

By: Hodge

H.B. No. 26

A BILL TO BE ENTITLED

AN ACT

1
2 relating to creating the criminal offense of providing a cigarette
3 or tobacco product to an inmate of the Texas Department of Criminal
4 Justice.

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

6 SECTION 1. Section 38.11(a), Penal Code, is amended to read
7 as follows:

8 (a) A person commits an offense if the person provides:

9 (1) an alcoholic beverage, controlled substance, or
10 dangerous drug to an inmate of a correctional facility, except on
11 the prescription of a physician; or

12 (2) a cigarette or a tobacco product to an inmate of a
13 correctional facility operated by or operated under contract with
14 the Texas Department of Criminal Justice.

15 SECTION 2. Section 38.11(f), Penal Code, is amended by
16 adding Subdivisions (3) and (4) to read as follows:

17 (3) "Cigarette" has the meaning assigned by Section
18 154.001, Tax Code.

19 (4) "Tobacco product" has the meaning assigned by
20 Section 155.001, Tax Code.

21 SECTION 3. This Act takes effect September 1, 2003.