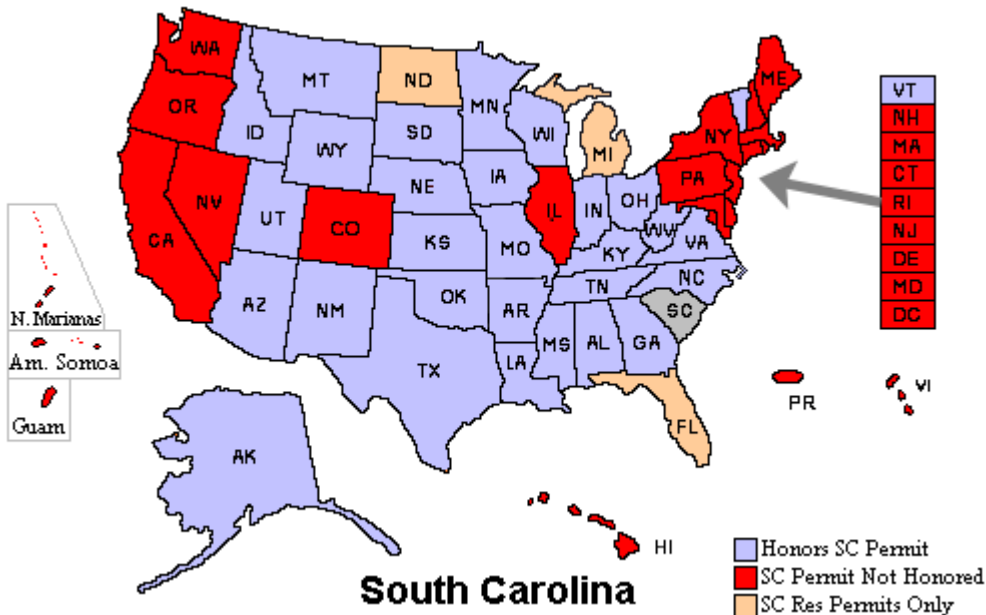


# South Carolina

Must Inform Officer Immediately: **YES**

Shall Issue

(See Must Inform Section)



- [South Carolina CCW Links](#)
- [State CCW Site](#)
- [SLED Open Carry Info](#)
- [State CWP FAQs](#)
- [SC Gun Laws](#)
- [CCW Application](#)
- [On-Line App & Renewal](#)
- [Electronic Fingerprinting Info](#)
- [Instructor/Student Checklist](#)
- [Instructors Listing](#)
- [State Statutes](#)
- [State Admin Rules](#)
- [State Reciprocity Info](#)
- [State Attorney General](#)
- [Age to Carry a Firearm In Other States](#)
- Last Updated: 11/14/2021**

**Note:** [Alaska](#), [Arizona](#), [Arkansas](#), [Idaho](#), [Iowa](#), [Kansas](#), [Kentucky](#), [Maine](#), [Montana](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Oklahoma](#), [South Dakota](#), [Tennessee](#), [Texas](#), [Utah](#), [Vermont](#), [West Virginia](#) and [Wyoming](#) have "[Permitless Carry](#)". Anyone who can legally possess a firearm may carry in these states without a Permit/License. Check each states page for information on age and other restrictions that may apply.

[North Dakota](#) has "[Permitless Carry](#)" for Residents only.

## Permits/Licenses This State Honors Listed Below

Alaska	Arizona	Arkansas	Delaware	Florida
Georgia	<b>Idaho<sup>1</sup></b>	Illinois	Iowa	Kansas
Kentucky	Louisiana	Maryland	Michigan	Minnesota
<b>Mississippi<sup>3</sup></b>	Missouri	Nebraska	New Mexico	North Carolina
<b>North Dakota<sup>4</sup></b>	Ohio	Oklahoma	<b>South Dakota<sup>2</sup></b>	Texas
Tennessee	Virginia	West Virginia	Wyoming.	

