

## **BILL ANALYSIS**

H.B. 1128  
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Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that constituents in their district have expressed their safety concerns when casting their ballots, that, under current law, Texas restricts the carrying of concealed handguns in polling places, and that this can be an issue for election judges who may need to protect themselves or ensure safety during elections. H.B. 1128 seeks to address the prohibition on carrying concealed handguns at polling places by establishing that an election judge and an early voting clerk or deputy early voting clerk serving as an election judge are exempt from this restriction when carrying a concealed handgun during the performance of their duties.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1128 amends the Penal Code to exempt a person licensed under state handgun licensing law who is carrying a concealed handgun on the premises of a polling place on the day of an election or while early voting is in progress from the application of the offense for intentionally, knowingly, or recklessly possessing or going with a prohibited weapon on those premises if the person is engaged in the performance of their duties as:

- an election judge; or
- an early voting clerk or deputy early voting clerk who is serving as an election judge at an early voting polling place.

H.B. 1128 applies only to an offense committed on or after the bill's effective date. An offense committed before the bill's effective date is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For these purposes, an offense was committed before the bill's effective date if any element of the offense was committed before that date.

### **EFFECTIVE DATE**

September 1, 2025.