



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

Does the state of New Hampshire recognize Idaho's Concealed Weapons License?

Regular: IDAHO CODE § 18-3302
Enhanced: IDAHO CODE § 18-3302K
Both
Neither

Does the state of New Hampshire require a reciprocity agreement?

No
Yes

If yes, is a formal agreement, such as a Memorandum of Agreement, required or will a less formal agreement, such as exchange of letters acknowledging reciprocity of our states' Concealed Weapons Licenses suffice?

Memorandum of Agreement
Exchange of Letters

Name

Title

Date

Telephone

NH Dept of Safety
State Agency Department

Address

City, State, Zip

Email



State of New Hampshire

DEPARTMENT OF SAFETY
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October 17, 2018

Stephanie A. Alig, Lead Deputy Attorney General
Idaho State Police Criminal Law Division
700 South Stratford Drive
Meridian, ID 83642

Dear Attorney General Alig:

As you do in Idaho, we in New Hampshire periodically contact the states with which we have reciprocity on concealed carry pistol and revolver licenses/permits to ensure that we are still reciprocal and may continue to list your state on our State Police website as one that continues to recognize New Hampshire concealed carry licenses.

New Hampshire is now a "constitutional carry" State and we no longer require a license to carry a loaded or unloaded, concealed or openly carried handgun as long as the person carrying it is not prohibited by any state or federal law or regulation from possessing it, on foot or in a motor vehicle. Examples of prohibited persons would be anyone convicted as a career criminal, a person convicted of a felony against a person(s) or property with the possibility of imprisonment for a term exceeding one year, a felony drug offense, a person who is subject to a domestic violence or stalking protective order, a person subject to involuntary mental health commitment as the result of being found to be a danger to themselves or others, or anyone else prohibited by 18 USC 922 (g) from possessing a firearm.

There is nothing in our law that would restrict our carrying conditions to residents of New Hampshire, and we have no age restriction. Therefore, a resident of Idaho visiting, living or working here could carry in New Hampshire without a permit so long as they were not prohibited from possessing a firearm, as indicated above.

Although no longer required in our state, we continue to offer resident and non-resident licenses to carry to our residents and to eligible non-residents who wish to have one (usually for the purpose of obtaining a nonresident concealed carry license from another state that they wish to visit or do business in, or for a nonresident of New Hampshire to have a New Hampshire license that several other states recognize, thereby eliminating the necessity of obtaining separate nonresident licenses from each of those states).

This "optional" resident license is obtained by NH residents from the Police Chief or his/her designee in the town or city where the person lives, or in the case of an unincorporated area or a town without a police department, from the County Sheriff. Non-resident licenses are issued by the Division of State Police.

No photograph or fingerprint is required for a NH license. No training is required. The issuance of a license is confidential and not subject to our right to know law. There is no central database – each community keeps its own records and may share it at their option with another law enforcement agent or agency. We are a “shall issue” state and the license is issued as long as the applicant is not a prohibited person. This determination is usually made by the issuing agency conducting a state and local criminal records check, an NCIC check and a NICS check. Law enforcement agencies do not have access to any statewide mental health records.

Laws prohibit anyone other than a police officer or court security officer from carrying firearms in a courtroom or area used by a court, a gun-free school zone or an airport terminal. Owners of private property may ban the carrying of firearms on their property. Only our State Legislature can enact restrictions on the sale, furnishing, possession or carrying of firearms, firearms accessories or ammunition, and therefore local or county authorities cannot enact their own regulations on firearms.

We currently list Idaho as a state whose carry licenses we honor, and based on the last information we received from you on November 29th of last year, we see no reason why we should not continue to honor both of your licenses, the regular and the enhanced. No formal agreement is required, merely an exchange of letters.

Since you have an age requirement of 18 years on the regular license and 21 on the enhanced license and we have no age limit, if you prefer not to recognize a New Hampshire licensee unless they are age 18 or 21, let me know which age you would prefer, and we will update our website to caution New Hampshire residents that if they are carrying in Idaho on a New Hampshire resident license or an Idaho nonresident license, they must meet that age requirement.

Please let us know if you will continue to recognize New Hampshire carry licenses.

Very truly yours,



Earl M. Sweeney
Program Specialist IV

EMS:ssl

Cc: John J. Barthelmes, Commissioner of Safety
Sergeant Michael McQuade, Dept. of Safety Permits & Licenses Unit