

By: Guillen

H.B. No. 196

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting the introduction of certain items in a
3 correctional facility.

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

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

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

8 (1) an alcoholic beverage, controlled substance, or
9 dangerous drug to an inmate of a correctional facility, except on
10 the prescription of a physician or practitioner, as defined in
11 Section 551.003, Occupations Code; or

12 (2) a deadly weapon, ~~[to an inmate of a correctional~~
13 ~~facility; or~~

14 ~~[(3)]~~ a cellular telephone, a cigarette, a tobacco
15 product, or money to an inmate of a correctional facility ~~[operated~~
16 ~~by or under contract with the Texas Department of Criminal~~
17 ~~Justice].~~

18 SECTION 2. The change in law made by this Act applies only
19 to an offense committed on or after the effective date of this Act.
20 An offense committed before the effective date of this Act is
21 covered by the law in effect when the offense was committed, and the
22 former law is continued in effect for that purpose. For purposes of
23 this section, an offense was committed before the effective date of
24 this Act if any element of the offense was committed before that

1 date.

2 SECTION 3. This Act takes effect September 1, 2005.