

**SUBJECT:** Allowing public junior college school marshals to conceal carry handguns

**COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment

**VOTE:** 7 ayes — White, Harless, Hefner, E. Morales, Patterson, Schaefer, Tinderholt

2 nays — Bowers, Goodwin

**WITNESSES:** For — Scott Jenkins, Collin College; Rachel Malone, Gun Owners of America; and six individuals; (*Registered, but did not testify:* Dean McWilliams, Collin College; Rick Briscoe, Open Carry Texas; Ruth York, Tea Party Patriots of Eastland County and Texas Family Defense Committee; and 25 individuals)

Against — Gyl Switzer, Texas Gun Sense; (*Registered, but did not testify:* Jay Propes, Everytown for Gun Safety; Aimee Mobley Turney, League of Women Voters of Texas; Elva Mendoza, Moms Demand Action for Gun Sense in America; Christina Puentes, Texas Gun Sense; Laura Atlas Kravitz, Texas State Teachers Association; and 13 individuals)

On — (*Registered, but did not testify:* Marcia Strickler, WilcoWeThePeople; David Carter)

**BACKGROUND:** Education Code sec. 51.220 allows a public junior college school marshal to carry or possess a handgun on the campus only in the manner provided by written regulations adopted by the college's governing board. The written regulations must provide that a school marshal may carry a concealed handgun on the campus, except that if the primary duty of the school marshal involves regular, direct student contact, the marshal may not carry a concealed handgun but may possess one while on duty in a locked and secured safe within immediate reach.

**DIGEST:** HB 781 would prohibit written regulations adopted by the governing board of a public junior college relating to the possession of a handgun on campus by a school marshal from requiring the school marshal to store the

handgun in a locked container while on duty.

The bill would apply beginning with the 2021-2022 academic year.

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, 2021.

**SUPPORTERS  
SAY:**

HB 781 would enhance the safety of public junior college students and staff by empowering junior colleges to decide how best to employ their school marshal program.

Currently, because most public junior college school marshals are instructors and are interacting with students as part of their job duties, they are unable to conceal carry their handgun and instead have to store it in a locked safe on campus at all times. The requirement to store weapons was created for the original K-12 school marshal program to make sure handguns were not accessed by students. However, when the program was expanded to public junior colleges, the impracticality of that requirement on college campuses, where most students are adults, was not addressed. College faculty do not work in the same classroom all day, which means that by leaving their handguns in a locked safe, school marshals may not be able to access them quickly, limiting their ability to respond to an emergency situation in a timely manner.

The bill would address this issue by removing the storage requirement only for public junior colleges. The bill would not require a school marshal to carry a concealed handgun but simply would provide the option to continue storing or carry concealed.

**CRITICS  
SAY:**

HB 781, by putting more guns in classrooms, could negatively affect the classroom learning environment and increase the potential for incidents. By allowing school marshals to conceal carry their handguns on campus, fear and intimidation could increase in students and faculty, which could negatively affect classroom culture by impeding the candid discourse that is critical to the college experience. Having more guns in classrooms also

could increase crime, including gun theft, unintentional shootings, or other incidents.