

1975 WL 29090 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 20, 1975

*1 Mr. Marcus Rogers
Route 6
Sherwood Drive
Seneca, S. C. 29678

Dear Mr. Rogers:

This letter is in response to the question presented to our Office through your letter of August 5, 1975. Your question was whether as a commissioned state constable serving as a private security guard at the Oconee Memorial Hospital in Seneca you have the authority to carry a pistol on the premises.

Subsection C of Section 56-646.12 of the South Carolina Code of Laws, as amended by recent legislation signed into law on June 17, 1975, provides that:

‘Any person engaged in the private security business, or regulated in accordance with the provisions of Section 8, and issued a permit in accordance with this Section shall be authorized to carry any such firearm in an open and fully exposed manner only while on duty and in uniform and while going to and from work . . .’

The reference to Section 8 allows the provision to include employees hired as guards, watchmen, etc. who are registered by the State Law Enforcement Division. If you are a commissioned state constable, registered as a private security guard with the State Law Enforcement Division, then you would be authorized to carry a pistol pursuant to the rules and regulations of this new code provision.

In response to your concern as to the existence of a special restriction on carrying pistols in hospitals, I can find no such prohibition. Section 16-141.1 of the S.C. Code of Laws, as amended, prohibits the carrying or displaying of firearms in public buildings or areas adjacent thereto, however, guards and law enforcement officers are exempted by this provision.

Enclosed is a copy of that portion of the General Legislation which is relevant and Section 16-141.1 per your request. I hope our assistance will prove helpful.

Very truly yours,

B. J. Hawkins
Law Clerk

1975 WL 29090 (S.C.A.G.)