

**SUBJECT:** Allowing use of building on a federal military base as a polling place

**COMMITTEE:** Elections — favorable, without amendment

**VOTE:** 5 ayes — Denny, Howard, Bohac, Harper-Brown, Uresti  
0 nays  
2 absent — Deshotel, Coleman

**WITNESSES:** For — None  
Against — None  
On — (*Registered but did not testify:*) Elizabeth Hanshaw Winn, Secretary of State; Jesse Lewis, Republican Party of Texas

**BACKGROUND:** Election Code, sec. 43.031(d) provides that a polling place may be located in a privately owned building if a suitable public building is not available and if electioneering is permitted on the building's premises outside the limits where electioneering is prohibited. A polling place may be located in a building at which electioneering is prohibited if it is the only building available for use as a polling place in the election precinct.

**DIGEST:** HB 1173 would amend Election Code, sec. 43.031(d) to allow the use of a building on a federal military base as a polling place with the permission of the post or base commander.  
The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2003.

**SUPPORTERS SAY:** HB 1173 would accommodate military personnel and their families who live near military bases as they exercise their right to vote and would allow them vote at polling places near their homes. Texas needs to communicate its support for military personnel and their dependents and show that the state welcomes their contribution to the democratic process, particularly at a time

when many of those personnel are risking their lives to protect freedom and democracy elsewhere in the world.

Providing a polling place on a military base would enhance the sense of security of those who may fear being in a public place during a time of threats from terrorists. Military bases can make reasonable accommodations, as do other public buildings such as the Capitol, to provide both security and access to the public. HB 1173 is permissive legislation and would allow the post or base commander to exercise the necessary discretion as to whether or not to permit public access.

Expanding the options for polling places would give local election officials greater flexibility in planning for elections. More convenient polling locations encourage more citizens to exercise their right to vote.

**OPPONENTS  
SAY:**

Military actions or terrorist threats could lead to a “lockdown” for security reasons and could prevent access to polling places on military bases. The unpredictable nature of such risks could lead to last-minute problems in elections held at the bases.