

## 18 U.S. Code § 926C - Carrying of concealed firearms by qualified retired law enforcement officers

(a) Notwithstanding any other provision of the law of any [State](#) or any political subdivision thereof, an individual who is a [qualified retired law enforcement officer](#) and who is carrying the identification required by subsection (d) may carry a concealed [firearm](#) that has been shipped or transported in [interstate or foreign commerce](#), subject to subsection (b).

(b) This section shall not be construed to supersede or limit the laws of any [State](#) that—

- (1) permit private persons or entities to prohibit or restrict the possession of concealed [firearms](#) on their property; or
- (2) prohibit or restrict the possession of [firearms](#) on any [State](#) or local government property, installation, building, base, or park.

(c) As used in this section, the term “[qualified retired law enforcement officer](#)” means an individual who—

- (1) separated from service in good standing from [service with a public agency as a law enforcement officer](#);
- (2) before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest or apprehension under [section 807\(b\) of title 10, United States Code](#) (article 7(b) of the [Uniform Code of Military Justice](#));
- (3)
  - (A) before such separation, served as a law enforcement officer for an aggregate of 10 years or more; or
  - (B) separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;
- (4) during the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in [firearms](#) training for active law enforcement officers, as determined by the former agency of the individual, the [State](#) in which the individual resides or, if the [State](#) has not established such standards, either a law enforcement agency within the [State](#) in which the individual resides or the standards used by a certified [firearms](#) instructor

that is qualified to conduct a [firearms](#) qualification test for active duty officers within that [State](#);

(5)

(A) has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health and as a result of this finding will not be issued the photographic identification as described in subsection (d)(1); or

(B) has not entered into an agreement with the agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified under this section for reasons relating to mental health and for those reasons will not receive or accept the photographic identification as described in subsection (d)(1);

(6) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) is not prohibited by Federal law from receiving a [firearm](#).

(d)The identification required by this subsection is—

(1) a photographic identification issued by the agency from which the individual separated from service as a law enforcement officer that identifies the person as having been employed as a police officer or law enforcement officer and indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed [firearm](#), been tested or otherwise found by the agency to meet the active duty standards for qualification in [firearms](#) training as established by the agency to carry a [firearm](#) of the same type as the concealed [firearm](#); or

(2)

(A) a photographic identification issued by the agency from which the individual separated from service as a law enforcement officer that identifies the person as having been employed as a police officer or law enforcement officer; and

(B) a certification issued by the [State](#) in which the individual resides or by a certified [firearms](#) instructor that is qualified to conduct a [firearms](#) qualification test for active duty officers within that [State](#) that indicates that the individual has, not less than 1 year before the date the individual is carrying the concealed [firearm](#), been tested or otherwise found by the [State](#) or a certified [firearms](#) instructor that is qualified to conduct

a [firearms](#) qualification test for active duty officers within that [State](#) to have met—

- (I) the active duty standards for qualification in [firearms](#) training, as established by the [State](#), to carry a [firearm](#) of the same type as the concealed [firearm](#); or
- (II) if the [State](#) has not established such standards, standards set by any law enforcement agency within that [State](#) to carry a [firearm](#) of the same type as the concealed [firearm](#).

(e) As used in this section—

(1) the term “[firearm](#)”—

(A) except as provided in this paragraph, has the same meaning as in [section 921 of this title](#);

(B) includes [ammunition](#) not expressly prohibited by Federal law or subject to the provisions of the [National Firearms Act](#); and

(C) does not include—

(i) any [machinegun](#) (as defined in section 5845 of the [National Firearms Act](#));

(ii) any [firearm](#) silencer (as defined in [section 921 of this title](#)); and

(iii) any [destructive device](#) (as defined in [section 921 of this title](#)); and

(2) the term “[service with a public agency as a law enforcement officer](#)” includes service as a law enforcement officer of the Amtrak Police Department, service as a law enforcement officer of the Federal Reserve, or service as a law enforcement or police officer of the executive branch of the Federal Government.

(Added [Pub. L. 108-277, § 3\(a\)](#), July 22, 2004, [118 Stat. 866](#); amended [Pub. L. 111-272, § 2\(c\)](#), Oct. 12, 2010, [124 Stat. 2855](#); [Pub. L. 112-239, div. A, title X, § 1089\(2\)](#), Jan. 2, 2013, [126 Stat. 1971](#).)