

BILL ANALYSIS

H.B. 946
By: Miller
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Section 22.041 Penal Code defines imminent danger of a child and includes a person manufacturing methamphetamine in the presence of the child. House Bill 946 would expand the definition to also include possessing or introducing methamphetamine into the body of any person in the presence of a child and any conduct that would cause methamphetamine to be near or accessible to the child; conduct that would cause the presence of the methamphetamine in an analysis of a child's blood, urine or other bodily substance.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 22.041(c-1), Penal Code adding "possessed, or in any way introduced into the body of the person" to the definition of imminent danger of a child. Subsection (c-1)(2) is added to include the person's conduct related to the proximity or accessibility of the controlled substance methamphetamine to the child and an analysis of a specimen of the child's blood, urine, or other bodily substance that indicated the presence of methamphetamine in the child's body.

SECTION 2. Transition Clause continues current law for offenses occurring prior to the effective date of the bill.

SECTION 3. Effective Date. September 1, 2007

EFFECTIVE DATE

September 1, 2007.