



- 1 (ii) For a firearm that is not capable of using fixed ammunition,
- 2 that the firearm contains:
- 3 1. A propellant charge; and
- 4 2. A priming cap or primer cap.
- 5 (3) ~~No~~ Any person twenty-one (21) years of age or older shall may carry
- 6 concealed weapons on or about his person without a license to carry concealed
- 7 weapons, except: unless that person is otherwise prohibited by state or fed-
- 8 eral law or:
- 9 (a) Is under twenty-one (21) years of age, except as otherwise provided
- 10 in this section;
- 11 (b) Is formally charged with a crime punishable by imprisonment for a
- 12 term exceeding one (1) year;
- 13 (c) Has been adjudicated guilty in any court of a crime punishable by
- 14 imprisonment for a term exceeding one (1) year;
- 15 (d) Is a fugitive from justice;
- 16 (e) Is an unlawful user of marijuana or any depressant, stimulant or
- 17 narcotic drug, or any controlled substance as defined in 21 U.S.C. sec-
- 18 tion 802;
- 19 (f) Is currently suffering from or has been adjudicated as having suf-
- 20 fered from any of the following conditions, based on substantial evi-
- 21 dence:
- 22 (i) Lacking mental capacity as defined in section 18-210, Idaho
- 23 Code;
- 24 (ii) Mentally ill as defined in section 66-317, Idaho Code;
- 25 (iii) Gravely disabled as defined in section 66-317, Idaho Code;
- 26 or
- 27 (iv) An incapacitated person as defined in section 15-5-101,
- 28 Idaho Code;
- 29 (g) Has been discharged from the armed forces under dishonorable condi-
- 30 tions;
- 31 (h) Has been adjudicated guilty of or received a withheld judgment or
- 32 suspended sentence for a crime of violence constituting a misdemeanor
- 33 or a crime that would disqualify him from obtaining a concealed weapons
- 34 license, unless three (3) years have elapsed since entry of judgment or
- 35 successful completion of probation prior to the date on which the appli-
- 36 cation is submitted;
- 37 (i) Is an alien illegally in the United States;
- 38 (j) Is a person who having been a citizen of the United States has re-
- 39 nounced his or her citizenship;
- 40 (k) Is free on bond or personal recognizance pending trial, appeal or
- 41 sentencing for a crime which would disqualify him from obtaining a con-
- 42 cealed weapons license;
- 43 (l) Is subject to a protection order issued under chapter 63, title
- 44 39, Idaho Code, that restrains the person from harassing, stalking or
- 45 threatening an intimate partner of the person or child of the intimate
- 46 partner or person, or engaging in other conduct that would place an
- 47 intimate partner in reasonable fear of bodily injury to the partner or
- 48 child; or
- 49 (m) Is for any other reason ineligible to own, possess or receive a
- 50 firearm under the provisions of Idaho or federal law.