**South Carolina Does Not Honor Non-Resident Permits/Licenses. You must be a resident of the state they honor for your permit to be valid in South Carolina. (Must be 21 Years of Age.)**

- Idaho<sup>1</sup>** - SC will only honor the Idaho Enhanced Permit.
- South Dakota<sup>2</sup>** - SC will only honor the South Dakota Enhanced Permit.
- Mississippi<sup>3</sup>** - SC will only honor the Mississippi Enhanced Permit.
- North Dakota<sup>4</sup>** - SC will only honor the North Dakota Class 1 Permit.

## Reciprocity/How This State Honors Other States Permit/Licenses

### 23-31-215 Issuance of Permits.

(N)(1) Valid out-of-state permits to carry concealable weapons held by a resident of a reciprocal state must be honored by this State, provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety. A resident of a reciprocal state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(2) Notwithstanding the reciprocity requirements of subitem (1), South Carolina shall automatically recognize concealed weapon permits issued by **Georgia** and **North Carolina**.

(3) The reciprocity provisions of this section shall not be construed to authorize the holder of any out-of-state permit or license to carry, in this State, any firearm or weapon other than a handgun.

2021 Act No. 66 (H.3094), Sections 12.A, 12.B

## How to Apply for a Permit

Concealed Weapons Permits, Security Guard, and Private Investigator Questions **(803) 896-7015**  
[CWPQuestions@sled.sc.gov](mailto:CWPQuestions@sled.sc.gov)

### Apply or Renew Online

SLED has implement a new online CWP registration and electronic fingerprinting capture system that will be available starting January 8th, 2019. This phase will allow applicants for a **NEW SC CWP** to begin the application online and set up an appointment at an available IdentoGo site. At the IdentoGo site they can submit their CWP application documentation and have their fingerprints taken and sent to SLED electronically. SLED will continue to process all submitted applications received from the IdentoGo appointments made [online](#) and any applications made by [mail](#). For more information go [Here](#).

### Apply Renew by Mail

All of the following is listed on the SC application. The [Application](#) can be downloaded or printed from the SLED Web Site.

#### Instructions- Review Carefully Before Application Submission:

For questions about the CWP application process, forms, or if you need information on state laws and regulations, please visit [Here](#).

Processing time may be up to 90 days. A renewal application should be mailed 90-120 days prior to permit expiration.

- Processing time may be up to 90 days. A renewal application should be mailed 90-120 days prior to permit expiration.
- Applicants must submit a good quality photocopy of their state issued driver's license or officially issued identification card.
- Resident aliens must provide a copy of their alien card from the Department of Homeland Security.
- Qualified nonresident applicants must submit a completed Real Property Tax Form (SLED Form R-168).

**23-31-215** – **States:** SLED may not charge a fee of any kind for a concealable weapon permit. A Police Agency can charge no more than \$5 for fingerprints.

**The following only apply to NEW permit applications:**

- Applicants must submit an original completed, signed, and dated application. The CWP instructor must also sign the application.
- Applicants must submit two (2) complete, legible sets of fingerprint cards.
- Active duty military applicants must submit military orders. Retired or former military applicants must submit a copy of their DD214.
- Retired law enforcement officers exempt from paying the fee must submit proof of retirement benefits/pension documentation.
- Active/retired South Carolina law enforcement officers exempt from training must submit current legal and firearm training documentation. Out-of-state retired law enforcement officers (or those whose certification has expired) must submit proof of graduation from a federal or state academy that included firearms training as a graduation requirement.
- CWP training courses must have been completed within three years of filing the application.
- Training date, instructor certification number, and student number must be entered onto the application.
- You must submit a signed copy of the SLED CWP Instructor/Student Checklist with your application.

