

1975 WL 29410 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 22, 1975

***1 In Re: SLED Suggestions Relative to Pistol Legislation**

Honorable Michael Laughlin
State Senator
The State House
Columbia, South Carolina

Honorable Marshall Cain
Governor's Office
The State House
Columbia, South Carolina

Gentlemen:

Following our conversation of yesterday with SLED Chief J. P. Strom and Captain Leon Gasque about changes in the State's pistol law, I discussed these matters in more detail with Chief Strom and Captain Gasque and have reduced to writing their thoughts on the subject, with which thoughts this Office concurs.

Suggested changes are as follows:

1. Provide for the issuance by SLED of a special permit, upon good cause being shown, to allow private security guards employed directly by an employer to guard the premises of the employer to carry a pistol whether in uniform or not. [Amendment to Act 387 of 1973].
2. Make it unlawful for a licensed retail pistol dealer to possess or sell a 'Saturday Night Special', and make all such pistols possessed or sold in violation of law forfeit to the State and subject to destruction by SLED upon proper court order. Present law applies only to sale of such pistols, and forfeiture only of those pistols actually sold.

Permit routine, warrantless inspection of stocks of licensed retail dealers by SLED to enforce law relating to pistols of inferior quality.

[Amendment to Section 16-129.6:1]

3. (a) Eliminate from the pistol law [Section 16-129.1, as amended by Act 1236 of 1974, Sec. 3(c)] the exemption granted to private security guards, nightwatchmen, and guards of common carriers and other financial institutions. The foregoing are required to obtain pistol permits under the 1973 security guard act and enjoy restricted exemption under its provisions. [Act 387 of 1973].

(b) Amend Sec. 3(12) of Act 1236 of 1974 [Gun Permit Law] to exempt persons from the pistol law who have been issued permits by SLED - - - but only under conditions imposed.

(c) Eliminate from the pistol law, as amended by Act 1236 of 1974, reference to private security officers, etc. These persons are covered adequately by the security guard act. [Act 419 of 1973].

(d) Change the bond requirement for pistol permits from \$20,000 to \$2,000. [Act 1236 of 1974].

At the direction of Senator Laughlin, I have discussed the foregoing suggestions with Legislative Council Attorney Bob Heilman, and have left with him copies of written suggestions as to such proposed changes.

Thank you on behalf of SLED and this Office for the opportunity of discussing these matters with you.
Sincerely,

Joseph C. Coleman
Deputy Attorney General

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