

1976 WL 30677 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 20, 1976

*1 Lieutenant Jim Minor
Charleston County Police
3505 Pine Haven Drive
Charleston, South Carolina 29405

Dear Lieutenant Minor:

This letter is in response to your inquiry of January 30, 1976. You inquired as to whether it is lawful for a woman to carry a gun in her purse.

There is a 1963 Attorney General Opinion No. 1704 which states that a gun carried in a satchel, brief case, or suitcase which is either locked with a key or snapped shut is not considered a violation of Section 16-129.1 of the South Carolina Code of Laws. There appears to be no real difference between a satchel which is 'snapped' shut and the average woman's purse. Additionally, one must consider the fact that Section 16-129.1 is a penal statute and therefore should be construed in a light most favorable to the challenging party and least favorable to the State. For these reasons, it is our opinion that it may be lawful for a woman to carry a gun in her purse.

This information should satisfy your inquiry. If this Office can assist you further, please contact us.

Sincerely,

B. J. Hawkins
Law Clerk

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