

By: Guillen, et al.

H.B. No. 502

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting a person from offering to deliver or  
3 delivering, or offering to purchase or purchasing, a substance or  
4 device with the intent to falsify a drug test.

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

6 SECTION 1. Sections 481.133(a)-(c), Health and Safety Code,  
7 are amended to read as follows:

8 (a) A person commits an offense if the person knowingly [~~or~~  
9 ~~intentionally~~] uses, [~~or~~] possesses with intent to use, offers to  
10 purchase, or purchases any substance or device designed to falsify  
11 drug test results.

12 (b) A person commits an offense if the person knowingly  
13 offers to deliver, [~~or intentionally~~] delivers, possesses with  
14 intent to deliver, or manufactures with intent to deliver a  
15 substance or device designed to falsify drug test results.

16 (c) In this section, "drug test" means a lawfully  
17 administered test designed to detect the presence of:

18 (1) a controlled substance or marihuana;

19 (2) a dangerous drug, as defined by Section 483.001;

20 or

21 (3) an abusable volatile chemical, as defined by  
22 Section 485.001.

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