal law, treaty, executive order, rule, or regulation;
  - (2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation or enforcement of that federal law, treaty, executive order, rule, or regulation; and
  - (3) no official, agent, or employee of the State of South Carolina, or any political subdivision of it, shall implement, attempt to implement, enforce, or attempt to enforce that federal law, treaty, executive order, rule, or regulation.

## **Using a Firearm While Under the Influence of Alcohol or a Controlled Substance**

**SECTION 23-31-400.** Definitions; unlawful use of firearm; violations.

- (A) As used in this article:
  - (1) "Use a firearm" means to discharge a firearm.
  - (2) "Serious bodily injury" means a physical condition which creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of a bodily member or organ.
- (B) It is unlawful for a person who is under the influence of alcohol or a controlled substance to use a firearm in this State.

(C) A person who violates the provisions of subsection (B) is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand dollars or imprisoned not more than two years.

(D) This article does not apply to persons lawfully defending themselves or their property.

**Section 23-31-520.** Open carrying of weapons.

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event. The duration of an event may not be scheduled for such a length of time as to frustrate the intent of this section.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.

**Section 23-31-600.** Retired personnel; identification cards; qualification for carrying concealed weapon.

(D) The restrictions contained in Section 23-31-220 are applicable to a person carrying a concealed weapon pursuant to this section. Carrying a concealed weapon into the residence or dwelling place of another person is prohibited without the expressed permission of the owner or person in legal control or possession of the premises, as appropriate.

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**Title 16 - Crimes and Offenses**  
**CHAPTER 11**  
**Offenses Against Property**  
**Protection of Persons and Property Act**

<http://www.scstatehouse.gov/code/t16c011.php>

**SECTION 16-11-410.** Citation of article.

This article may be cited as the "Protection of Persons and Property Act".

**SECTION 16-11-420.** Intent and findings of General Assembly.

(A) It is the intent of the General Assembly to codify the common law Castle Doctrine which recognizes that a person's home is his castle and to extend the doctrine to include an occupied vehicle and the person's place of business.

(B) The General Assembly finds that it is proper for law-abiding citizens to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil action for acting in defense of themselves and others.

(C) The General Assembly finds that Section 20, Article I of the South Carolina Constitution guarantees the right of the people to bear arms, and this right shall not be infringed.

(D) The General Assembly finds that persons residing in or visiting this State have a right to expect to remain unmolested and safe within their homes, businesses, and vehicles.

(E) The General Assembly finds that no person or victim of crime should be required to surrender his personal safety to a criminal, nor should a person or victim be required to needlessly retreat in the face of intrusion or attack.

**SECTION 16-11-430.** Definitions.

As used in this article, the term:

(1) "Dwelling" means a building or conveyance of any kind, including an attached porch, whether the building or conveyance is temporary or permanent, mobile or immobile, which has a roof over it, including a tent, and is designed to be occupied by people lodging there at night.

(2) "Great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

(3) "Residence" means a dwelling in which a person resides either temporarily or permanently or is visiting as an invited guest.

(4) "Vehicle" means a conveyance of any kind, whether or not motorized, which is designed to transport people or property.

**SECTION 16-11-440.** Presumption of reasonable fear of imminent peril when using deadly force against another unlawfully entering residence, occupied vehicle or place of business.

(A) A person is presumed to have a reasonable fear of imminent peril of death or great bodily injury to himself or another person when using deadly force that is intended or likely to cause death or great bodily injury to another person if the person:

(1) against whom the deadly force is used is in the process of unlawfully and forcefully entering, or has unlawfully and forcibly entered a dwelling, residence, or occupied vehicle, or if he removes or is attempting to remove another person against his will from the dwelling, residence, or occupied vehicle; and

(2) who uses deadly force knows or has reason to believe that an unlawful and forcible entry or unlawful and forcible act is occurring or has occurred.

(B) The presumption provided in subsection (A) does not apply if the person:

(1) against whom the deadly force is used has the right to be in or is a lawful resident of the dwelling, residence, or occupied vehicle including, but not limited to, an owner, lessee, or titleholder; or

(2) sought to be removed is a child or grandchild, or is otherwise in the lawful custody or under the lawful guardianship, of the person against whom the deadly force is used; or

(3) who uses deadly force is engaged in an unlawful activity or is using the dwelling, residence, or occupied vehicle to further an unlawful activity; or

(4) against whom the deadly force is used is a law enforcement officer who enters or attempts to enter a dwelling, residence, or occupied vehicle in the performance of his official duties, and he identifies himself in accordance with applicable law or the person using force knows or reasonably should have known that the person entering or attempting to enter is a law enforcement officer.