- 1       ~~(a) In the person's place of abode or fixed place of business;~~
- 2       ~~(b) On property in which the person has any ownership or leasehold in-~~
- 3       ~~terest;~~
- 4       ~~(c) On private property where the person has permission to carry con-~~
- 5       ~~cealed weapons from any person with an ownership or leasehold interest;~~
- 6       ~~(d) Outside the limits of or confines of any city.~~
- 7       ~~(4) Subsection (3) of this section shall not apply to restrict or pro-~~
- 8       ~~hibit the carrying or possession of:~~
- 9       ~~(a) Any deadly weapon located in plain view;~~
- 10       ~~(b) Any lawfully possessed shotgun or rifle;~~
- 11       ~~(c) A firearm that is not loaded and is concealed in a motor vehicle;~~
- 12       ~~(d) A firearm that is not loaded and is secured in a case; and~~
- 13       ~~(e) A firearm that is disassembled or permanently altered such that it~~
- 14       ~~is not readily operable.~~
- 15       ~~(5) The requirement to secure a license to carry concealed weapons un-~~
- 16       ~~der this section shall not apply to the following persons:~~
- 17       ~~(a) Officials of a city, county or the state of Idaho;~~
- 18       ~~(b) Any publicly elected Idaho official;~~
- 19       ~~(c) Members of the armed forces of the United States or of the national~~
- 20       ~~guard when in performance of official duties;~~
- 21       ~~(d) Criminal investigators of the attorney general's office and crim-~~
- 22       ~~inal investigators of a prosecuting attorney's office, prosecutors and~~
- 23       ~~their deputies;~~
- 24       ~~(e) Any peace officer as defined in section 19-5101(d), Idaho Code, in~~
- 25       ~~good standing;~~
- 26       ~~(f) Retired peace officers or detention deputies with at least ten (10)~~
- 27       ~~years of service with the state or a political subdivision as a peace of-~~
- 28       ~~ficer or detention deputy and who have been certified by the peace offi-~~
- 29       ~~cer standards and training council;~~
- 30       ~~(g) Any person who has physical possession of his valid license or per-~~
- 31       ~~mit authorizing him to carry concealed weapons from another state; and~~
- 32       ~~(h) Any person who has physical possession of a valid license or permit~~
- 33       ~~from a local law enforcement agency or court of the United States autho-~~
- 34       ~~rizing him to carry concealed weapons.~~
- 35       ~~(6) The sheriff of the county of the applicant's residence or, if the~~
- 36       ~~applicant has obtained a protection order pursuant to chapter 63, title 39,~~
- 37       ~~Idaho Code, the sheriff of a county where the applicant is temporarily resid-~~
- 38       ~~ing may issue a temporary emergency license for good cause pending review of~~
- 39       ~~an application made under subsection (7) of this section. Temporary emer-~~
- 40       ~~gency licenses must be easily distinguishable from regular licenses. A tem-~~
- 41       ~~porary emergency license shall be valid for not more than ninety (90) days.~~
- 42       (4) A person qualified to carry concealed weapons may apply for an op-
- 43       tional license to carry concealed weapons.
- 44       (75) The sheriff of a county, on behalf of the state of Idaho, must,
- 45       within ninety (90) days after the filing of a license application by any per-
- 46       son who is not disqualified as provided herein from possessing or receiving
- 47       a firearm under state or federal law, issue a license to the person to carry
- 48       concealed weapons on his person within this state. Such license shall be
- 49       valid for five (5) years from the date of issuance.

1           (86) The sheriff must make license applications readily available at  
2 the office of the sheriff, at other public offices in his or her jurisdiction  
3 and on the website of the Idaho state police. The license application shall  
4 be in a form to be prescribed by the director of the Idaho state police and  
5 must meet the following requirements:

6           (a) The license application shall require the applicant's name, ad-  
7 dress, description, signature, date of birth, place of birth, military  
8 status, citizenship and the driver's license number or state identi-  
9 fication card number if used for identification in applying for the  
10 license. Provided however, that if the applicant is not a United States  
11 citizen and is legally in the United States, the application must also  
12 require any alien or admission number issued to the applicant by United  
13 States immigration and customs enforcement or any successor agency;

14           (b) The license application may ask the applicant to disclose his  
15 social security number but must indicate that disclosure of the appli-  
16 cant's social security number is optional; and

17           (c) The license application must contain a warning that substantially  
18 reads as follows:

19           CAUTION: Federal law and state law on the possession of weapons and  
20 firearms differ. If you are prohibited by federal law from possess-  
21 ing a weapon or a firearm, you may be prosecuted in federal court. A  
22 state permit is not a defense to a federal prosecution.

23           (97) The sheriff may require the applicant to demonstrate familiarity  
24 with a firearm and must accept any one (1) of the following as evidence of the  
25 applicant's familiarity with a firearm:

26           (a) Completion of any hunter education or hunter safety course approved  
27 by the department of fish and game or a similar agency of another state;

28           (b) Completion of any national rifle association firearms safety or  
29 training course or any national rifle association hunter education  
30 course or any equivalent course;

31           (c) Completion of any firearms safety or training course or class  
32 available to the general public offered by a law enforcement agency,  
33 community college, college, university or private or public institu-  
34 tion or organization or firearms training school, utilizing instruc-  
35 tors certified by the national rifle association or the Idaho state  
36 police;

