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| BILL ANALYSIS |

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| H.B. 1108 |
| By: Dominguez |
| Homeland Security & Public Safety |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** An individual must pass a criminal history background check in order to be issued a license to operate as a dispensing organization under the Texas Compassionate-Use Act or to act as a director, manager, or employee of a dispensing organization. It has been suggested that given the nature of these organizations, it is inappropriate for an individual to fail the background check simply on the basis of a prior conviction for a low-level offense involving marihuana possession. H.B. 1108 seeks to ensure that a prior conviction of or placement on deferred adjudication community supervision for such an offense does not prevent an individual from passing the criminal history background check under the Texas Compassionate-Use Act.  |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** H.B. 1108 amends the Health and Safety Code to require the criteria established for determining whether an individual passes the criminal history background check required to obtain a license to operate as a dispensing organization under the Texas Compassionate-Use Act or to act as a director, manager, or employee of such an organization to provide that an individual's conviction of or placement on deferred adjudication community supervision for an offense involving marihuana possession that was punishable as a misdemeanor does not prevent the individual from passing the background check.  |
| **EFFECTIVE DATE** September 1, 2021. |