**Permit are valid for 5 years**

First Time Applicants Mail Forms to:  
CWP Application, SLED Regulatory,  
PO Box 21398,  
Columbia, SC 29221

Renewal Applicants Mail To:  
SC Law Enforcement Division (SLED)  
Attention CWP Renewal  
PO Box 21398 Columbia, SC 29221

**Please Note:** It will take approximately ninety (90) days to process your new application.

**Please Note:** It will take approximately thirty (30) days to process your renewal application.

**Training Requirements**

**23-31-210.** (4) "Proof of training" means an original document or certified copy of the document supplied by an applicant that certifies that he is either:

(a) a person who, within three years before filing an application, has successfully completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:

- (i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;
- (ii) information on handgun use and safety;
- (iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child;
- (iv) the actual firing of the handgun in the presence of the instructor, provided that a minimum of twenty-five rounds must be fired;

- (v) properly securing a firearm in a holster;
- (vi) 'cocked and locked' carrying of a firearm;
- (vii) how to respond to a person who attempts to take your firearm from your holster; and
- (viii) deescalation techniques and strategies.

(b) a person who demonstrates any of the following must comply with the provisions of sub item (a)(i) only:

- (i) a person who demonstrates the completion of basic military training provided by any branch of the United States military who produces proof of his military service through the submission of a DD214 form;
- (ii) a retired law enforcement officer who produces proof that he is a graduate of the Criminal Justice Academy or that he was a law enforcement officer prior to the requirement for graduation from the Criminal Justice Academy; or
- (iii) a retired state or federal law enforcement officer who produces proof of graduation from a federal or state academy that includes firearms training as a graduation requirement.

(c) an instructor certified by the National Rifle Association or another SLED approved competent national organization that promotes the safe use of handguns;

(d) a person who can demonstrate to the Director of SLED or his designee that he has a proficiency in both the use of handguns and state laws pertaining to handguns;

(e) an active duty police handgun instructor;

(f) a person who has a SLED certified or approved competitive handgun shooting classification; or

(g) a member of the active or reserve military, or a member of the National Guard.

SLED shall promulgate regulations containing general guidelines for courses and qualifications for instructors which would satisfy the requirements of this item. For purposes of sub items (a) and (b), "proof of training" is not satisfied unless the organization and its instructors meet or exceed the guidelines and qualifications contained in the regulations promulgated by SLED pursuant to this item. 2021 Act No. 66, Sec. 6,

## Non-Resident Permits

If you own property in SC you can apply for a Non-Resident Permit/License. Non-Residents must fill out this [Form](#) and have the Assessor sign it to show you own property. Then follow the Application process as spelled out in the Resident Permit Section.

If you are Military stationed in SC you can apply. See Resident section above for details.

**To Renew: See Resident Permit Section**

## Places Off-Limits Even With a Permit/License

[23-31-215 \(M\)](#). A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse or courtroom;
- (3) polling place on election days;
- (4) office of or the business meeting of the governing body of a county, public school district, municipality,

- or special purpose district;
- (5) school or college athletic event not related to firearms;
  - (6) day care facility or pre-school facility;
  - (7) place where the carrying of firearms is prohibited by federal law;
  - (8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;
  - (9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or
  - (10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is willful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

Except as provided for in item (10), a person who willfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.

2021 Act No. 66 (H.3094), Sections 12.A, 12.B

#### **23-31-210. Definitions as Used in This Article:**

(5) "**Concealable weapon**" means a firearm having a length of less than twelve inches measured along its greatest dimension that may be carried openly on one's person or in a manner that is hidden from public view in normal wear of clothing except when needed for self-defense, defense of others, and the protection of real or personal property.

2021 Act No. 66 (H.3094), Sections 2, 6,

#### **16-23-420. Possession of Firearm on School Property; Concealed Weapons.**

(A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is 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.

2009 Act No. 32, Section 2

#### **23-31-225. Carrying Concealed Weapons Into Residences or Dwellings.**

No person who holds a permit issued pursuant to Article 4, Chapter 31, Title 23 may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court and have his permit revoked for five years.