37           (d) Completion of any law enforcement firearms safety or training  
38 course or class offered for security guards, investigators, special  
39 deputies, or offered for any division or subdivision of a law enforce-  
40 ment agency or security enforcement agency;

41           (e) Evidence of equivalent experience with a firearm through partici-  
42 pation in organized shooting competition or military service;

43           (f) Is currently licensed to carry concealed weapons pursuant to this  
44 section, unless the license has been revoked for cause;

45           (g) Completion of any firearms training or safety course or class con-  
46 ducted by a state certified or national rifle association certified  
47 firearms instructor; or

48           (h) Other training that the sheriff deems appropriate.

1           (~~108~~) Any person applying for original issuance of a license to carry  
2 concealed weapons must submit his fingerprints with the completed license  
3 application. Within five (5) days after the filing of an application, the  
4 sheriff must forward the applicant's completed license application and fin-  
5 gerprints to the Idaho state police. The Idaho state police must conduct a  
6 national fingerprint-based records check, an inquiry through the national  
7 instant criminal background check system and a check of any applicable state  
8 database, including a check for any mental health records for conditions or  
9 commitments that would disqualify a person from possessing a firearm under  
10 state or federal law, and return the results to the sheriff within sixty (60)  
11 days. If the applicant is not a United States citizen, an immigration alien  
12 query must also be conducted through United States immigration and customs  
13 enforcement or any successor agency. The sheriff shall not issue a license  
14 before receiving the results of the records check and must deny a license  
15 if the applicant is disqualified under any of the criteria listed in subsec-  
16 tion (~~119~~) of this section. The sheriff may deny a license to carry concealed  
17 weapons to an alien if background information is not attainable or verifi-  
18 able.

19           (~~119~~) A license to carry concealed weapons shall not be issued to any  
20 person who:

- 21           (a) Is under twenty-one (21) years of age, except as otherwise provided  
22 in this section;
- 23           (b) Is formally charged with a crime punishable by imprisonment for a  
24 term exceeding one (1) year;
- 25           (c) Has been adjudicated guilty in any court of a crime punishable by  
26 imprisonment for a term exceeding one (1) year;
- 27           (d) Is a fugitive from justice;
- 28           (e) Is an unlawful user of marijuana or any depressant, stimulant or  
29 narcotic drug, or any controlled substance as defined in 21 U.S.C. sec-  
30 tion 802;
- 31           (f) Is currently suffering from or has been adjudicated as having suf-  
32 fered from any of the following conditions, based on substantial evi-  
33 dence:
  - 34               (i) Lacking mental capacity as defined in section 18-210, Idaho  
35 Code;
  - 36               (ii) Mentally ill as defined in section 66-317, Idaho Code;
  - 37               (iii) Gravely disabled as defined in section 66-317, Idaho Code;
  - 38               or
  - 39               (iv) An incapacitated person as defined in section 15-5-101,  
40 Idaho Code.
- 41           (g) Has been discharged from the armed forces under dishonorable condi-  
42 tions;
- 43           (h) Has been adjudicated guilty of or received a withheld judgment or  
44 suspended sentence for a crime of violence constituting a misdemeanor  
45 or a crime that would disqualify him from obtaining a concealed weapons  
46 license, unless three (3) years have elapsed since entry of judgment or  
47 successful completion of probation prior to the date on which the appli-  
48 cation is submitted;
- 49           (i) Is an alien illegally in the United States;

1 (j) Is a person who having been a citizen of the United States has re-  
2 nounced his or her citizenship;

3 (k) Is free on bond or personal recognizance pending trial, appeal or  
4 sentencing for a crime which would disqualify him from obtaining a con-  
5 cealed weapons license;

6 (l) Is subject to a protection order issued under chapter 63, title  
7 39, Idaho Code, that restrains the person from harassing, stalking or  
8 threatening an intimate partner of the person or child of the intimate  
9 partner or person, or engaging in other conduct that would place an  
10 intimate partner in reasonable fear of bodily injury to the partner or  
11 child; or

