

1 COMMITTEE REPORT

2 February 25, 2016

3

4

H. 4701

5

6 Introduced by Reps. Pitts, White, G.M. Smith, Simrill, Willis,

7 Hardee, Corley, Duckworth, Fry, Goldfinch, Jordan, Erickson,

8 Delleney, Long, Lowe, Sandifer, McCoy, Newton, Rivers,

9 Herbkersman, Bradley, Bowers, Finlay, Huggins and Hicks

10

11 S. Printed 2/25/16--H.

12 Read the first time January 19, 2016.

13

14

15

THE COMMITTEE ON JUDICIARY

16 To whom was referred a Bill (H. 4701) to amend the Code of

17 Laws of South Carolina, 1976, by adding Article 9 to Chapter 31,

18 Title 23 so as to enact the "Second Amendment Preservation Act",

19 etc., respectfully

20

REPORT:

21 That they have duly and carefully considered the same and

22 recommend that the same do pass:

23

24 F. GREGORY DELLENEY, JR. for Committee.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

A BILL

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO ENACT THE “SECOND AMENDMENT PRESERVATION ACT” AND TO PROVIDE THAT THE STATE SHALL NOT ENFORCE CERTAIN LAWS, RULES, OR REGULATIONS THAT LIMIT THE RIGHT OF A PERSON TO OWN, POSSESS, OR USE A FIREARM, AMMUNITIONS, OR FIREARM ACCESSORIES, ACCEPT CERTAIN FEDERAL FUNDS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED, OR EXPEND ANY STATE FUNDS TOWARD THE ENFORCEMENT OF CERTAIN FEDERAL LAWS, RULES, OR REGULATIONS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED.

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 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.

Section 23-31-910. Notwithstanding any other provision of law, the State shall not:

1 (1) enforce any federal law, rule, or regulation that took effect
2 after January 1, 2016, that limits the right of a person to own,
3 possess, or use a firearm, ammunition, or firearm accessories;
4 (2) accept any federal funds related to any law, rule, or
5 regulation that took effect after January 1, 2016, that requires
6 firearms to be registered or confiscated; or
7 (3) expend any state funds toward the enforcement of any
8 federal law, rule, or regulation that took effect after January 1, 2016,
9 that requires firearms to be registered or confiscated.”
10
11 SECTION 2. This act takes effect upon approval by the Governor.
12 ----XX----
13