History: 1996 Act No. 464

#### **Public/Charter Buses off Limits**

#### **58-23-1820. Definitions.**

For purposes of this article:

- (a) "passenger" means any individual served by a public transportation provider including charter bus activities;
  - (b) "bus" means any passenger bus or other motor vehicle having a seating capacity of not less than ten passengers operated by a public transportation provider for the purpose of carrying passengers, including charter passengers;
  - (c) "public transportation" is as defined in item (10) of Section 58-25-20;
  - (d) "public transportation provider" means any operator who offers or delivers public transportation;
  - (e) "public transportation vehicle" means any configuration of equipment for the purpose of providing public transportation.
- History: 1986 Act No. 405, Eff May 12, 1986.

**58-23-1830. General Prohibitions; Persons Who May Be Refused Transportation; Violations and Penalties.**

- (a) It is unlawful for any passenger to commit any of the following acts in a bus or any other public transportation vehicle:
    - (3) carry or possess any weapon, explosives, acids, other dangerous articles, or live animals, except for a seeing eye dog or a hearing ear dog properly harnessed and accompanied by its owner, small animals properly packaged, or weapons carried by or animals used by a law enforcement official;
    - (d) Any person violating the provisions of subsection (a) of this section is guilty of a misdemeanor, and upon conviction for a first offense must be imprisoned for not more than thirty days or fined not more than two hundred dollars, for a second offense, imprisoned for not more than sixty days or fined not more than five hundred dollars, or both, and for a third or subsequent offense, imprisoned for not more than ninety days or fined not more than one thousand dollars, or both.
- History: 1986 Act No. 405, May 12, 1986.

**Section 23-31-232.** (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

- (1) The provisions contained in this section apply:
  - (a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and
  - (b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.
- (2) A school district may request that a church utilizing school property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.
- (3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.
- (B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the school property pursuant to this section.” 2021 Act No. 66 (H.3094), Section 7

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For Federal Restrictions on Firearms see the [USA Page](#).

## Do “No Gun Signs” Have the Force of Law?

“YES”

### **23-31-220 Right to Allow or Permit Concealed Weapons Upon Premises; Signs.**

**(A)** Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

2021 Act No. 66, Section 1

### **23-31-235 Sign Requirements.**

**(A)** Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable weapon, whether concealed or openly carried, upon any premises shall only be satisfied by a sign expressing the prohibition in both written language and universal sign language.

**(B)** All signs must be posted at each entrance into a building where a concealable weapon permit holder is prohibited from carrying a concealable weapon, whether concealed or openly carried, and must be:

(1) clearly visible from outside the building;

(2) eight inches wide by twelve inches tall in size;

(3) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

**(C)** If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

(1) thirty-six inches wide by forty-eight inches tall in size;

(2) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black three-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;

(4) placed not less than forty inches and not more than ninety-six inches above the ground;

(5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.

**(D)** Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.”

2021 Act No. 66, Section 5

**Note:** Handgunlaw.us believes when you come across a business that is posted that you not just walk away. That business needs to know that they lost your business because of their “No Gun” sign. Giving them a “No Firearms = No Money” card would do just that. You can print free “No Firearms = No Money” cards by going [Here](#).

## Must Inform Officer Immediately on Contact By Law?

**“YES”**

### 23-31-215. Issuance of Permits.

**(K)** A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4 of Chapter 31 of Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer.

- (1) identifies himself as a law enforcement officer and
- (2) requests identification or a driver’s license from a permit holder.

A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty five dollars. 2021 Act No. 66, Section 12.B

## Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

### Carry Allowed in these Areas:

**State Parks:** YES [51-3-145](#). (G)

**State/National Forests:** YES [51-3-145](#). (G)

**State WMA:** YES [123-203 \(B\)](#)

**Road Side Rest Areas:** YES [16-23-420](#) (F)

## RV/Car Carry Without a Permit/License

Anyone who can legally own a firearm can carry it loaded if contained in a closed Glove Box, Console, Trunk or a vehicle without a trunk in the Luggage Area in a container secured with fasteners. Their law is very specific on the only locations where it can be carried.

