

BILL ANALYSIS

H.B. 470
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Salvia divinorum is a perennial herb of the mint family that is readily and legally available through the Internet and sold in tobacco shops and head shops nationwide. Its leaves contain the compound Salvinorin A, which is the active agent that induces a hallucinogenic high a person may experience through chewing, smoking, brewing and ingesting as a tea, or vaporizing and inhaling the substance. Salvia divinorum has been classified as one of the world's most potent naturally occurring hallucinogens and the United States Drug Enforcement Administration currently lists the substance on its list of drugs and chemicals of concern.

H.B. 470 adds Salvia divinorum and its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act.

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

H.B. 470 amends the Health and Safety Code to add Salvia divinorum, unless unharvested and growing in its natural state, meaning all parts of that plant, whether growing or not, the seeds of that plant, an extract from a part of that plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant, its seeds, or extracts, including Salvinorin A, to Penalty Group 3 of the Texas Controlled Substances Act.

EFFECTIVE DATE

September 1, 2011.