



HB 530 by Patterson – Election Judge Carry SUPPORT

Homeland Security & Public Safety Hearing, 3/18/21

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Explanation of the bill:

- This bill would clarify that election judges who have an LTC (License to Carry) can carry handguns in polling places while carrying out election duties for early voting or on election day.

Notes:

- This bill lines up with the Attorney General's opinion that Texas law does allow election judges to carry in polling places. (See <https://www.texasattorneygeneral.gov/opinions/ken-paxton/kp-0212>.)
- Polling places are a prohibited place for firearms in Texas Penal Code 46.03; however, Texas law also allows "judges" to carry in prohibited places, and judges.
- We support an amendment to clarify that alternate judges and election clerks can also carry. The AG opinion did not address this because the question was only concerning presiding election judges.
- Election judges, alternate election judges, and clerks are all volunteers who serve to help conduct elections at individual polling locations.
- Many counties struggle to find enough volunteers to cover all polling locations. Some of our members have told us they would be more willing to volunteer if they knew they would not be required to disarm – because they have made the decision to carry in their everyday lives, to be ready in case their life was threatened.
- We generally oppose prohibited places because Texans are safer where they can be armed. Most mass attacks happen in places where citizens were generally not allowed to carry handguns.