**16-23-10. Definitions.** When used in this article:

(1) “**Handgun**” means any firearm designed to expel a projectile and designed to be fired from the hand, but shall not include any firearm generally recognized or classified as an antique, curiosity, or collector’s item, or any that does not fire fixed cartridges.

(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 the rearmost seat.

2014 Act No. 123 (S.308), Section 2.D



### **16-23-20. Unlawful Carrying of Handgun; Exceptions.**

It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

- (1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;
- (2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;
- (3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;
- (4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;
- (5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;
- (6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;
- (7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;
- (8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;
- (9) a person in a vehicle if the handgun is:
  - (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, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or"
  - (b) **Carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;**
- (10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;
- (11) a prison guard while engaged in his official duties;
- (12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;

(14) a person engaged in firearms related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.

(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle. 2021 Act No. 66, Section 3

**23-31-230.** Carrying concealed weapons between automobile and accommodation.

Notwithstanding any provision of law, any person may carry a concealable weapon from an automobile or other motorized conveyance to a room or other accommodation he has rented and upon which an accommodations tax has been paid.

History: 1996 Act No. 464, Section 14.

## **Open Carry (Without a Valid Permit/License)**

**Open Carry is legal but you must have a permit South Carolina Issues or Honors.**

**16-23-20.** Unlawful Carrying of Handgun; Exceptions.

(9)(b) **carried openly or concealed** on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;

2021 Act No. 66 (H.3094), Section 3

**23-31-520.** Power to Regulate Public Use of Firearms; Confiscation of Firearms or Ammunition.

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event. The duration of an event may not be scheduled for such a length of time as to frustrate the intent of this section.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.”

2021 Act No. 66 (H.3094), Section 8,

**Note:** Cities in South Carolina have passed resolutions/ordinances to ban the open carrying of firearms at specific times and locations as outlined in SC Statute 23-31-520 as quote above.

## State Preemption

### **23-31-510. Regulation of ownership, transfer, or possession of firearm or ammunition; discharge on landowner's own property.**

No governing body of any county, municipality, or other political subdivision in the State may enact or promulgate any regulation or ordinance that regulates or attempts to regulate:

(1) the transfer, ownership, possession, carrying, or transportation of firearms, ammunition, components of firearms, or any combination of these things; or

(2) a landowner discharging a firearm on the landowner's property to protect the landowner's family, employees, the general public, or the landowner's property from animals that the landowner reasonably believes pose a direct threat or danger to the landowner's property, people on the landowner's property, or the general public. For purposes of this item, the landowner's property must be a parcel of land comprised of at least twenty-five contiguous acres. Any ordinance regulating the discharge of firearms that does not specifically provide for an exclusion pursuant to this item is unenforceable as it pertains to an incident described in this item; otherwise, the ordinance is enforceable.

2008 Act No. 220, Section 1

### **23-31-520. Power to Regulate Public Use of Firearms; Confiscation of Firearms or Ammunition.**

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event. The duration of an event may not be scheduled for such a length of time as to frustrate the intent of this section.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.”

2021 Act No. 66 (H.3094), Section 8

## Deadly Force Laws

### **16-11-420 thru 16-11-450. "Protection of Persons and Property Act".**

**16-11-420** Intent and Findings of General Assembly.

**16-11-430** Definitions.

**16-11-440** Presumption of Reasonable Fear of Imminent Peril When Using Deadly Force Against Another Unlawfully Entering Residence, Occupied Vehicle or Place of Business.

