

1974 WL 27884 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 26, 1974

*1 The Honorable Jeff Brown
Spartanburg County Magistrate
507 East Poinsett Street
Greer, South Carolina

Dear Judge Brown:

Thank you for your letter of June 11, which has been referred to me for reply. It is my opinion that a handgun confiscated pursuant to an arrest for carrying a concealed weapon need not be deposited with your office pending trial. Prosecuting authorities generally retain custody of such evidence in preparation for trial.

After a conviction and final judgement, any weapon confiscated may be sold by the clerk of the county court, the mayor, or his designee. However, no weapons with a value of less than twenty-five (25) dollars shall be sold, but instead shall be destroyed. § 16-146 of the 1962 Code of Laws of South Carolina, as amended.

I hope this answers your questions sufficiently. Should you have any further questions, please feel free to call upon us.
Very truly yours,

Hutson S. Davis, Jr.
Assistant Attorney General

1974 WL 27884 (S.C.A.G.)

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.