(C) A person who is not engaged in an unlawful activity and who is attacked in another place where he has a right to be, including, but not limited to, his place of business, has no duty to retreat and has the right to stand his ground and meet force with force, including deadly force, if he reasonably believes it is necessary to prevent death or great bodily injury to himself or another person or to prevent the commission of a violent crime as defined in Section 16-1-60.

(D) A person who unlawfully and by force enters or attempts to enter a person's dwelling, residence, or occupied vehicle is presumed to be doing so with the intent to commit an unlawful act involving force or a violent crime as defined in Section 16-1-60.

(E) A person who by force enters or attempts to enter a dwelling, residence, or occupied vehicle in violation of an order of protection, restraining order, or condition of bond is presumed to be doing so with the intent to commit an unlawful act regardless of whether the person is a resident of the dwelling, residence, or occupied vehicle including, but not limited to, an owner, lessee, or titleholder.

**SECTION 16-11-450.** Immunity from criminal prosecution and civil actions; law enforcement officer exception; costs.

(A) A person who uses deadly force as permitted by the provisions of this article or another applicable provision of law is justified in using deadly force and is immune from criminal prosecution and civil action for the use of deadly force, unless the person against whom deadly force was used is a law enforcement officer acting in the performance of his official duties and he identifies himself in accordance with applicable law or the person using deadly force knows or reasonably should have known that the person is a law enforcement officer.

(B) A law enforcement agency may use standard procedures for investigating the use of deadly force as described in subsection (A), but the agency may not arrest the person for using deadly force unless probable cause exists that the deadly force used was unlawful.

(C) The court shall award reasonable attorneys' fees, court costs, compensation for loss of income, and all expenses incurred by the defendant in defense of a civil action brought by a plaintiff if the court finds that the defendant is immune from prosecution as provided in subsection (A).

## Title 58 - Public Utilities, Services and Carriers

### CHAPTER 23

#### Motor Vehicle Carriers

#### Public Transportation Passenger Rights

<http://www.scstatehouse.gov/code/t58c023.php>

**SECTION 58-23-1810.** Short title.

This article may be cited as the Public Transportation Passenger Rights Act.

**SECTION 58-23-1820.** Definitions.

For purposes of this article:

- (a) "passenger" means any individual served by a public transportation provider including charter bus activities;
- (b) "bus" means any passenger bus or other motor vehicle having a seating capacity of not less than ten passengers operated by a public transportation provider for the purpose of carrying passengers, including charter passengers;
- (c) "public transportation" is as defined in item (10) of Section 58-25-20;
- (d) "public transportation provider" means any operator who offers or delivers public transportation;
- (e) "public transportation vehicle" means any configuration of equipment for the purpose of providing public transportation.

**SECTION 58-23-1830.** General prohibitions; persons who may be refused transportation; violations and penalties.

(a) It is unlawful for any passenger to commit any of the following acts in a bus or any other public transportation vehicle:

(3) carry or possess any weapon, explosives, acids, other dangerous articles, or live animals, except for a seeing eye dog or a hearing ear dog properly harnessed and accompanied by its owner, small animals properly packaged, or weapons carried by or animals used by a law enforcement official;

(c) The driver of any public transportation vehicle may refuse to transport any person who insists on boarding the vehicle in a manner that will obviously violate any of the above provisions.

(d) Any person violating the provisions of subsection (a) of this section is guilty of a misdemeanor, and upon conviction for a first offense must be imprisoned for not more than thirty days or fined not more than two hundred dollars, for a second offense, imprisoned for not more than sixty days or fined not more than five hundred dollars, or both, and for a third or subsequent offense, imprisoned for not more than ninety days or fined not more than one thousand dollars, or both.

<https://www.scstatehouse.gov/code/t58c025.php>

**SECTION 58-25-20.** Definitions.

(10) "Public transportation" means every conveyance of human passengers by bus, van, or any other surface vehicle as required for intrastate service which is provided to the general public or selected groups on a regular and continuing basis including charter service. Freight delivery is allowed as a concomitant service.

<https://www.scdot.org/travel/travel-transitproviders.aspx>

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**Title 51 - Parks, Recreation and Tourism**  
**CHAPTER 3**  
**State Parks**

<https://www.scstatehouse.gov/code/t51c003.php>

**SECTION 51-3-145.** Certain acts unlawful at state parks.

It shall be unlawful for any person to commit any of the following acts at any park or facility under the jurisdiction of the Department of Parks, Recreation and Tourism:

(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person in possession or carrying a concealable weapon, as defined in Section 23-31-210(5).

**Title 10 - Public Buildings and Property**  
**CHAPTER 11**  
**Trespasses and Offenses**

<https://www.scstatehouse.gov/code/t10c011.php>

**SECTION 10-11-320.** Carrying or discharging firearm; exception for concealable weapons' permit holder.

(A) It is unlawful for any person or group of persons to:

- (1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or
- (2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to a person who possesses firearms and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.