

February 29, 2008

Via U. S. Mail and Facsimile (843) 238-1711

The Honorable Nelson L. Hardwick
Member, House of Representatives
714 Cedar Drive, North
Surfside Beach, South Carolina 29575

Dear Representative Hardwick:

In a letter to this office you questioned the law in South Carolina regarding the purchase of ammunition.

Generally, there is no State law outlawing the sale or possession of ammunition except under certain limited circumstances. For instance, S.C. Code Ann. § 16-23-470 makes it unlawful for anyone except a law enforcement officer to possess or buy ammunition that may be used in a tear-gas gun or machine. Another provision, S.C. Code Ann. § 16-23-520, makes it unlawful to use, possess, or buy any ammunition or shells that are coated with teflon. Also, certain provisions dealing with hunting makes it illegal to possess while hunting certain ammunition except during specific game seasons. See, e.g., S.C. Code Ann. §§ 50-11-380 and 50-11-710. Also, S.C. Code Ann. § 23-31-510 states that

[n]o governing body of any county, municipality, or other political subdivision in this State may enact or promulgate any regulation or ordinance which regulates or attempts to regulate the transfer, ownership, possession, carrying, or transportation of any firearms, ammunition, components of firearms, or any combination of these things.

I am unable to locate any other exceptions to the general law in South Carolina that the purchase of ammunition is not prohibited by State law.

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With kind regards, I am,

Very truly yours,

Henry McMaster
Attorney General

By: Charles H. Richardson
Senior Assistant Attorney General

REVIEWED AND APPROVED BY:

Robert D. Cook
Assistant Deputy Attorney General