~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

May 6, 2010

**H. 3298**

Introduced by Reps. Sellers, Bedingfield, Nanney, Cato, Delleney, Kelly, Pinson, E.H. Pitts, M.A. Pitts, Parker and Millwood

S. Printed 5/6/10--H.

Read the first time January 15, 2009.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3298) to amend Section 16‑23‑20, as amended, Code of Laws of South Carolina, 1976, relating to the carrying of a handgun, so as to provide, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 16‑23‑20(9)(a) of the 1976 Code, as last amended by Act 28 of 2007, is further amended to read:

“(a) 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; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance. If the person has been issued a concealed weapons permit pursuant to Article 4, Chapter 31 of Title 23, then the person also may secure his weapon under a seat in a vehicle; or”

SECTION 2. Section 16‑23‑10(10) of the 1976 Code, as added by Act 294 of 2004, is amended to read:

“(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~~, but not under,~~ the rearmost seat. ~~In a truck, the term ‘luggage compartment’ refers to the area behind the rearmost seat, but not under the front seat.~~”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JAMES H. HARRISON for Committee.

**A** **BILL**

TO AMEND SECTION 16‑23‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE THAT A PERSON MAY LAWFULLY STOW A HANDGUN UNDER THE SEAT OF A VEHICLE.

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

SECTION 1. Section 16‑23‑20(9)(a) of the 1976 Code, as last amended by Act 28 of 2007, is further amended to read:

“(a) 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~~; however~~, or stowed under a seat. However, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance; or”

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

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