12 (m) Is for any other reason ineligible to own, possess or receive  
13 a firearm under the provisions of Idaho or federal law. In making a  
14 determination in relation to an applicant's eligibility under this sub-  
15 section, the sheriff shall not consider:

16 (i) A conviction, guilty plea or adjudication that has been nul-  
17 lified by expungement, pardon, setting aside or other comparable  
18 procedure by the jurisdiction where the conviction, guilty plea  
19 or adjudication occurred or in respect of which conviction, guilty  
20 plea or adjudication the applicant's civil right to bear arms ei-  
21 ther specifically or in combination with other civil rights has  
22 been restored under operation of law or legal process; or

23 (ii) Except as provided for in paragraph (f) of this subsection,  
24 an adjudication of mental defect, incapacity or illness or an in-  
25 voluntary commitment to a mental institution if the applicant's  
26 civil right to bear arms has been restored under operation of law  
27 or legal process.

28 Any person who violates the provisions of this subsection shall be guilty of  
29 a misdemeanor.

30 (120) A license to carry concealed weapons must be in a form substan-  
31 tially similar to that of the Idaho driver's license and must meet the fol-  
32 lowing specifications:

33 (a) The license must provide the licensee's name, address, date of  
34 birth and the driver's license number or state identification card num-  
35 ber if used for identification in applying for the license;

36 (b) The license must bear the licensee's signature and picture; and

37 (c) The license must provide the date of issuance and the date on which  
38 the license expires.

39 (131) Upon issuing a license under the provisions of this section, the  
40 sheriff must notify the Idaho state police within three (3) business days on  
41 a form or in a manner prescribed by the Idaho state police. Information re-  
42 lating to an applicant or licensee received or maintained pursuant to this  
43 section by the sheriff or Idaho state police is confidential and exempt from  
44 disclosure under section 9-340B [74-105], Idaho Code.

45 (142) The fee for original issuance of a license shall be twenty dollars  
46 (\$20.00), which the sheriff must retain for the purpose of performing the du-  
47 ties required in this section. The sheriff may collect the actual cost of any  
48 additional fees necessary to cover the cost of processing fingerprints law-  
49 fully required by any state or federal agency or department, and the actual  
50 cost of materials for the license lawfully required by any state agency or

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1 department, which costs must be paid to the state. The sheriff must provide  
2 the applicant with a copy of the results of the fingerprint-based records  
3 check upon request of the applicant.

4 (153) The fee for renewal of the license shall be fifteen dollars  
5 (\$15.00), which the sheriff must retain for the purpose of performing the du-  
6 ties required in this section. The sheriff may collect the actual cost of any  
7 additional fees necessary to cover the processing costs lawfully required by  
8 any state or federal agency or department, and the actual cost of materials  
9 for the license lawfully required by any state agency or department, which  
10 costs must be paid to the state.

11 (164) Every license that is not, as provided by law, suspended, re-  
12 voked or disqualified in this state shall be renewable at any time during the  
13 ninety (90) day period before its expiration or within ninety (90) days after  
14 the expiration date. The sheriff must mail renewal notices ninety (90) days  
15 prior to the expiration date of the license. The sheriff shall require the  
16 licensee applying for renewal to complete an application. The sheriff must  
17 submit the application to the Idaho state police for a records check of state  
18 and national databases. The Idaho state police must conduct the records  
19 check and return the results to the sheriff within thirty (30) days. The  
20 sheriff shall not issue a renewal before receiving the results of the records  
21 check and must deny a license if the applicant is disqualified under any of  
22 the criteria provided in this section. A renewal license shall be valid for  
23 a period of five (5) years. A license so renewed shall take effect on the ex-  
24 piration date of the prior license. A licensee renewing ninety-one (91) days  
25 to one hundred eighty (180) days after the expiration date of the license  
26 must pay a late renewal penalty of ten dollars (\$10.00) in addition to the  
27 renewal fee unless waived by the sheriff, except that any licensee serving  
28 on active duty in the armed forces of the United States during the renewal  
29 period shall not be required to pay a late renewal penalty upon renewing  
30 ninety-one (91) days to one hundred eighty (180) days after the expiration  
31 date of the license. After one hundred eighty-one (181) days, the licensee  
32 must submit an initial application for a license and pay the fees prescribed  
33 in subsection (142) of this section. The renewal fee and any penalty shall  
34 be paid to the sheriff for the purpose of enforcing the provisions of this  
35 chapter. Upon renewing a license under the provisions of this section, the  
36 sheriff must notify the Idaho state police within five (5) days on a form or  
37 in a manner prescribed by the Idaho state police.

