

By: Parker

S.B. No. 1388

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the operation of supervised drug consumption sites; creating a criminal offense.

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

SECTION 1. Section 481.002, Health and Safety Code is amended by adding subsection (56) to read as follows:

(56) "Supervised Drug Consumption Site" means any facility or premises operated or intended to provide an environment for the unlawful use of a controlled substance.

SECTION 2. Subchapter D, Chapter 481, Health and Safety Code is amended by adding Section 481.142 to read as follows:

Sec. 481.142. OFFENSE: OPERATION OF SUPERVISED DRUG CONSUMPTION SITES. (a) A person commits an offense if the person:

(1) knowingly operates a supervised drug consumption site as defined by this chapter; or

(2) either as an owner, lessee, agent, employee, occupant, or mortgagee, knowingly and intentionally opens, leases, rents, profits from, maintains, or makes available for use, with or without compensation, any premises for the purpose of operating a supervised drug consumption site as defined by this chapter.

(b) An offense under Subsection (a) is a felony of the second degree.

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