

AGENDA
House Judiciary Committee
February 14, 2023

The House Judiciary Committee will meet on **Tuesday, February 14, 2023, at 2:30 pm or 30 minutes after adjournment of the House, whichever is later, in Room 516** of the Blatt Building, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

FAMILY, BUSINESS, AND PROBATE LAW SUBCOMMITTEE

Favorable

H.3340 REP. DILLARD TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION **23-3-330**, RELATING TO THE ENDANGERED PERSON NOTIFICATION SYSTEM, SO AS TO PROVIDE THE SYSTEM ALSO SHALL PROVIDE FOR THE DISSEMINATION OF INFORMATION REGARDING MISSING PERSONS BELIEVED TO BE SUFFERING FROM A DEVELOPMENTAL DISABILITY SUCH AS AUTISM SPECTRUM DISORDER.

Pending Favorable Report

H.3856 REP. HOWARD TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION **23-3-340** SO AS TO PROVIDE WHEN PERSONS DIAGNOSED WITH ALZHEIMER'S DISEASE OR DEMENTIA ARE REPORTED MISSING, THE STATE LAW ENFORCEMENT DIVISION MUST SEND WIRELESS EMERGENCY ALERT NOTIFICATIONS TO LAW ENFORCEMENT AGENCIES AND THE PUBLIC REGARDING THE MISSING PERSONS.

GENERAL LAWS SUBCOMMITTEE

Favorable with Amendment

H.3594 REP. B.J. COX TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION **10-11-320**, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION **16-23-20**, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND

CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION [16-23-50](#), RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION [16-23-55](#), RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION [16-23-420](#), RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION [16-23-430](#), RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION [16-23-465](#), RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION [23-31-215](#), RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION [23-31-220](#), RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS

FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION [23-31-232](#), RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION [23-31-235](#), RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION [23-31-600](#), RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS [16-23-460](#), [23-31-225](#), AND [23-31-230](#), RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION [16-23-500](#), RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

CRIMINAL LAWS SUBCOMMITTEE

Favorable with Amendment

[H.3532](#) **REP. G.M. SMITH** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [17-15-270](#) SO AS TO PROVIDE SENTENCING ENHANCEMENTS FOR PERSONS WHO COMMIT CERTAIN ADDITIONAL CRIMES WHILE ON PRETRIAL RELEASE ON BOND; BY ADDING SECTION [17-15-280](#) SO AS TO PROHIBIT PRETRIAL RELEASE ON BOND FOR PERSONS CHARGED WITH COMMITTING CERTAIN ADDITIONAL CRIMES AND TO PROVIDE APPROPRIATE PROCEDURES FOR DETERMINING IF ADDITIONAL CHARGES ARE PENDING; AND BY AMENDING SECTION [17-15-15](#), RELATING TO THE DEPOSIT OF A CASH PERCENTAGE IN LIEU OF BOND, SO AS TO REQUIRE A FULL CASH BOND FOR PERSONS CHARGED WITH CERTAIN CRIMES.

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable

[H.3591](#) **REP. G.M. SMITH** PROPOSING AN AMENDMENT TO REPEAL SECTION 4, ARTICLE XI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION AGAINST THE STATE OR ITS POLITICAL SUBDIVISIONS PROVIDING DIRECT AID TO RELIGIOUS OR OTHER PRIVATE EDUCATIONAL INSTITUTIONS.

Favorable with Amendment

[H.3686](#) **REP. BERNSTEIN** TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION [1-1-1710](#) SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTI-SEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS, AND TO EDUCATE STATE PERSONNEL AND OFFICIALS ON ANTI-SEMITISM.