



OFFICE *of the* ATTORNEY GENERAL
GREG ABBOTT

November 29, 2004

Kay Baker
Assistant Attorney General
Office of the Attorney General of Georgia
40 Capitol Square, SW
Atlanta, Georgia 30334

RE: Concealed Handgun Permit Reciprocity

Dear Ms. Baker:

Enclosed for your files, please find an original Concealed Handgun Permit Reciprocity Agreement signed by Texas Governor Rick Perry and Texas Attorney General Greg Abbott.

If you have any questions, please do not hesitate to contact me at (512) 936-7851. Thank you, and it has been a pleasure to work with you on this matter.

Very truly yours,

Becky Pestana
Assistant Attorney General
General Counsel Division

Enclosures

MEMORANDUM OF AGREEMENT

between

The State of Texas

and

The State of Georgia

concerning Handgun License Reciprocity for Concealed Carry

WHEREAS, the State of Texas has the authority to issue a Concealed Handgun License pursuant to V.T.C.A. Government Code § 411, Subchapter H; and

WHEREAS, the State of Georgia has the authority to issue a License to Carry a Pistol or Revolver pursuant to Georgia Code § 16-11-129, which allows a license holder to carry concealed pursuant to Georgia Code § 16-11-126 (c); and

WHEREAS, the State of Texas is authorized to recognize the validity of a nonresident concealed handgun license if the Texas Attorney General determines that a background check of each applicant for a license issued by the other state is conducted by state or local authorities, or agent thereof, before the license is issued to determine the applicants' eligibility to possess a firearm under the Federal Gun Control Act (18 U.S.C. § 922); and

WHEREAS, the Texas Attorney General has made such affirmative determination, as detailed below*, with respect to the State of Georgia; and

WHEREAS, the State of Texas is therefore authorized to recognize the validity, except as limited below**, of a Georgia License to Carry a Pistol or Revolver pursuant to V.T.C.A. Government Code § 411.173 (b); and

WHEREAS, the State of Georgia is authorized, pursuant to Georgia Code § 16-11-126 (e), to recognize a valid license from a state whose laws recognize and give effect within such state to a license issued under Georgia Code, Title 16, Chapter 11, Article 4, Part 3; and

WHEREAS, the laws of the State of Texas allow the State of Texas to recognize and give effect to valid Georgia licenses for the purpose of concealed carry; and

WHEREAS, Handgun License reciprocity between Texas and Georgia is thus supported by the laws of both states;

NOW, THEREFORE, the parties do hereby agree as follows:

1. The State of Texas shall give full faith and credit to a valid License to Carry a Pistol or Revolver issued by the State of Georgia, except as limited below**; and
2. The State of Georgia affirms that Georgia Code § 16-11-126 (e) will operate to give full faith and credit to a valid Concealed Handgun License issued by the State of Texas as long as the Texas license holder is not a resident of Georgia; and

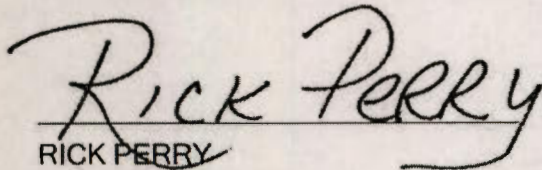
3. Persons carrying a concealed firearm pursuant to this Agreement shall comply with the applicable concealed carry laws, rules and regulations of the respective states.

4. The state of Texas and the State of Georgia will inform each other of any changes to their respective weapons statutes that may affect the eligibility of the recognition granted by each state pursuant to this Memorandum.

*** The affirmative determination made by the Texas Attorney General is based solely on the status of Georgia's concealed carry license as a "Brady Alternative" to a gun sale background check as determined by the Bureau of Alcohol, Tobacco and Firearms (BATF) (a status that requires that license eligibility determinations be made based on federal law), given that Georgia's statute does not otherwise evidence that applicants must be eligible to possess a firearm under federal law. Therefore, this Memorandum of Agreement is contingent upon the continued status of Georgia's concealed carry license as a "Brady Alternative" as determined by the BATF.**

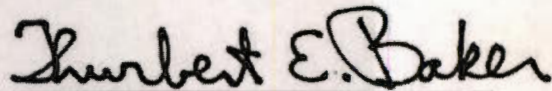
**** The recognition in Texas of a valid Georgia License to Carry a Pistol or Revolver is for the purpose of concealed (not open) carry, in accordance with Texas law.**

This Memorandum of Agreement 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. This document is not intended to limit or restrict the statutory authority or jurisdiction of either state.



RICK PERRY
Governor of Texas

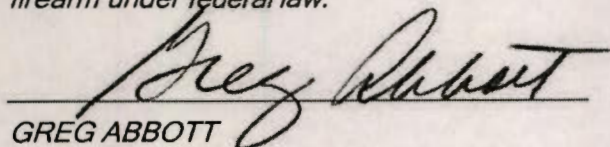
DATE 11/22/04



THURBERT E. BAKER
Georgia Attorney General

DATE 11/15/04

I hereby certify that a background check of each applicant for a license issued by the State of Georgia is conducted by Georgia or its local authorities, or an agent of the State of Georgia or its local authorities, before the license is issued to determine the applicants' eligibility to possess a firearm under federal law.*



GREG ABBOTT
Attorney General of Texas