

By: Lozano

H.B. No. 2704

A BILL TO BE ENTITLED

AN ACT

relating to a study on the use of portable testing equipment to identify synthetic drugs.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Abusable synthetic substance" has the meaning assigned by Section 484.001, Health and Safety Code.

(2) "Synthetic controlled substance" means a substance listed in Penalty Group 2-A under Section 481.1031, Health and Safety Code.

(3) "Synthetic drug" means an abusable synthetic substance or a synthetic controlled substance.

(4) "Task force" means the Task Force on Synthetic Drug Testing created under this Act.

SECTION 2. TASK FORCE; MEMBERSHIP. (a) The Task Force on Synthetic Drug Testing is created to investigate the use of portable testing devices for identification of synthetic drugs.

(b) The task force consists of nine members, appointed as follows:

(1) one member appointed by the commissioner of the Texas Commission on Law Enforcement;

(2) one member appointed by the public safety director of the Department of Public Safety;

(3) one member appointed by the attorney general;

- 1 (4) two members appointed by the governor;
2 (5) two members appointed by the lieutenant governor;
3 and
4 (6) two members appointed by the speaker of the house
5 of representatives.

6 (c) The members of the task force shall elect a presiding
7 officer from among the membership.

8 (d) Members of the task force serve without compensation and
9 may not be reimbursed for travel or other expenses incurred while
10 conducting the business of the task force.

11 (e) The task force shall meet at the call of the presiding
12 officer. The task force may meet telephonically in accordance with
13 Section [551.125\(b\)\(3\)](#), Government Code.

14 SECTION 3. STUDY; REPORT. (a) The task force shall conduct a
15 study on equipping law enforcement officers with portable testing
16 devices capable of identifying an unidentified substance as a
17 synthetic drug.

18 (b) The study must address:

- 19 (1) the accuracy of portable testing devices;
20 (2) the cost of portable testing devices;
21 (3) the admissibility in court of results of portable
22 testing devices; and
23 (4) any upgrades that would be needed to keep up with
24 the pace at which synthetic drugs are chemically modified.

25 (c) Not later than December 1, 2018, the task force shall
26 submit to the legislature a report on the feasibility and
27 desirability of equipping law enforcement officers with portable

1 testing devices. The report submitted under this subsection must
2 include any legislative recommendations by the task force.

3 SECTION 4. EXPIRATION. This Act expires and the task force
4 is abolished September 1, 2019.

5 SECTION 5. EFFECTIVE DATE. This Act takes effect
6 immediately if it receives a vote of two-thirds of all the members
7 elected to each house, as provided by Section 39, Article III, Texas
8 Constitution. If this Act does not receive the vote necessary for
9 immediate effect, this Act takes effect September 1, 2017.