~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

April 13, 2016

**S. 1023**

Introduced by Senators Hutto and McElveen

S. Printed 4/13/16--S.

Read the first time January 26, 2016.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1023) to amend Section 23-31-240, Code of Laws of South Carolina, 1976, relating to persons allowed to carry a concealable weapon while on duty, so as, 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 SECTION 1 and inserting:

/ SECTION 1. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, ~~when carrying out the duties of their office~~ active or retired:

(1) ~~active~~ Supreme Court justices;

(2) ~~active~~ judges of the court of appeals;

(3) ~~active~~ circuit court judges;

(4) ~~active~~ family court judges;

(5) ~~active~~ masters‑in‑equity;

(6) ~~active~~ probate court judges;

(7) ~~active~~ magistrates;

(8) ~~active~~ municipal court judges;

(9) ~~active~~ federal judges;

(10) ~~active~~ administrative law judges;

(11) ~~active~~ solicitors and assistant solicitors; ~~and~~

(12) ~~active~~ workers’ compensation commissioners; and

(13) clerks of court.” /

Renumber sections to conform.

Amend title to conform.

BRAD HUTTO for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact on the general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill amends Section 23-31-240 to allow retired justices, judges, solicitors, assistant solicitors, and Workers’ Compensation Commissioners who possess a valid permit to carry a concealable weapon.

**The South Carolina Judicial Department, Administrative Law Court, and Workers Compensation Commission.** These agencies report that this bill will have no expenditure impact on the general fund, federal funds, or other funds.

**Local Expenditure**

The Revenue and Fiscal Affairs Office contacted twenty-three county governments and the Municipal Association regarding the expenditure impact of this bill. Beaufort, Horry and Richland Counties indicate this bill would have no expenditure impact on their localities. The Municipal Association indicates this bill would have no expenditure impact on municipal governments.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 23-31-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, SO AS TO INCLUDE PERSONS WHO ARE RETIRED FROM CERTAIN OFFICES IN THE PURVIEW OF THE STATUTE.

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

SECTION 1. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, ~~when carrying out the duties of their office~~ active or retired:

(1) ~~active~~ Supreme Court justices;

(2) ~~active~~ judges of the court of appeals;

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(7) ~~active~~ magistrates;

(8) ~~active~~ municipal court judges;

(9) ~~active~~ federal judges;

(10) ~~active~~ administrative law judges;

(11) ~~active~~ solicitors and assistant solicitors; and

(12) ~~active~~ workers’ compensation commissioners.”

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

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