

By: Talarico

H.B. No. 2387

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the availability of the defense to prosecution for
3 certain offenses involving possession of small amounts of
4 controlled substances, marihuana, dangerous drugs, or abusable
5 volatile chemicals, or possession of drug paraphernalia for
6 defendants seeking assistance for a suspected overdose.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. The following provisions of the Health and
9 Safety Code are repealed:

- 10 (1) Sections 481.115(h) and (i);
- 11 (2) Sections 481.1151(d) and (e);
- 12 (3) Sections 481.116(g) and (h);
- 13 (4) Sections 481.1161(d) and (e);
- 14 (5) Sections 481.117(g) and (h);
- 15 (6) Sections 481.118(g) and (h);
- 16 (7) Sections 481.119(d) and (e);
- 17 (8) Sections 481.121(d) and (e);
- 18 (9) Sections 481.125(h) and (i);
- 19 (10) Sections 483.041(f) and (g); and
- 20 (11) Sections 485.031(d) and (e).

21 SECTION 2. The changes in law made by this Act apply only to
22 an offense committed on or after the effective date of this Act. An
23 offense committed before the effective date of this Act is governed
24 by the law in effect on the date the offense was committed, and the

1 former law is continued in effect for that purpose. For purposes of
2 this section, an offense was committed before the effective date of
3 this Act if any element of the offense occurred before that date.

4 SECTION 3. This Act takes effect September 1, 2023.