

By: Coleman

H.B. No. 3231

A BILL TO BE ENTITLED

AN ACT

relating to local regulation regarding the sale of certain abusable
drugs.

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

SECTION 1. Chapter 370, Local Government Code, is amended
by adding Section 370.0031 to read as follows:

Sec. 370.0031. LOCAL REGULATION REGARDING SALE OF CERTAIN
ABUSABLE DRUGS. (a) Except as provided by Subsection (b), the
governing body of a municipality or county in this state may enact
an ordinance or rule prohibiting the sale of any drug or chemical
that is potentially abusable and poses a threat to public health as
determined by the governing body.

(b) The governing body of a municipality or county may not
enact an ordinance or rule under Subsection (a) prohibiting the
sale of any substance that is approved by the federal Food and Drug
Administration.

SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2013.