



## GEORGIA CARRY.ORG, INC.

P.O. Box 501625 ATLANTA, GEORGIA 31150 [info@georgiacarry.org](mailto:info@georgiacarry.org)

March 29, 2010

### Re: Recognition of Firearms Licenses Issued By North Dakota

JOSEPH DROLET, ESQ.  
Senior Assistant Attorney General  
40 Capitol Square, SW  
Atlanta, Ga 30334

Dear Mr. Drolet,

I thank you for your letter of February 26, 2010. We published it on our web site to let people know that they may soon be expecting Georgia to recognize North Dakota. I am writing, however, to address a concern I had with the reason the Attorney General denied recognition of North Dakota's license previously. According to your letter, The Georgia Attorney General "indicated that we were unable to provide reciprocity since North Dakota's statute, unlike Georgia law, allowed persons under 21 years of age to obtain licenses. The North Dakota law did not meet the statutory requirements for licensing under Georgia law and reciprocity was therefore not available."

With all due respect, there is no requirement under Georgia law that another state require its applicants be 21 years of age. Rather, Georgia law quite clearly provides:

On and after October 1, 1996, a person licensed to carry a handgun in any state whose laws recognize and give effect within such state to a license issued pursuant to this part shall be authorized to carry a handgun in this state, but only while the licensee is not a resident of this state; provided, however, that such license holder shall carry the handgun in compliance with the laws of this state.

That is the only statutory requirement in Georgia for another state's license. There are not other "statutory requirements." All that is required is that the other state recognize and give effect to a Georgia license.

Georgia recognizes many other states' licenses even though they have issuing standards that are different from Georgia. As an example, most states issue licenses to people with misdemeanor drug convictions. Georgia recognizes these licenses, even though a misdemeanor drug conviction is a lifetime disqualifier in Georgia. The drug

disqualification is simply not pertinent to a determination of whether the other state gives effect to Georgia licenses when Georgians are visiting the other state. Likewise, Georgia already recognizes the licenses of several states that issue to people under 21 years of age, so the North Dakota situation is hardly unprecedented.

Although the statute in Georgia does not require any action on the part of your office to make another state's license valid here, many other states require validation from your office in the form of an opinion, and many law enforcement agencies in this state rely upon your office's press releases to determine which state's licenses are valid for persons visiting from out of state. The only relevant factor is whether another state gives effect to Georgia's license.

We eagerly look forward to a press release adding North Dakota soon.

Sincerely,

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Edward A. Stone  
President  
GEORGIA CARRY.ORG, INC.