**16-11-450** Immunity from Criminal Prosecution and Civil Actions; Law Enforcement Officer Exception; Costs.

**Also this court case.**

State of South Carolina  
State Law Enforcement Division (SLED)  
Use of Firearms or Other Weapons  
(Taken from the SLED Web site on Firearms)

**Use of Deadly Force**

*State v. Fuller*, 297 S.C. 440, 377 S.E.2d 328 (1989) sets forth the elements of self-defense in South Carolina. These are:

1. you must be without fault in bringing on the difficulty;
2. you must actually believe you are in imminent danger of loss of life or serious bodily injury *or* actually be in such danger;
3. if you believe you are in such danger, you must use deadly force only if a reasonable or prudent man of ordinary firmness and courage would have believed himself to be in such danger, or, if you actually were in such danger, the circumstances were such as would warrant a man of ordinary prudence, firmness and courage to strike the fatal blow in order to save yourself from serious bodily harm or losing your own life;
4. you had no other probable means of avoiding the danger of losing your own life or sustaining serious bodily injury than to act as you did in the particular instance.

**SC Supreme Ct. Self Defense Ruling - [State v. Jones Appellate Case No. 2014-002123](#) (5/16)**

**Defense of Others**

In *State v. Hays*, 121 S.C. 163, 168, 113 S.E. 362, 363 (1922), the Court approved a “defense of others” instruction, as follows:

The right to take the life of an assailant during an unprovoked assault extends to any relative, friend, or bystander if the use of deadly force is necessary to save the victim wrongfully assaulted from imminent danger of being murdered by the assailant, if the assault is malicious and unprovoked and with a deadly weapon, with the apparent malicious intention to take the life of the victim and thereby commit murder, and if such murder is imminent, then any relative, friend, or bystander has the right to take the life of the assailant if necessary to prevent such murder, provided there was no other reasonable means of escape for the victim so assailed, and provided both the person assailed and the person coming to his defense were without legal fault in bringing on the difficulty.

South Carolina has adopted the so-called “alter-ego” rule with respect to the defense of others. In *State v. Cook*, 78 S.C. 253, 59 S.E. 862 (1907), the Court summarized this rule:

If you intervene on behalf of another, you will not be allowed the benefit of the plea of self-defense, unless that plea would have been available to the person you assisted if he himself had done the killing.

In other words, the person intervening is deemed to “stand in the shoes” of the person on whose behalf he is intervening. If that individual “had the right to defend himself, then the intervening party is also protected by that right. If, however, the party [victim] had no right to use force...then the intervening party will also assume the liability of the person on whose behalf he interfered.” *McAninch and Fairey*, p. 494.

The “defense of others” rules apply to “any relative, friend or bystanders...” *State v. Hays, supra*. The same principles of retreat and withdrawal apply as if the individual himself were acting in self-defense rather than on behalf of someone else. If there was no duty to retreat by the person being assisted, there is no duty imposed upon the intervenor.

**Defense of Property** “...in the protection of one’s dwelling, only such force must be used as is necessary, or apparently necessary, to a reasonably prudent man. Any greater expenditure cannot be justifiable and is therefore punishable. *State v. Hibler*, 79 S.C. 170, 60 S.E. 438 (1907).

“[t]he weight of modern authority limits deadly force in a defense of a dwelling to situations in which the householder reasonably believes that the intruder intends to commit a felony or only when deadly force would be authorized by the law of self-defense.” *McAninch and Fairey*.

## Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES** (Unless Posted) [16-23-465](#)

**(B)(1)** This section does not apply to a person carrying a concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business’ premises. A person who violates this item may be charged with a violation of subsection (A). 2014 Act No. 123 (S.308), Section 1

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can’t. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday’s or Red Lobster unless posted with “No Gun Signs.” This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

### Chemical Sprays:

[16-23-470](#) (A) .....It is lawful for a person for self-defense purposes only to possess, use, transport, sell, or buy a tear-gas machine or gun, or its parts, or ammunition, shells, or equipment for a tear-gas machine or gun, but the capacity of a tear-gas cartridge, shell, or container shall not exceed fifty cubic centimeters nor shall a tear-gas machine or gun have the capability of shooting a cartridge, shell, or **container of more than fifty cubic centimeters**. 1993 Act No. 184, Section 191.

## LEOSA State Information

[23-31-600](#). SC Agency can issue Retired Credentials

[Tega Cay Police Dept LEOSA Information and Range Qualification](#)

See LEOSA Section on [USA Page](#) at Handgunlaw.us for more Information.