38 (175) No city, county or other political subdivision of this state  
39 shall modify or add to the requirements of this section, nor shall a city,  
40 county or political subdivision ask the applicant to voluntarily submit any  
41 information not required in this section. A civil action may be brought to  
42 enjoin a wrongful refusal to issue a license or a wrongful modification of  
43 the requirements of this section. The civil action may be brought in the  
44 county in which the application was made or in Ada county at the discretion  
45 of the petitioner. Any person who prevails against a public agency in any  
46 action in the courts for a violation of this section must be awarded costs,  
47 including reasonable attorney's fees incurred in connection with the legal  
48 action.

49 (186) A county sheriff, deputy sheriff or county employee who issues a  
50 license to carry a concealed weapon under this section shall not incur any

1 civil or criminal liability as the result of the performance of his duties in  
2 compliance with this section.

3 (197) The sheriff of a county may issue a license to carry a concealed  
4 weapon to those individuals between the ages of eighteen (18) and twenty-one  
5 (21) years who in the judgment of the sheriff warrant the issuance of the li-  
6 cense. Such issuance shall be subject to limitations which the issuing au-  
7 thority deems appropriate. Licenses issued to individuals between the ages  
8 of eighteen (18) and twenty-one (21) years shall be easily distinguishable  
9 from licenses issued pursuant to subsection (75) of this section.

10 (2018) A person carrying a concealed weapon in violation of the provi-  
11 sions of this section shall be guilty of a misdemeanor.

12 (2119) The sheriff of the county where the license was issued or the  
13 sheriff of the county where the person resides shall have the power to revoke  
14 a license subsequent to a hearing in accordance with the provisions of chap-  
15 ter 52, title 67, Idaho Code, for any of the following reasons:

16 (a) Fraud or intentional misrepresentation in the obtaining of a li-  
17 cense;

18 (b) Misuse of a license, including lending or giving a license to an-  
19 other person, duplicating a license or using a license with the intent  
20 to unlawfully cause harm to a person or property;

21 (c) The doing of an act or existence of a condition which would have been  
22 grounds for the denial of the license by the sheriff;

23 (d) The violation of any of the terms of this section; or

24 (e) The applicant is adjudicated guilty of or receives a withheld judg-  
25 ment for a crime which would have disqualified him from initially re-  
26 ceiving a license.

27 (220) A person twenty-one (21) years of age or older who presents a valid  
28 license to carry concealed weapons is exempt from any requirement to undergo  
29 a records check at the time of purchase or transfer of a firearm from a feder-  
30 ally licensed firearms dealer. ~~Provided however, a temporary emergency li-~~  
31 ~~icense issued pursuant to subsection (6) of this section shall not exempt the~~  
32 ~~holder of the license from any records check requirement.~~

33 (231) The attorney general must contact the appropriate officials in  
34 other states for the purpose of establishing, to the extent possible, recog-  
35 nition and reciprocity of the license to carry concealed weapons by other  
36 states, whether by formal agreement or otherwise. The Idaho state police  
37 must keep a copy and maintain a record of all such agreements and reciprocity  
38 recognitions, which must be made available to the public.

39 (242) Nothing in subsection (3) ~~or (4)~~ of this section shall be con-  
40 strued to limit the existing rights of a private property owner, private  
41 tenant, private employer or private business entity.

42 (253) The provisions of this section are hereby declared to be severable  
43 and if any provision of this section or the application of such provision to  
44 any person or circumstance is declared invalid for any reason, such declara-  
45 tion shall not affect the validity of remaining portions of this section.

