**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3436**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Wood, Pitts, Loftis, Chumley, H.A. Crawford, Riley, J.R. Smith, Wells, Toole, Newton, Erickson, Huggins, Kennedy, Delleney, Felder, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hixon, D.C. Moss, V.S. Moss, Owens, Pope, Sandifer, Simrill, G.R. Smith, Spires, Stringer, Thayer, Allison, Clemmons, Hardee, Barfield, Ryhal and Taylor

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Introduced in the House on January 29, 2013

Currently residing in the House Committee on **Judiciary**

Summary: South Carolina Unorganized Militia

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/29/2013 House Introduced and read first time ([House Journal‑page 13](file:///h:\HJ%20Archive\2013\01-29-13.docx))

1/29/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 13](file:///h:\HJ%20Archive\2013\01-29-13.docx))

2/7/2013 House Member(s) request name added as sponsor: Allison, Clemmons, Hardee, Barfield, Ryhal

2/19/2013 House Member(s) request name added as sponsor: Taylor

**VERSIONS OF THIS BILL**

[1/29/2013](file:///p:\pprever\2013-14\3436_20130129.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑80 SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

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

SECTION 1. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25‑1‑80. (A) Pursuant to the provisions of Section 25‑1‑60, an able‑bodied citizen of this State who is over seventeen years of age and can legally purchase a firearm is deemed a member of the South Carolina Unorganized Militia, unless he is already a member of the National Guard or the organized militia not in National Guard service.

(B) The unorganized militia will be under the supervision of the Governor, as Commander‑in‑Chief, and the Adjutant General and shall be regulated through the actions of the General Assembly.

(C) The powers and duties of the South Carolina Unorganized Militia include:

(1) The militia may be ordered to active duty pursuant to the provisions of Section 25‑1‑1890.

(2) A militia member, at his own expense, shall have the right to possess and keep all arms that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2012. This includes shouldered rifles and shotguns, handguns, clips, magazines, and all components.

(3) The unorganized militia may not fall under any law or regulation or jurisdiction of any person or entity outside of South Carolina.

(4) A member may resign at any time from the unorganized militia, at which time he will resume his civilian status.”

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

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