



South Carolina Law Enforcement Division

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NOTICE REGARDING AMENDMENTS TO THE CWP FEE AND TRAINING REQUIREMENTS IN THE OPEN CARRY WITH TRAINING ACT

On May 17th, 2021 Governor Henry D. McMaster signed the Open Carry with Training Act into law. This Act has a 90-day implementation delay, so this law does not go into effect until **August 15, 2021**.

FEES

This bill removes the SLED application fee for all Concealed Weapons Permit (CWP) applications on or after August 15, 2021. As such, no application fee will be required for any CWP application (including new applications, renewals, and replacements) received by SLED (whether received electronically or postmarked) on or after August 15, 2021.

However, the \$50.00 fee required by S.C. Code Ann. § 23-31-215(A)(6) for new CWP applications, the \$50.00 fee required S.C. Code Ann. § 23-31-215(P)(1) for CWP renewals, and the \$5.00 replacement fee for lost, stolen, damaged, or destroyed CWPs required by S.C. Code Ann. § 23-31-215(L) must be paid for any application received by SLED or postmarked with a date prior to August 15, 2021. As these fees are set by law, SLED cannot waive them. In addition, SLED must deny any application received or postmarked prior to August 15, 2021 that does not contain a statutorily mandated fee.

TRAINING

In addition, the Open Carry With Training Act changed the “Proof of Training” requirements defined by S.C. Code Ann. § 23-31-210(4) effective August 15, 2021. This means that all new CWP applications received or postmarked on or after August 15, 2021 must contain “Proof of Training” consistent with the updated legal requirements. There will be no additional training required for applications received or postmarked before August 15, 2021. In addition, there will be no additional training required for existing CWP holders and no additional “Proof of Training” is required for renewals or replacements.

However, on or after August 15, 2021, the “Proof of Training” for new CWP applications required by S.C. Code Ann. § 23-31-215(A)(6)(a) will be:

an original document or certified copy of the document supplied by an applicant that certifies that he is either:

(a) a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or



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municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course **must include**, but is not limited to:

- (i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;
- (ii) information on handgun use and safety;
- (iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child;
- (iv) the actual firing of the handgun in the presence of the instructor, provided that a **minimum of twenty-five rounds must be fired**;
- (v) **properly securing a firearm in a holster**;
- (vi) **‘cocked and locked’ carrying of a firearm**;
- (vii) **how to respond to a person who attempts to take your firearm from your holster**; and
- (viii) **deescalation techniques and strategies**.

SLED is in the process of developing a model lesson plan for CWP instructors that incorporates these amendments and will post this lesson plan to SLED’s website as soon as is possible. CWP instructors may incorporate these new topics into CWP training immediately and may submit updated curriculums to SLED for approval; however, the minimum number of rounds may not be reduced until August 15, 2021. The remaining training provisions of S.C. Code Ann. § 23-31-210(4) did not change.

QUICK REFERENCE

Type of Application	Fee Required	Updated Proof of Training Required
Prior to August 15, 2021		
New CWP	Yes - \$50.00*	No
CWP Renewal	Yes - \$50.00*	No
Replacement	Yes - \$5.00	No
On or After August 15, 2021		
New CWP	No	Yes**
CWP Renewal	No	No
Replacement	No	No

* Except for disabled veterans and retired law enforcement officers. *See* S.C. Code Ann. § 23-31-215.

** Except for individuals addressed by S.C. Code Ann. § 23-31-210(4)(b), (c), (d), (e), (f), or (g).

PRIOR TO AUGUST 15, 2021

1. Can I openly carry a handgun in South Carolina?

No. The Open Carry with Training Act does not go into effect until August 15, 2021, and no permit holder is authorized to openly carry in South Carolina pursuant to a permit until that date.

On or after August 15, 2021, only valid permit holders will be authorized to openly carry pursuant to a permit and may only do so in accordance with South Carolina law.

2. Do I have to pay a fee to apply for a CWP today?

Yes. The Open Carry with Training Act does not go into effect until August 15, 2021, and SLED must charge the required fees for new applications, renewals, and replacements until that date. On or after August 15, 2021, there will be no fee.

QUICK REFERENCE GUIDE

Type of Application	Fee Required	Updated Proof of Training Required
Prior to August 15, 2021		
New CWP	Yes - \$50.00*	No
CWP Renewal	Yes - \$50.00*	No
Replacement	Yes - \$5.00	No
On or After August 15, 2021		
New CWP	No	Yes**
CWP Renewal	No	No
Replacement	No	No

* Except for disabled veterans and retired law enforcement officers - S.C. Code Ann. § 23-31-215.

** Except for individuals addressed by S.C. Code Ann. § 23-31-210(4)(b), (c), (d), (e), (f), or (g).

3. Can SLED hold my application until the effective date of The Open Carry with Training Act?

No.

4. Will my “Proof of Training” be valid after August 15, 2021?

It depends. If an application is received by SLED prior to August 15, 2021 (whether received electronically or postmarked prior to that date), the “Proof of Training” must only comply with the law that existed prior to The Open Carry with Training Act.

If an application is received by SLED on or after August 15, 2021 (whether received electronically or postmarked after that date), the “Proof of Training” must comply with the new requirements of The Open Carry with Training Act, and must include a certification that the applicant has received training on 4 additional topics:

- properly securing a firearm in a holster;
- ‘cocked and locked’ carrying of a firearm;
- how to respond to a person who attempts to take your firearm from your holster; and
- deescalation techniques and strategies.

Training that occurred before August 15, 2021 that does not include the above additional topics and is not received by SLED (whether electronically or postmarked) before August 15, 2021 does not satisfy the “Proof of Training” requirements and will be denied.

QUICK REFERENCE GUIDE

Type of Application	Fee Required	Updated Proof of Training Required
Prior to August 15, 2021		
New CWP	Yes - \$50.00*	No
CWP Renewal	Yes - \$50.00*	No
Replacement	Yes - \$5.00	No
On or After August 15, 2021		
New CWP	No	Yes**
CWP Renewal	No	No
Replacement	No	No

* Except for disabled veterans and retired law enforcement officers. See S.C. Code Ann. § 23-31-215.

** Except for individuals addressed by S.C. Code Ann. § 23-31-210(4)(b), (c), (d), (e), (f), or (g).

5. Can CWP Instructors begin immediately training on the new legal topics required by The Open Carry with Training Act?

Yes. Although this law does not go into effect until August 15, 2021 and the new topics are not required until that date, trainers can and should include the additional topics in CWP training courses. SLED will make an updated lesson plan including these topics available on SLED's website soon.

However, all training conducted prior to August 15, 2021 must include live fire of 50 rounds.

6. Do I need additional training if I am a current CWP holder?

No. While SLED encourages individuals to train regularly and to remain proficient in all topics addressed in the CWP training curriculum, there is no additional "Proof of Training" required for current CWP holders.

7. Do I need additional training to renew my CWP or to seek a replacement?

No. While SLED encourages individuals to train regularly and to remain proficient in all topics addressed in the CWP training curriculum, there is no additional "Proof of Training" required for CWP renewals or CWP replacements.