46 SECTION 2. That Section 18-3302K, Idaho Code, be, and the same is hereby  
47 amended to read as follows:



1 18-3302K. ISSUANCE OF ENHANCED LICENSES TO CARRY CONCEALED  
2 WEAPONS. (1) The sheriff of a county, on behalf of the state of Idaho, must,  
3 within ninety (90) days after the filing of an application by any person  
4 who is not disqualified from possessing or receiving a firearm under state  
5 or federal law and has otherwise complied with the requirements of this  
6 section, issue an enhanced license to the person to carry concealed weapons  
7 on his person. Licenses issued under this section shall be valid for five (5)  
8 years from the date of issue.

9 (2) The sheriff must make license applications readily available at the  
10 office of the sheriff, at other public offices in his jurisdiction and on the  
11 website of the Idaho state police. The license application must be in a form  
12 to be prescribed by the director of the Idaho state police and must meet the  
13 following requirements:

14 (a) The license application shall require the applicant's name, ad-  
15 dress, description, signature, date of birth, place of birth, military  
16 status, citizenship and the driver's license number or state identi-  
17 fication card number if used for identification in applying for the  
18 license. If the applicant is not a U.S. citizen, the application shall  
19 also require any alien or admission number issued to the applicant by  
20 U.S. immigration and customs enforcement, or any successor agency;

21 (b) The license application may ask the applicant to disclose his  
22 social security number but must indicate that disclosure of the appli-  
23 cant's social security number is optional; and

24 (c) The license application must contain a warning that substantially  
25 reads as follows:

26 CAUTION: Federal law and state law on the possession of weapons and  
27 firearms differ. If you are prohibited by federal law from possess-  
28 ing a weapon or a firearm, you may be prosecuted in federal court. A  
29 state permit is not a defense to a federal prosecution.

30 (3) Any person who is applying for original issuance of a license to  
31 carry concealed weapons must submit his fingerprints with the completed  
32 application. Within five (5) days after the filing of an application, the  
33 sheriff must forward the applicant's completed license application and  
34 fingerprints to the Idaho state police. The Idaho state police must con-  
35 duct a national fingerprint-based records check, an inquiry through the  
36 national instant criminal background check system, and a check of any ap-  
37 plicable state database, including a check for any mental health records  
38 for conditions or commitments that would disqualify a person from possess-  
39 ing a firearm under state or federal law, and must return the results to the  
40 sheriff within sixty (60) days. If the applicant is not a U.S. citizen, an  
41 immigration alien query must also be conducted through U.S. immigration and  
42 customs enforcement or any successor agency. The sheriff shall not issue a  
43 license before receiving and reviewing the results of the records check.

44 (4) The sheriff must deny an enhanced license to carry a concealed  
45 weapon if the applicant is disqualified under any of the criteria listed  
46 in section 18-3302(~~41~~9), Idaho Code, or does not meet all of the following  
47 qualifications:

48 (a) Is over the age of twenty-one (21) years;

1 (b) Has been a legal resident of the state of Idaho for at least six (6)  
2 consecutive months before filing an application under this section or  
3 holds a current license or permit to carry concealed weapons issued by  
4 his state of residence; and

5 (c) Has successfully completed within the twelve (12) months immedi-  
6 ately preceding filing an application, a qualifying handgun course as  
7 specified in this paragraph and taught by a certified instructor who is  
8 not prohibited from possessing firearms under state or federal law. A  
9 copy of the certificate of successful completion of the handgun course,  
10 in a form to be prescribed by the director of the Idaho state police and  
11 signed by the course instructor, must be submitted to the sheriff at the  
12 time of filing an application under this section. Certified instruc-  
13 tors of handgun courses when filing an application under this section  
14 shall not be required to submit such certificates but must submit a copy  
15 of their current instructor's credential. The sheriff must accept as a  
16 qualifying handgun course a personal protection course offered by the  
17 national rifle association or an equivalent, provided that all personal  
18 protection or equivalent courses must meet the following requirements:

