

By: Lucio III

H.B. No. 4508

A BILL TO BE ENTITLED

AN ACT

relating to exempting CBD oil from the Texas Controlled Substances Act.

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

SECTION 1. Section 481.002, Health and Safety Code, is amended by adding Subdivision (2-a) and amending Subdivision (26) to read as follows:

(2-a) "CBD oil" means a manufacture, derivative, mixture, or preparation of the plant Cannabis sativa L. that primarily contains cannabidiol and may contain other cannabinoids, terpenes, and other compounds found in the plant, but does not contain, or contains only trace amounts of, delta-9 tetrahydrocannabinol.

(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) CBD oil.

6 SECTION 2. Section 481.111, Health and Safety Code, is
7 amended by adding Subsection (c-1) to read as follows:

8 (c-1) The provisions of this chapter relating to the
9 possession and delivery of marihuana do not apply to a person who
10 possesses or delivers CBD oil.

11 SECTION 3. The changes in law made by this Act to Subchapter
12 D, Chapter 481, Health and Safety Code, apply to conduct involving
13 the possession or delivery of CBD oil that occurs before, on, or
14 after September 1, 2019, except that a final conviction for an
15 offense that exists on September 1, 2019, is unaffected by this Act.

16 SECTION 4. This Act takes effect September 1, 2019.