



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 2, 2016

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 6, 2016 letter inquiring whether Texas will continue to recognize concealed weapon licenses issued by the State of Idaho in light of recent changes to Idaho law. Based on my review of those changes and the existing reciprocity agreement between our States, it is my conclusion that Texas will continue to recognize licenses issued by Idaho.

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 after the most recent changes, applicants for both original and enhanced concealed weapons licenses remain 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. As such, it is my opinion that Texas will continue to recognize all concealed weapon licenses duly and properly issued by the State of Idaho.

Regards,

A handwritten signature in black ink, reading "John R. Ellis, IV". The signature is written in a cursive style with a large, sweeping initial "J" and a distinct "IV" at the end.

John R. Ellis, IV  
Principal Deputy General Counsel  
General Counsel Division