19 (i) The course instructor is certified by the national rifle as-  
20 sociation, or by another nationally recognized organization that  
21 customarily certifies firearms instructors, as an instructor in  
22 personal protection with handguns, or the course instructor is  
23 certified by the Idaho peace officers standards and training coun-  
24 cil as a firearms instructor;

25 (ii) The course is at least eight (8) hours in duration;

26 (iii) The course is taught face to face and not by electronic or  
27 other means; and

28 (iv) The course includes instruction in:

29 1. Idaho law relating to firearms and the use of deadly  
30 force, provided that such instruction is delivered by either  
31 of the following whose name and credential must appear on the  
32 certificate:

33 (A) An active licensed member of the Idaho state bar;  
34 or

35 (B) A law enforcement officer who possesses an inter-  
36 mediate or higher Idaho peace officers standards and  
37 training certificate.

38 2. The basic concepts of the safe and responsible use of  
39 handguns;

40 3. Self-defense principles; and

41 4. Live fire training including the firing of at least  
42 ninety-eight (98) rounds by the student.

43 An instructor must provide a copy of the syllabus and a written descrip-  
44 tion of the course of fire used in a qualifying handgun course that in-  
45 cludes the name of the individual instructing the legal portion of the  
46 course to the sheriff upon request.

47 (5) A license to carry concealed weapons must be in a form substantially  
48 similar to that of the Idaho driver's license and must meet the following  
49 specifications:

- 1 (a) The license must provide the licensee's name, address, date of
- 2 birth and the driver's license number or state identification card num-
- 3 ber if used for identification in applying for the license;
- 4 (b) The license must bear the licensee's signature and picture;
- 5 (c) The license must provide the date of issuance and the date on which
- 6 the license expires; and
- 7 (d) The license must be clearly distinguishable from a license issued
- 8 pursuant to section 18-3302, Idaho Code, and must be marked "Idaho en-
- 9 hanced concealed weapons license" on its face.
- 10 (6) Upon issuing a license under the provisions of this section, the
- 11 sheriff must notify the Idaho state police within three (3) days on a form or
- 12 in a manner prescribed by the Idaho state police. Information relating to an
- 13 applicant or licensee received or maintained pursuant to this section by the
- 14 sheriff or Idaho state police is confidential and exempt from disclosure un-
- 15 der section 74-105, Idaho Code.
- 16 (7) The fee for original issuance of an enhanced license shall be twenty
- 17 dollars (\$20.00), which the sheriff must retain for the purpose of perform-
- 18 ing the duties required in this section. The sheriff may collect the actual
- 19 cost of any additional fees necessary to cover the processing costs lawfully
- 20 required by any state or federal agency or department, and the actual cost of
- 21 materials for the license lawfully required by any state agency or depart-
- 22 ment, which costs must be paid to the state. The sheriff must provide the
- 23 applicant with a copy of the results of the fingerprint-based records check
- 24 upon request of the applicant.
- 25 (8) The fee for renewal of the enhanced license shall be fifteen dollars
- 26 (\$15.00), which the sheriff must retain for the purpose of performing duties
- 27 required in this section. The sheriff may collect the actual cost of any ad-
- 28 ditional fees necessary to cover the processing costs lawfully required by
- 29 any state or federal agency or department, and the actual cost of materials
- 30 for the license lawfully required by any state agency or department, which
- 31 costs must be paid to the state.
- 32 (9) Every license that is not, as provided by law, suspended, revoked or
- 33 disqualified in this state shall be renewable at any time during the ninety
- 34 (90) day period before its expiration or within ninety (90) days after the
- 35 expiration date. The sheriff must mail renewal notices ninety (90) days
- 36 prior to the expiration date of the license. The sheriff shall require the
- 37 licensee applying for renewal to complete an application. The sheriff must
- 38 submit the application to the Idaho state police. The Idaho state police
- 39 must conduct the same records checks as required for an initial license
- 40 under subsection (3) of this section and must return the results to the sher-
- 41 iff within thirty (30) days. The sheriff shall not issue a renewal before
- 42 receiving and reviewing the results of the records check and must deny a
- 43 license if the applicant is disqualified under any of the criteria provided
- 44 in this section. A renewal license shall be valid for a period of five (5)
- 45 years. A license so renewed shall take effect on the expiration date of the
- 46 prior license. A licensee renewing ninety-one (91) days to one hundred
- 47 eighty (180) days after the expiration date of the license must pay a late re-
- 48 newal penalty of ten dollars (\$10.00) in addition to the renewal fee, except
- 49 that any licensee serving on active duty in the armed forces of the United
- 50 States during the renewal period shall not be required to pay a late renewal

