

1975 WL 28918 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 13, 1975

*1 Honorable Walter E. Newman
Director of Public Safety
City of North Augusta
North Augusta, South Carolina 29841

Dear Chief Newman:

You have inquired whether or not a tear gas cannister which may be used as a protective weapon is in violation of laws prohibiting the possession of certain unlawful weapons.

It would appear that such a weapon as you describe would be in violation of Section 16-145 if carried concealed on or about the person.

It would also appear that the weapon you describe would be in violation of Section 16-147 in that it seems to fit within the definition of a tear gas gun or machine.

This opinion is not intended to pass upon the lawfulness or unlawfulness of any particular weapon of a particular brand, but is issued with reference to the general description of the weapon as contained in your letter of April 25, 1975.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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