

By: Solomons

H.B. No. 374

A BILL TO BE ENTITLED

AN ACT

relating to the operating of a motor vehicle while having certain amounts of certain controlled substances in the body.

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

SECTION 1. Section 49.01(2), Penal Code, is amended to read as follows:

(2) "Intoxicated" means:

(A) not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body; ~~or~~

(B) having an alcohol concentration of 0.08 or more; or

(C) having one of the following controlled substances in the body above the specified concentration per milliliter of urine as shown by an enzyme multiplied immunoassay technique screening test:

(i) for an amphetamine, 1,000 nanograms;

(ii) for a cannabinoid, 50 nanograms;

(iii) for cocaine, 300 nanograms;

(iv) for an opiate, 2,000 nanograms; or

(v) for phencyclidine, 25 nanograms.

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