

By: Zedler

H.B. No. 4276

A BILL TO BE ENTITLED

AN ACT

relating to the legalization of certain cannabidiol.

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

SECTION 1. Sections 481.002(5) and (26), Health and Safety Code, are amended to read as follows:

(5) "Controlled substance" means a substance, including a drug, an adulterant, and a dilutant, listed in Schedules I through V or Penalty Group 1, 1-A, 2, 2-A, 3, or 4. The term includes the aggregate weight of any mixture, solution, or other substance containing a controlled substance. The term does not include cannabidiol included in the definition of "hemp" provided by Section 297A, Agricultural Marketing Act of 1946 (7 U.S.C. Section 1639o).

(26) "Marihuana" means the plant *Cannabis sativa* L., whether growing or not, the seeds of that plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant or its seeds. The term does not include:

(A) the resin extracted from a part of the plant or a compound, manufacture, salt, derivative, mixture, or preparation of the resin;

(B) the mature stalks of the plant or fiber produced from the stalks;

(C) oil or cake made from the seeds of the plant;

(D) a compound, manufacture, salt, derivative,

1 mixture, or preparation of the mature stalks, fiber, oil, or cake;

2 [~~or~~]

3 (E) the sterilized seeds of the plant that are
4 incapable of beginning germination; or

5 (F) cannabidiol included in the definition of
6 "hemp" provided by Section 297A, Agricultural Marketing Act of 1946
7 (7 U.S.C. Section 1639o).

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2019.