



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

COPY

November 28, 2017

Ms. Rebecca J. Dobras
Assistant Attorney General
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334-1300

Re: Weapons Permit Reciprocity Between Georgia and Texas

Dear Ms. Dobras:

The Office of the Attorney General of Texas was forwarded a letter addressed to the Texas Department of Public Safety wherein your office inquired whether Texas would continue to recognize weapons carry licenses issued by the State of Georgia.

Texas entered a formal reciprocity agreement with Georgia on November 22, 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 Georgia law, all applicants for a new or renewal weapons carry license are subject to a background check through the National Instant Criminal Background Check System ("NICS") prior to issuance of the license. O.C.G.A. § 16-11-129(d)(2). 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 the previous reciprocity agreement need be disturbed.

Regards,

A handwritten signature in black ink, reading "John R. Ellis, IV".

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