1 penalty upon renewing ninety-one (91) days to one hundred eighty (180) days  
2 after the expiration date of the license. After one hundred eighty-one (181)  
3 days, the licensee shall be required to submit an initial application for  
4 an enhanced license and pay the fees prescribed in subsection (7) of this  
5 section. The renewal fee and any penalty shall be paid to the sheriff for the  
6 purpose of enforcing the provisions of this chapter. Upon renewing a license  
7 under the provisions of this section, the sheriff must notify the Idaho state  
8 police within five (5) days on a form or in a manner prescribed by the Idaho  
9 state police.

10 (10) No city, county or other political subdivision of this state shall  
11 modify or add to the requirements of this section, nor shall a city, county  
12 or political subdivision ask the applicant to voluntarily submit any infor-  
13 mation not required in this section. A civil action may be brought to enjoin  
14 a wrongful refusal to issue a license or a wrongful modification of the re-  
15 quirements of this section. The civil action may be brought in the county in  
16 which the application was made or in Ada county at the discretion of the peti-  
17 tioner. Any person who prevails against a public agency in any action in the  
18 courts for a violation of this section must be awarded costs, including rea-  
19 sonable attorney's fees incurred in connection with the legal action.

20 (11) A county sheriff, deputy sheriff or county employee who issues a  
21 license to carry a concealed weapon under this section shall not incur any  
22 civil or criminal liability as the result of the performance of his or her du-  
23 ties in compliance with this section.

24 (12) The sheriff shall have the power to revoke a license issued pur-  
25 suant to this section subsequent to a hearing in accordance with the provi-  
26 sions of chapter 52, title 67, Idaho Code, for any of the following reasons,  
27 provided that the sheriff must notify the Idaho state police within three (3)  
28 days on a form or in a manner prescribed by the Idaho state police of any such  
29 revocation:

- 30 (a) Fraud or intentional misrepresentation in the obtaining of a li-  
31 cense;
- 32 (b) Misuse of a license, including lending or giving a license to an-  
33 other person, duplicating a license or using a license with the intent  
34 to unlawfully cause harm to a person or property;
- 35 (c) The doing of an act or existence of a condition that would have been  
36 grounds for the denial of the license by the sheriff;
- 37 (d) The violation of any of the provisions of this section; or
- 38 (e) The applicant is adjudicated guilty of or receives a withheld judg-  
39 ment for a crime that would have disqualified him from initially receiv-  
40 ing a license.

41 (13) An applicant who provides information on the application for an  
42 enhanced license to carry a concealed weapon knowing the same to be untrue  
43 shall be guilty of a misdemeanor.

44 (14) The attorney general must contact the appropriate officials in  
45 other states for the purpose of establishing, to the extent possible, recog-  
46 nition and reciprocity of the enhanced license to carry a concealed weapon  
47 by other states, whether by formal agreement or otherwise. The Idaho state  
48 police or the attorney general must keep a copy and maintain a record of all  
49 such agreements and reciprocity recognitions that must be made available to  
50 the public.

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1 (15) Any license issued pursuant to this section is valid throughout the  
2 state of Idaho and shall be considered an authorized state license.

3 (16) The Idaho state police must maintain a computerized record system  
4 that is accessible to law enforcement agencies in any state for the purpose  
5 of verifying current enhanced licensee status. Information maintained in  
6 the record system shall be confidential and exempt from disclosure under  
7 section 74-105, Idaho Code, except that any law enforcement officer or law  
8 enforcement agency, whether inside or outside the state of Idaho, may access  
9 the record system for the purpose of verifying current enhanced licensee  
10 status.