## Attorney General Opinions/Court Cases

[SC AG Opinion Off-Duty Police in Schools](#)

[SC AG Opinion on Columbia Ordinance on Carrying Firearms Within 1000 Foot of School](#) (12/2019)

[SC AG Opinion on Columbia Ordinance on Extreme Risk Protection Orders](#) (12/2019)

## Airport Carry/Misc. Information

**Airport Carry:** If publically owned Not in Terminal. Parking Lot OK (Section 16-23-420(a))  
It is difficult to know who owns the airport. Handgunlaw.us recommends not carrying in any Terminal.

**Training Valid for:** 3 Years

**Time Period to Establish Residency:** Upon obtaining a South Carolina Drivers License/ID.

**Minimum Age for Permit/License:** 21

**Permit/License Info Public Information:** NO

**State Reciprocity/How They Honor Other States Statute:** Section 23-31-215.

**State Firearm Laws:** 23-31-10 thru 23-31-600 & 16-23-210 thru 16-23-1060

**State Deadly Force Laws:** 16-11-410 thru 16-11-450.

**State Knife Laws:** 16-23-405 & 16-23-430

**Chemical/Electric Weapons Laws:** 16-23-470

**Body Armor Laws:** 16-3-1080.

**Does Your Permit Cover Other Weapons Besides Firearms?** NO 23-31-210.

**State Safe Storage/Access by Minors Statute/s:** No Statute Found

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal?** YES Section 16-23-20

## Notes

### What Does SC Consider A Loaded Firearm?

**50-11-760. Hunting from Certain Public Roads and Railroad Rights-of-Way Prohibited; Definitions; Penalties.**

(B)(2) For purposes of this section, loaded means a weapon within which any ammunition is contained.

2003 Act No. 50, Section 1..

### State Emergency Powers

**23-31-520. Temporary Restriction of Lawful Open Carrying of a Firearm on Public Property During Certain Events; Notice; Confiscation of Firearms or Ammunition.**

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or  
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beyond the location of the event. The duration of an event may not be scheduled for such a length of time as to frustrate the intent of this section.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest. 2021 Act No. 66 (H.3094), Section 8

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See [US Code 42-5207](#) for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

**Minimum Age for Possessing and Transporting of Handguns.**

**South Carolina 18 Y/O [16-23-30](#)**

This is the minimum age for possessing and transporting an unloaded and secured handgun in a vehicle without any type of permit/license to carry firearms.

**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

**Permit/License Image**

Pre March 2018 Format



Format Starting March 2018



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**Links Checked:** 7/22/2021

- 1/1/2021** - All Quoted Statutes Wording Checked and Reflect the Current Statute Version.
- 2/20/2021** - Montana Added to Listing Under Map at Top of Page as Permitless Carry State.
- 5/5/2021** - Utah Added to Listing Under Map at Top of Page as Permitless Carry State.
- 5/25/2021** - SLED Open Carry Info Link Added to Links Section.
- 6/13/2021** – Nevada No Longer Honors South Carolina.
- 7/1/2021** – Iowa, Tennessee and Wyoming Added Under Map at Top of Page as Permitless Carry States.
- 8/1/2021** – North Dakota Now Only Honors This States Resident Permit.
- 8/15/2021** - How to Apply, Places Off Limits, Do Gun Signs Have the Force of Law, RV/Car Carry, Open Carry and State Preemption Sections Updated per H 3094.
- 9/1/2021** – Texas Added Under Map as Permitless Carry State.
- 9/12/2021** – SLED is Now Reporting That They Will Also Honor Delaware, Illinois, Iowa and Maryland Permits.
- 11/1/2021** – All Quoted Statutes Checked for Accuracy With the 2021 Edition of Their Statutes.
- 11/14/2021** - Note Added to Open Carry Section About Cities having No Open Carry at Certain Times and Places.