

BILL ANALYSIS

Senate Research Center
83R1216 JSC-D

H.B. 124
By: Anderson et al. (Campbell)
Criminal Justice
5/13/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The leaves of the *Salvia divinorum* plant contain the compound Salvinorin A, which is believed to be the active ingredient responsible for inducing a hallucinogenic high experienced by individuals through inhalation or tincture. Interested parties report that this substance has been classified as the most potent naturally occurring hallucinogen and is readily and legally available in head shops across the nation and over the Internet. Additionally, the United States Drug Enforcement Administration currently includes the substance on its list of drugs and chemicals of concern.

H.B. 124 amends current law relating to the addition of *Salvia divinorum* and its derivatives and extracts to Penalty Group 3 of the Texas Controlled Substances Act.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 481.104(a), Health and Safety Code, to provide that Penalty Group 3 consists of certain substances including *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.

SECTION 2. Effective date: September 1, 2013.