

By: Estes

S.B. No. 108

A BILL TO BE ENTITLED

AN ACT

relating to enhancing the penalty for manufacture or delivery of methamphetamine.

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

SECTION 1. Section 481.112, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (g) to read as follows:

(b) Except as provided by Subsection (g), an [An] offense under Subsection (a) is a state jail felony if the amount of the controlled substance to which the offense applies is, by aggregate weight, including adulterants or dilutants, less than one gram.

(g) An offense under Subsection (a) is a felony of the third degree if the controlled substance to which the offense applies is methamphetamine, including its salts, optical isomers, and salts of optical isomers, in an amount, by aggregate weight, including adulterants or dilutants, of less than one gram.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

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