

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 24, 2017

TO: Honorable Joe Moody, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2200 by Hinojosa, Gina (Relating to the medical use of marihuana; providing a defense to prosecution for possession of marihuana.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code and the Occupations Code relating to the medical use of marihuana. The bill would create an affirmative defense to prosecution of the possession of marihuana. The bill would prohibit an agency or a political subdivision from initiating an investigation into a physician's license to practice medicine solely due to the physician discussed marihuana as a treatment option with a patient or made a statement that the potential benefits of marihuana would outweigh the health risks for a patient. The bill would prohibit a physician from being subject to disciplinary actions solely for making a statement that the potential benefits of marihuana would outweigh the health risks for a patient.

Implementing the provisions of the bill could conflict with federal law as the federal government regulates substances through the Controlled Substances Act.

This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

The Texas Medical Board and the Department of Public Safety anticipate any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Based on the LBB's analysis of the Health and Human Services Commission and Department of State Health Services, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 503 Texas Medical Board, 537 State Health Services, Department of

LBB Staff: UP, KJo, EH, EK, SD, CL, NV, JAW