

## **BILL ANALYSIS**

H.B. 124  
By: Anderson  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

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 U.S. Drug Enforcement Administration currently includes the substance on its list of drugs and chemicals of concern. H.B. 124 seeks to add *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. 124 amends the Health and Safety Code to add to Penalty Group 3 of the Texas Controlled Substances Act *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.

### **EFFECTIVE DATE**

September 1, 2013.