

MEMORANDUM OF AGREEMENT

Between

The State of Texas

and

The State of New Mexico

Concerning Concealed Handgun License Reciprocity

WHEREAS, the State of Texas has the authority to issue concealed handgun licenses pursuant to Chapter 411, Subchapter H, of the Texas Government Code; and

WHEREAS, the State of New Mexico has the authority to issue concealed handgun licenses pursuant to Chapter 29, Article 19 of the New Mexico Statutes Annotated; and

WHEREAS, the State of Texas is authorized to recognize the validity of a concealed handgun license issued by another state if the Texas Attorney General determines, with respect to the other state, that a background check through the Federal Bureau of Investigation's National Crime Information Center database (NCIC) and Interstate Identification Index database (III) is initiated by state or local authorities, or agents thereof, on each applicant before a concealed handgun license is issued; and

WHEREAS, the Texas Attorney General has made such a determination with respect to the State of New Mexico; and

WHEREAS, pursuant to section 411.173(b) of the Texas Government Code, the State of Texas is therefore authorized to recognize the validity of New Mexico concealed handgun licenses; and

WHEREAS, the State of New Mexico is authorized pursuant to section 29-19-12E of the New Mexico Statutes Annotated to recognize a valid concealed handgun license issued by another state, provided that the issuing authority for the other state: (1) includes provisions at least as stringent as or substantially similar to the New Mexico Concealed Handgun Carry Act; (2) issues a license or permit with an expiration date printed on the license or permit; (3) is available to verify the license or permit status for law enforcement purposes within three business days of a request for verification; (4) has disqualification, suspension and revocation requirements for a concealed handgun license or permit; and (5) requires that an applicant for a concealed handgun license or permit: (a) submit to a national criminal history record check; (b) not be prohibited from possessing firearms pursuant to federal or state law; and (c) satisfactorily complete a firearms safety program that covers deadly force issues, weapons care and maintenance, safe handling and storage or firearms and marksmanship; and

WHEREAS, the State of New Mexico has determined that, with the exceptions outlined below, concealed handgun licenses issued by the State of Texas meet its recognition eligibility requirements; and

WHEREAS, concealed handgun license reciprocity between the State of Texas and the State of New Mexico is thus supported by the laws of both states;

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

1. The State of Texas shall give full faith and credit to a valid concealed handgun license issued by the State of New Mexico; and
2. The State of New Mexico shall give full faith and credit to a valid concealed handgun license issued by the State of Texas to a citizen of the United States who is twenty one (21) years of age or older; and
3. Persons carrying a concealed handgun pursuant to this Memorandum of Agreement shall comply with all applicable concealed carry laws, rules and regulations of the respective state in which they are located; and
4. The State of Texas and the State of New Mexico will inform each other of any changes to their respective laws, rules or regulations that may affect the eligibility of the recognition granted by each state pursuant to this Memorandum of Agreement.

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
State of Texas
DATE _____



GORDEN E. EDEN, JR.
DPS Cabinet Secretary
State of New Mexico
DATE: June 22, 2012