86R12136 GCB-D

By:  Dominguez H.B. No. 4040

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for employment by a dispensing organization licensed under the Texas Compassionate-Use Act based on a criminal history background check.

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

SECTION 1.  Section 487.105, Health and Safety Code, is amended by adding Subsection (c-1) to read as follows:

(c-1)  The criteria established under Subsection (c) must provide that an individual's conviction of or placement on deferred adjudication community supervision for an offense involving the possession of marihuana that was punishable as a misdemeanor does not prevent the individual from passing the criminal history background check for the purposes of this section.

SECTION 2.  The change in law made by this Act to Section 487.105, Health and Safety Code, applies to an individual's eligibility for employment with a dispensing organization based on a criminal history background check conducted on or after the effective date of this Act, regardless of when a conviction reported as part of the individual's criminal history occurred.

SECTION 3.  This Act takes effect September 1, 2019.