

By: Huffman

S.B. No. 239

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the conduct that constitutes an offense for the
3 delivery of drug paraphernalia to a person younger than 18 years of
4 age.

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

6 SECTION 1. Section 481.125(c), Health and Safety Code, is
7 amended to read as follows:

8 (c) A person commits an offense if the person commits an
9 offense under Subsection (b), is 18 years of age or older, and the
10 person who receives or who is intended to receive the drug
11 paraphernalia is younger than 18 years of age [~~and at least three~~
12 ~~years younger than the actor~~].

13 SECTION 2. The change in law made by this Act applies only
14 to an offense committed on or after the effective date of this Act.
15 An offense committed before the effective date of this Act is
16 governed by the law in effect when the offense was committed, and
17 the former law is continued in effect for that purpose. For
18 purposes of this section, an offense was committed before the
19 effective date of this Act if any element of the offense was
20 committed before that date.

21 SECTION 3. This Act takes effect September 1, 2011.