

By: Dominguez

H.B. No. 4040

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to eligibility for employment by a dispensing organization  
3 licensed under the Texas Compassionate-Use Act based on a criminal  
4 history background check.

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

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

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

14 SECTION 2. The change in law made by this Act to Section  
15 487.105, Health and Safety Code, applies to an individual's  
16 eligibility for employment with a dispensing organization based on  
17 a criminal history background check conducted on or after the  
18 effective date of this Act, regardless of when a conviction  
19 reported as part of the individual's criminal history occurred.

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