



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 24, 2018

Stephanie A. Altig
Lead Deputy Attorney General
Office of the Attorney General
Idaho State Police
700 S. Stratford Drive
Meridian, ID 83642

Re: Idaho Concealed Weapons Licenses (“CWL”)

Dear Ms. Altig:

I am in receipt of your July 27, 2018 letter inquiring whether Texas will continue to recognize concealed weapons licenses issued by the State of Idaho. Based on my review of Idaho law and the existing reciprocity agreement between our States, it is my conclusion that Idaho licenses remain eligible for recognition under Texas law and the existing reciprocity agreement.

Texas entered a formal reciprocity agreement with Idaho on August 8, 2004. The memorandum of that agreement provides that it “becomes effective on the date of the final signature and shall continue in effect unless modified by mutual written consent, or terminated by either state upon thirty (30) days’ written notice.”

Texas law regarding concealed carry reciprocity is set out in Texas Government Code § 411.173. More specifically, Texas Government Code § 411.173(b) provides:

The governor shall negotiate an agreement with any other state that provides for the issuance of a license to carry a concealed handgun under which a license issued by the other state is recognized in this state or shall issue a proclamation that a license issued by the other state is recognized in this state if the attorney general of the State of Texas determines that a background check of each applicant for a license issued by that state is initiated by state or local authorities or an agent of the state or local authorities before the license is issued. For purposes of this subsection, “background check” means a search of the National Crime Information Center database and the Interstate Identification Index maintained by the Federal Bureau of Investigation.

As I understand Idaho’s concealed carry laws, applicants for both original and enhanced concealed weapons licenses are subject to a background check through the National Instant Criminal Background Check System (“NICS”) prior to issuance of the license. Idaho Code § 18-3302(10); Idaho Code § 18-3302K(3). Because a NICS check includes a search of the information contained

in the National Criminal Information Center database and the Interstate Identification Index, I see no reason to believe the previous reciprocity agreement need be disturbed for either license.

Regards,

A handwritten signature in black ink, appearing to read 'R. Vassar', with a long horizontal stroke extending to the right.

Ryan M. Vassar
Deputy General Counsel
Office of the Attorney General of Texas